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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

REVENUE DEPARTMENT

G.O. No.	2915	Press.
B.P. No.		Mis.
Dated	28-11-1878	197

Not to be folded or roughly handled

2915

GOVERNMENT OF MADRAS.

FINANCIAL DEPARTMENT.

19th November 1878, No. 2042.

Loans.

Read the following paper:—

No. 85. *From R. H. HOLLINGBERRY, Esq., Assistant Secretary to the Government of India, Financial Department, to the Acting Chief Secretary to Government, dated Simla, 6th November 1878, No. 3875.*

In acknowledging the receipt of your letter, No. 1594, dated the 6th September 1878, I am directed to state that the Governor-General in Council sanctions the grant of a loan of Rupees 70,000, at 4½ per cent. per annum, on the mortgage of the Avadiapuram Zemindar's Estate in the District of Tinnevely.

2. I am to observe, however, that the interest charged in similar cases should not be less than 6 per cent. per annum.

Copy forwarded to Accountant-General, Madras.

No. 86. ORDER THEREON, 19th November 1878, No. 2042.

Communicated to the Revenue Department in continuation of G.O., dated 6th September 1878, No. 1593.

(True Extract.)

C. G. MASTER,
Acting Chief Secretary.

To the Revenue Department.
„ Accountant-General.

Exd. T. O'Connor.

2915
2

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

22nd August 1878, No. 1,347.

Read the following papers:—

No. 274. Proceedings of the Board of Revenue, dated 18th June 1878, No. 1,675.

Read the following letter from J. B. PENNINGTON, Esq., Collector of Tinnevely, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated 10th May 1878, No. 353:—

I HAVE the honor to submit the following report on the petition of the Avudayapuram Zemindar as required in the Miscellaneous Proceedings of the Board, No. 1,172, dated 1st February 1878.

2. I should begin by stating that I was called upon by the District Judge for a very similar report in his letter, No. 750, dated 26th October 1877 (copy enclosed), and beg to forward a copy of my reply thereto from which it will be seen that, in the opinion of those best qualified to judge, the estate is incapable of discharging the debts with which it is weighed down, and that the Zemindar is practically insolvent.

3. I have, however, now had an interview with the creditors as required in the order of Government, and have come to the conclusion that a sum of Rupees 70,000 in ready money now at a low rate of interest would clear off every thing.

4. If therefore the Government were pleased to lend the Zemindar such a sum at a reasonable rate of interest, say 4 or even 5 per cent., it would, I believe, be feasible to restore the estate to the Zemindar in about fifteen years free from all incumbrance as shown in the enclosure. It seems likely that about Rupees 13,000 may be raised by the sale of the Zemindar's title to certain home farm lands, &c., which will of course go to reduce the principal debt and hasten the period of its final liquidation.

5. With reference to the Board's remark in paragraph 6 of their report to Government, dated 8th December 1877, No. 5,192, to the effect that pressure should have been put upon the late Manager Velayudam Pillai to enforce fulfilment of his engagement, I have the honor to point out that his property was attached and he was actually compelled to pay Rupees 24,000 as reported in the Collector's letter, No. 84, dated 4th March 1871, embodied in Court of Ward's Proceedings, No. 1,427, dated 31st March 1871; and I may add that part of the debt under which the estate is now laboring consists of a sum of Rupees 7,000 borrowed in order to reimburse the said Velayudam Pillai on account of the losses he had sustained by the Collector's action.

6. The Zemindar's allusion to the new Code of Civil Procedure was apparently made under the idea that Government might be induced to take action under Section 320.

No 5236

FINANCIAL

THE REVENUE DEPARTMENT

Madras, 22nd August, 1878.

Land

G.O. 19th November 1878, No. 2052.

NOVEMBER
Nos. 85-86.

Letter.—Communicating letter from Government of India sanctioning the grant of a loan of Rupees 70,000, at 4 per cent. per annum, on the mortgage of the Avudayapuram Zemindar's estate in the District of Tinnevely, but observing that the interest charged in similar cases should not be less than 6 per cent.

ENCLOSURE No. 1.

From F. C. CARR, Esq., District Judge of Tinnevely, to the Collector of Tinnevely, dated 26th October 1877, No. 750.

IN forwarding herewith copy of petition No. 592 of 1877, presented by Pandurenga Rao, Vakil for the defendant in Original Suit No. 12 of 1875, I have the honor to request to be informed what chance there would be of the debts being liquidated if the estate were retained under management.

