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(3) Initials of the Referencer

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No. 1453 Press
~~B.P. No.~~ ~~Mis.~~

Dated 17-4-1877 19T.

Not to be folded or roughly handled

No. 379. Read the following Proceedings of the Board of Revenue, dated 14th March 1877, Miscellaneous No. 3,805:—

Read the following letter from L. MOORE, Esq., Acting Head Assistant Collector, Trichinopoly, to the Acting Collector of Trichinopoly, dated 8th December 1876, No. 479.

In reply to your letter, No. 987, of the 27th September last, I have the honor to state that water-rate was charged for the garden lands in Karappudaiyanpatti from Faslis 1280—1283 (both inclusive).

2. The charge was made for the following reason, as stated in paragraph 2 of my letter, No. 543, of the 22nd September 1874 to the Collector:—"There appears to be no doubt that the lands are irrigated by water drawn from a Government source of irrigation, and that second crop has been customarily raised on them. They are entered in the Inam register simply as garden lands, and nothing is said as to whether they are double or single crop. In certain old accounts, however, prepared in the year 1846, when the village was under attachment on behalf of Government, they appear as double crop land.

3. The reason why water was not levied previous to Fasli 1280 seems to be as follows. It appears that the Inam Commissioner, in his letter, No. 163, of the 17th of April 1869, addressed to the Collector of Trichinopoly, stated that second crop assessment should be charged on Inam lands entered in the vernacular Registers as one crop. On receipt of this letter the Collector, Mr. Banbury, sent an order, No. 14, of the 24th April 1869, to all Tahsildars, directing them to azimash all the Inam lands, and see if any lands on which water-rate should have been levied had escaped being charged. On receipt of this order a Revenue Inspector was directed by the Museri Tahsildar to inspect Karappudaiyanpatti village among others. He reported in March 1870 that no extra charge had to be made in this village, as all the wet and garden lands in it were double crop. Subsequently, a new Revenue Inspector examined the village in October 1871, and reported that Rupees 60-10-0 should be charged as water-rate on certain garden lands in it, on the ground, as it would appear, that while the land was entered in the Register simply as garden land, and no mention was made as to whether it was single or double crop, a second crop had been raised on it. This report was sent in, in Fasli, 1281, but the charge proposed to be made in it was for the previous Fasli (*i.e.* 1280). The several papers and reports on the subject are enclosed.

No. 20.

Submitted to the Board of Revenue with reference to the Endorsement on Government petition, dated 9th September 1876, No. 1,460.

Trichinopoly, *22nd January* 1877.

(Signed) S. H. WYNNE,
For Acting Collector.

Submitted to Government with reference to Endorsement No. 1,460 of 1876, dated 9th September, Petition Department.

Proceedings of the Madras Government, Revenue Department,
17th April 1877.

2. It appears that water-rate has been charged for four Faslis on the ground that the lands entered in the Inam Register as "garden" were intended to be treated as single or double crop.

Extract.)

(Signed) C. A. GALTON,
Sub-Secretary.

No. 380. ORDER THEREON, 17th April 1877, No. 1,453.

Irrigation No. 3.

THE Government consider that the position taken by the Collector and the Board in this case cannot equitably be maintained. The refund of the amount collected will accordingly be made.

2. Petitioner is referred to the Collector who has received orders in the case.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Offg. Chief Secretary.

To the Board of Revenue.
„ the Petition Department.

Exd. F. R. Bantleman.

Copy of (1877) Madras.

REVENUE.

To

THE BOARD OF REVENUE,

&c., &c., - &c.

Dated April, 1877.

Read. *Encl.*

G.O., 17th April 1877, *No.* 1,153.

APRIL.

Nos. 879-880.

Water-cess collected from Sochuvara Sivaprehasa of Trichinopoly District.—Directing the refund of the —, and referring petitioner to the Collector on the subject.

To

His Grace the Lord
Duke of Buckingham
Governor in Council
Madras

The respectful appl
[illegible] by Streenivasa Sin
[illegible] Pattabiramasawmy Chetty
Malabar Jat Thoriore in Mr
Salem Building Dist
against the orders (hereinafter
called) of the Board of Reven
[illegible] Refusing to refund [illegible] water Cess
unjustly levied on certain Shro
lum Lands.

That your Petitioner
petitioner pleading himself aggrie
by the Board's Order
refund the sum
of Rs 3/4 1— [illegible] levied
on the following Grounds:—

That your
petitioner holds Shroffum
Lands at Karaipudiyur Tank
within the Mettur Taluq and
the Assessable Wet Land [illegible]
2 Cawgs [illegible]

Appointment of Assistant Collector.—Directing the refund of the —, and referring petitioner to the Collector on the subject.

4
1/2

2. That the Collector of Sylhet has ordered through his Proceedings No. 3598 under date 30th November 1874 not to charge water cess for 6 B. alone land.