(True Copy.)

(Signed) J. B. PENNINGTON,
Collector.

ENCLOSURE No. 2.

From J. B. PENNINGTON, Esq., Collector of Tinnevely, to F. C. CARR, Esq., District Judge of Tinnevely, dated 10th May 1878, No. 706.

WITH reference to your letters, Nos. 750 and 754, dated 26th and 27th October 1877, respectively, I have the honor to enclose a statement setting forth the results of inquiries made as to the possibility of raising funds from the sources described by the Zemindar. It will be observed from it that the estimate of valuation is much below that given by the Zemindar, and cannot be realized with any certainty.

2. I may observe further that the estate has been under the Tahsildar's management attached for arrears of revenue for the last two years, during which time the proceeds have been inadequate even to clear off the peishoush, Rupees 4,307-3-0 per annum, and that a sum of Rupees 3,437-8-8 is still in arrears.

3. I might perhaps to add that I am reporting to Government on the same subject and suggesting that the estate might be cleared of debt by an immediate loan at a reasonable rate of interest, and it is possible they may consent to make it.

(True Copy.)

(Signed) J. B. PENNINGTON,
Collector.

ENCLOSURE No. 3.

STATEMENT showing the Instalment in which the Loan proposed to be given to Avudayapuram Zemindar can be repaid.

Number of years.	Principal.	Interest at 5 per cent.	Probable amount available for the reduction of the principal.	Remarks.
	RS.	RS.	RS.	
I ...	70,000	3,500	3,500	
II ...	66,500	3,325	3,675	
III ...	62,825	3,141	3,859	
IV ...	58,966	2,948	4,052	
V ...	54,914	2,746	4,254	
VI ...	50,660	2,533	4,467	
VII ...	46,193	2,310	4,690	
VIII ...	41,503	2,075	4,925	
IX ...	36,578	1,879	5,121	
X ...	31,457	1,573	5,427	
XI ...	26,030	1,302	5,698	
XII ...	21,332	1,067	5,933	
XIII ...	15,399	770	6,230	
XIV ...	9,169	503	6,497	
XV ...	2,672	134	6,866	4,194 excess.

(Signed) J. B. PENNINGTON,
Collector.

ENCLOSURE No. 4.

ABSTRACT of Sankarananinar Kovil Tahsildar's Arzi, No. 563 of 1877, on Miscellaneous Petition, No. 592, 1877, of Avudaiyapuram Zemindar to the District Court, showing the means to clear off the debts against his estate.