3. That whilst water cess to the amount of Rs 3441-3-4. was unjustly collected in Oppression from your Grace's Petitioners for the Duties 1281-1282 & 1283.

4. That your Grace's Petitioners beg to refer to your Grace in Council the injustice of collecting Cess for the lands which have been declared Jaidad lands not fit to be charged with water rate.

5. That an appeal to the Board against the Collector's order refusing to Refund the said amounts they have ordered that (the Board) adhere to their former orders, and that no Record of the Reasons with be [illegible]

6. That your Petitioners humbly pray to your Grace in Council that the said amounts may be collected under illegal exactions and that your Grace's Petitioners may be pleased to submit to your Excellency in Council that the Board's orders may not be applied to Petitioners' cases and therefore your Grace may be graciously moved to give an impartial consideration to this appeal, and the enclosures and to direct that the said sum of Rs 3441-3-4. be refunded to Petitioners.

For which act of gratitude and human benevolence Your Grace's Petitioners shall ever pray as in duty bound.

1875
Page 29

Receipt granted to Arac-
kumarasiva Sirakasa. Pandara Sannathi of
Thoraiore. Peria Matam. Revenue de-
partment of Puttalam District. Pattu village
Mousiri Taluq, by the Village Officer
of Thoraiore village.

I give you this receipt
for your having paid today the arrears of
assessment Rs. 27-6-15 of Crown Public St. No. 8?
together with its interest Rs. 44-4-4 due
by you as per demand for the same endorsed
to me after attaching your property for the
amount due and giving account to the
Taluq.

13th August 1875.

(52) Ramasamy Naick
V. Maniniya
Vannia

Dues 1460/776

No 6 (True copy)

From

The Tahsildar of
Mousiri Taluq

The Revenue Inspector
Craigendi Division
Mousiri Taluq

As there is the order No. 623
(dated the 9th December last) receiv
from the Head Assistant Collector
with Collector's Proceedings No 1598
of the 20th November last to the
effect that in answer to his letter
enclosing the Abstr of the late Tahsildar
relating to the water cess imposed on
garden lands at Kanafendaiyan Pattie
Kurotheriam village it is directed in the

Ins No 1460 of 76.

above Proceedings shall serve as a guard against witness should be charged for the above lands.

You are hereby directed to communicate to the village officials the above facts and to be guided therewith whenever you will make Ajumoish throughout the Shotriam villages. 27th January 1875

Camp. Kannanur

(Signed) R. Rundasamy Pillai
Shanbogue

Endorsement on petitions Nos 1744
1930 and 1950 of 1875.

The Board adhere to
their former orders. No
refund of arrears will be
permitted.

Revenue Board Office
Madras
18th March 1876

By order
[illegible]
Acting Sub Secretary

R.
cpld 20/3/76

Revs 1460 of 76.

Endorsement to Srecharanam

Sivaprakasa Pandara Sannidhi of Punaimaram

Thiruvidaimarudur Taluq.

Read Petition forwarded by

your Vakil on the 21st July.

Ordered not to levy the

watercess for Kuruvadayan Tully

Thottam village from Fasly 1238 &c.

should be collected as it is

already ordered with regd

mangalam village Thevan

No 1950 under date &

that no refund would

for previous years. Do therefore inform

to object to levying the previous Fasles

Sd/- Illegible

tax which Should at once be paid.

8th August 1875

Camp. Tirhunsoof

Signed

Henry Lovell

Ag Collector.

No 402

direct the refund of the water cess unjustly collected from Petr, represents that he holds Khoshum lands in the village of Karaipundayanpatti, in the Talook of Musiri; that they are all Nunjah lands of 2 crops; that the Collector in his proceedings dated 30th November 1874 No 1598 has ordered not to charge water-cess on the above lands; that notwithstanding it, arrears of water-cess of Fushlies 1281, 1282 & 1283 amounting to Rupees 341 - 2 - 4 was in charge last, collected from Petr: that this sum was not collected ante litem motam, but after it.

Prays.

From Sreekumara Siva-
prakasa of Siva-
prakasa Swamy
Occupation Alatam at
Rec: 21/6/77
No 17-4-77 at 1460
Village Karaiyur
Talook Musiri
District Trichinopoly

Dated 29th May } 1876.
Received 12th July }

Enclosures 7

ABSTRACT.

Appealing against the endorsement of the Board of Revenue, declining to direct

Petition

No 1460 of 1876. Dated 29th May 1876.

Rec'd 12th July —

From Sreekumara Sivaprakasa of Sivaprakasaswami Alatam at Karaiyur, Musiri Taluq, Trichinopoly Dist —

Appealing against the endorsement of the Board of Revenue, declining to direct the refund of the water cess unjustly collected from petitioner, representing that he holds Khoshum lands in the village of Karaipundayanpatti, in the Taluk of Musiri; that they are all Nunjah lands of 2 crops; that the Collector in his proceedings, dated 30th November 1874, No 1598, has ordered not to

Submitted vide Mr Secretary's letter of this date No 1460

The refund asked for cannot be made by us

29.3.77.