Items given by the Zemindar in the petition and the amounts expected to be raised.	Manager's account of it.	Tahsildar's opinion.																											
1. The assets of the estate by the collection of rent in kind and money would amount to Rs. 15,000 per annum, of this Rs. 5,048-15-4 will have to be debited on account of peishoush and road-cess; Rupees 1,800 for the Zemindar's maintenance, and Rs. 600 to meet the costs of management. Deducting these Rs. 7,448-15-4, there remains Rs. 7,551-0-8.	The 11 years' average income of the estate as per margin from Fasli 1276 to 1286 amounts to Rs. 13,823-1-1. There was an increase in the assets up to Fasli 1278, because the then sufficient supply of water permitted both the Kar and Peshanam cultivation to a great extent and the Zemindar had much home farm lands; subsequently the home farm lands being alienated by mortgage, &c., and the channels and tanks being out of order for want of proper repair the income gradually decreased. Hence the income may approximately be estimated at only Rupees 10,000; whereof a sum of Rupees 2,451-0-9 will be surplus, deducting the peishoush, road-cess, Zemindar's maintenance, and the management costs, all amounting to 7,548-15-3. But if the channels and tanks be repaired at a cost of Rupees 6,000, and if the weather be favorable the income may come to Rupees 15,000 per annum. The value of the property as per margin is Rupees 13,950, of which the palmyras valued at Rs. 8,025 at 12 Annas a tree belong to the Zemindar, while their foot-land is owned by the tenants who are very poor and unable to purchase the trees and in consequence the trees are to be sold on condition of cutting and removing them. To carry out this arrangement would take at least a year. The Zemindar is not in a position to sell the home farm lands at Panaiyur, as the village has been sold by him to his brother and others and a bond registered to that effect. The remaining home farm lands are not in a state to attract people to purchase and moreover they are included in a hypothecation deed.	It cannot be assumed that the weather will always be favorable. The estate is at present involved in a debt of Rs. 60,000, and a further debt of Rupees 6,000 must be contracted for the repairs. The interest on these sums will be about Rupees 8,000. To meet this and the other annual expenses of Rs. 7,548-15-3, the income of the estate even taken to be 15,000 will not suffice. Under these circumstances there is no way of clearing off the principal out of the income. The alleged sale of Panaiyur village to the Zemindar's brother, &c., seems to have been made to defraud the creditors. The properties are however for the reasons set forth by the Manager not to be disposed of easily.																											
	<table> <tr> <th>Item.</th><th>Extent.</th><th>Value.</th></tr> <tr> <td>Palmyras</td><td>10-15,700</td><td>8,025</td></tr> <tr> <td>Tamarind, &c., tops</td><td>172</td><td>450</td></tr> <tr> <td>Wet under mortgage</td><td>K. 12½</td><td>670</td></tr> <tr> <td>Wet in Zemindar's possession</td><td>K. 15</td><td>1,000</td></tr> <tr> <td>Dry in Zemindar's possession</td><td>Ch. ½</td><td>1,000</td></tr> <tr> <td>Wet in Panaiyur K.</td><td>24</td><td>1,125</td></tr> <tr> <td>Karuvai trees</td><td></td><td>1,000</td></tr> <tr> <td>Total</td><td></td><td>13,250</td></tr> </table>	Item.	Extent.	Value.	Palmyras	10-15,700	8,025	Tamarind, &c., tops	172	450	Wet under mortgage	K. 12½	670	Wet in Zemindar's possession	K. 15	1,000	Dry in Zemindar's possession	Ch. ½	1,000	Wet in Panaiyur K.	24	1,125	Karuvai trees		1,000	Total		13,250	
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estate will be restored to the family free from encumbrances and probably with an improved income. A part of the proposed loan is, I understand, required to pay off an arrear of peishcush and to put the irrigation works of the Zemindari into working order. Advances made for such purposes are unquestionably a proper charge upon the inheritance, but looking at the transaction as a whole, it is so manifestly for the benefit of the estate that I think it would be upheld as a whole by any competent Court it might come before.

- (3.) In my opinion, therefore, the loan may safely be made. A mortgage of the Zemindari should be taken to which the Zemindar and all adult members of the family who may by any possibility have reversionary rights in the estate should be parties. Care should be taken that the debts are actually discharged and a transfer obtained of all such securities as the creditors paid off may hold, and no debts should be paid off which are on the face of them not binding on the family, such for instance, as the debt of Rs 7,000 mentioned in paragraph 5 of the Collector's letter of 10th May 1878, embodied in the Proceedings of the Board of Revenue of 18th June 1878, No. 1,675, as having been contracted to reimburse the defaulting manager for losses sustained by his being compelled to pay up a part of his defalcations.

No. 276.

ORDER THEREON, 22nd August 1878, No. 1,347.

Land Revenue, No. 15.

In consideration of the fact that the present embarrassed condition of the Zemindar of Avadiapuram is not the result of his own imprudence or mismanagement, and might have been averted by the timely intervention of the Court of Wards, His Grace the Governor in Council resolves, on a mortgage of the estate, to lend the money necessary to free it and repair the works of irrigation.

2. The sanction of the Government of India will be at once sought; but as the urgency is excessive, the Collector of Tinnevely is authorised forthwith to open negotiations with the creditors, on the understanding that the amount of Rs. 70,000 named by him includes a sum not exceeding Rs. 60,000 for final settlement of all private debts and Rs. 6,000 to be expended, under the inspection of the Public Works Department, on irrigation repairs, and also that the balance will clear the peishcush arrears.

All suits against the Zemindar must be withdrawn.

3. In coming to a settlement with the creditors and in determining the form of mortgage bond, the Collector will act in close consultation with the Government Pleader. The estate must be entirely made over to Government management, and the interest on the money lent will be at the rate of $4\frac{1}{2}$ per cent. per annum.

(True Extract.)

(Signed) C. G. MASTER,
Secretary to Government.

To the Board of Revenue.
" the Government Pleader.
" the Accountant-General.

GOVERNMENT OF MADRAS.
FINANCIAL DEPARTMENT.

6th September 1878, No. 1593.

Loans—Zemindars of Avadiapuram.