The case is similar to that in Cir: Proc: 24th Aug 74 No 1953 - the Board then held that tho' the land-owners could not be properly charged on the land assessment at so high a rate as entirely to include the water cess charge, yet as the demand was in accordance with the Order in existence at the Time as to the collection Land — should however

not to charge water-cess on the above lands; that notwithstanding it, arrears of water-cess of Fuslees 1281, 1282 & 1283 amounting to Rupees 341—3—4 was in August last, collected from petr; that this sum was not collected ante litem motam, but after it.

Prays, therefore, that orders may be passed directing the Refund to petr of the said amount of Rs 341—3—4.

With Report from the Collr of Trichinopoly, enclosing the Board's Proceedings, dated 14th March 1877, Nos: Rs 3805.

to Bd's view will be approved the relief sum would have to be extended to other similar cases.

It is noted that the sum protested at the time against the levy of the rate.

I concur in opinion to the Hon'ble Mr R. that the position cannot equitably be maintained. & that Petr shd be heard. The arrears shd not have been collected on the analogy of the 85th case. [illegible]

Pwt

Order No. 145–3

The B.R. understand that the fact in this case is the Collector of the Ist in this case cannot specifically be ascertained : the refund of the amount collected will accordingly be made

Ptn is referred to the Collector who has said with the com. to

17-4-77 17.4.77

14 Ptn to B. of Revenue 25-4-77
1 " Petition Register

R' H G.
C 3-4-77. 5-4-77. 12-4-77.
R 5— 12— 18—

This No. 3805 Revenue Department

Proceedings of the Board of Revenue
Dated 14th March 1877
Read the following

No. 479

From

The Acting Head Asst. Collector
Trichinopoly

To

The Acting Collector of Trichinopoly

Sir,

In reply to your letter No. 987 of the 27th September last, I have the honor to state that water rate was charged for the garden lands in Karaipundaiyapatti from Fasli 1280–1283 (both inclusive)

2. The charge was made for the following reason, as stated in para 2 of my letter No. 543 of the 2nd September 1874 to the Collector

"There appears to be no doubt that the lands are irrigated by water drawn from a Govern= =ment source of irrigation and that 2nd Crop has been custom= =arily raised on them. They are entered in the Inam Registers simply as garden lands and nothing is said as to whether they are double or single crop In certain old accounts, how= =ever, prepared in the year 1876, when the Village was under attachment on behalf of Government, they appear as double crop land

3. The reason why water was not levied previous to Fasli 1280 seems to be as follows. It appears that the Inam Commissioner, in his letter No. 163 of the 17th of April 1869 addressed to the Collector of Trichinopoly, stated that 2d Crop assessment should be charged on Inam lands entered in the Vernacular Registers as one crop On receipt of this letter the Collector (Mr Brubury, sent an order, No 14 of the 26th April 1869, to all Tahsildars directing them to Azimash all the Inam lands and see if any lands on which water rate should have been levied had escaped being charged. On receipt of this order a Revenue Inspector was directed by the Peasaram Tahsildar to inspect

Karaippudaiyanpatti Village among others. He reported in March 1870 that no extra charge had been made in this village, as all the wet and garden lands in it were double crop. Subsequently a new Revenue Inspector examined the Village in October 1871 and reported the - Rs 60-10-0 should be charged as water rate on certain garden lands in it, on the ground, as it would appear, that while the land was entered in the Register simply as garden land and no mention was made as to whether it was simple or double crop

crop, a second crop had been raised on it. This report was sent in in Fasli 1281, but the charge proposed to be made in it was for the previous Fasli (i.e. 1280) The several papers and reports on the subject are enclosed

Trichinopoly, Head Asstt Collr's Office, 8th Dec/76

I have &c
(sgd) Lewis Moore
ag Head Asst Collr

No. 20

Submitted to the Board of Revenue with reference to the endorsement on Government Petition dated 9th September 1876 No. 1460.

Trichinopoly Collector's Office 22 Jany. 1877

(signed) H. Wynne
f.f. of Collector

To
The Secretary to the
Board of Revenue
Madras

Submitted to Government
with reference to endorsement
No. 1460 of 1876 dated 9th September
Petition Department

2. It appears that water rate
has been charged for fasli
on the ground that the lands
entered in the Inam Register
as 'garden' were intended to
be treated as single not double
crop.

(True Copy and Extract)

Sub-Secretary

To The Secretary to Government R. D.
with Petition

Endt. S. 9-9-76: 1460

Revenue (1077) Department.
No 2156
Proceedings of the
Board of Revenue.

Dated 14th March 1877
Read 17th April 1877
Dept 15
on 11

Fo 17-4-77 vo. 1453

Submitting to Government endorsement, from the Cg. Collector of Trichinopoly, on letter from the Cg. Head Asstt. Collector reporting on Govt. Petition No. 1460 of 1876 dated 9th September