Read the following papers:—

No. 45. *Proceedings of Government in the Revenue Department, dated 22nd August 1878, No. 1347.*

ABSTRACT.—Resolving to grant a Loan (Rupees 70,000) to the Zemindar of Avadiapuram in the Tinnevely District, to free it from debts and repair the works of irrigation, and issuing certain orders on the subject.

No. 46. *From L. C. PROBYN, Esq., Accountant-General, Madras, to the Chief Secretary to Government, dated Fort St. George, 31st August 1878, No. 65-N.*

With reference to Proceedings of Government in the Revenue Department, No. 1347, dated the 22nd instant, I have the honor respectfully to point out that the loan of Rupees 70,000 therein sanctioned should have received the previous sanction of the Government of India.

2. I have also to invite attention to the orders of the Government of India, in the Financial Department, dated the 30th of October 1875, and the 12th January 1876, summarised in amended paragraph 7 of the Comptroller-General's Circular, No. 145; and to remark that the loan should not bear a lower rate of interest than 6 per cent., and that it should be repaid by equal half-yearly instalments which should be fixed in the order sanctioning the loan.

3. I have, therefore, respectfully to suggest that the orders referred to may be modified.

No. 47. ORDER THEREON, 6th September 1878, No. 1593.

It is observed from the Proceedings of Government in the Revenue Department, cited by the Accountant-General, that the urgency was such that a prior reference could not be conveniently made to the Government of India, whose sanction will, of course, be obtained now for the loan being made at the lower rate of interest of $4\frac{1}{2}$ per cent. per annum.

2. Arrangements must be made for the repayment of the loan by equal half-yearly instalments as required by the Government of India in their Order, No. 4045, dated 30th October 1875.

(True Extract.)

C. G. MASTER,
Acting Chief Secretary.

To the Accountant-General.
„ Revenue Department.

Ed. F. R. Bantleman.

Govt. of (1878) Madras.
REVENUE.

THE BOARD OF REVENUE.

Ac., Sec., &c.

Dated August 22nd.

Printed 28th.

Recd.

Encl.

G.O., 22nd August 1878, No. 1,347.

AUGUST.

Nos. 275-276.

Loan (Rs. 70,000) to the Zemindar of Avadiapuram in the Tinnevely District.—Resolving to grant a — to free it from debts and repair the works of irrigation, and issuing certain orders on the subject.



2915
7

GOVERNMENT OF MADRAS.
FINANCIAL DEPARTMENT.

19th November 1878, No. 2042.

Loan.

Read the following paper:—

No. 85. *From R. H. HOLLINGBERRY, Esq., Assistant Secretary to the Government of India, Financial Department, to the Acting Chief Secretary to Government, dated Simla, 6th November 1878, No. 3875.*

In acknowledging the receipt of your letter, No. 1594, dated the 6th September 1878, I am directed to state that the Governor-General in Council sanctions the grant of a loan of Rupees 70,000, at 4½ per cent. per annum, on the mortgage of the Avadiapuram Zemindar's Estate in the District of Tanjore.

2. I am to observe, however, that the interest charged in similar cases should not be less than 6 per cent. per annum.

Copy forwarded to Accountant-General, Madras.

No. 86. ORDER THEREON, 19th November 1878, No. 2042.

Communicated to the Revenue Department in continuation of G.O., dated 6th September 1878, No. 1593.

(True Extract.)

Glennister
Acting Chief Secretary.

To the Revenue Department.
„ Accountant-General.

Exd. T. O'Connor.

3661 of 1878

FINANCIAL

THE ACCOUNTANT-GENERAL

Secy

Secy

Ac

Dated September, 6th.

Forward

Exd.

G.O. 6th September 1878, No. 1593.

SEPTEMBER
No. 45-47.

Loans—Zemindar of Avadiapuram—Sanction of the Government of India requested to the grant of a loan of Rupees 70,000 to this Zemindar on the mortgage of the estate in the Tanjore District.

1878/1879

Vide enclosure.

20th Dec 1878

8 Ld. Board of

Revenue 28th

205236

Rebtl. of 1878

FINANCIAL.

THE REVENUE DEPARTMENT.

27

29th Nov

NOVEMBER.
Nos. 85-88.

Lands.—Commencing later from Govt. most of India sanctioning the grant of a loan of Rs. 2,000, at 4 per cent. per annum, on the mortgage of the Andaman Islands, but observing that the interest charged in similar cases should not be less than 6 per cent.

*Communicated to the
Board of Revenue.
28th Nov 78*