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J.P.

MADRAS RECORD OFFICE

Government of Madras

Revenue

DEPARTMENT

G.O. No.

15/3

Press

~~B.P. No.~~~~Mis.~~

Dated

19th July 1879

195

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

19th July 1879, No. 1,513.

No. 280. READ THE FOLLOWING PAPER:—

Proceedings of the Board of Revenue, dated 16th April 1879, No. 969.

Read the following letter from R. J. MELVILLE, Esq., Collector of Madras, to J. STURROCK, Esq., Acting Secretary to the Board of Revenue, dated 22nd March 1879, No. 97:—

I HAVE the honor to reply to Board's Proceedings, No. 3,963, 27th August 1877.

2. The questions and answers referred to in paragraph 5 of the above Proceedings and which now form the standing rules of the Registration Department of the Madras Collectorate are mainly based on the principle that a revaluation of property is to take place whenever the renewal of a quit-rent certificate on its account is applied for. As the principle of assessment on valuation of property is to be given up, these questions and answers may likewise be abandoned and a fresh set of rules drawn up for the guidance of the Registration Department. I herewith submit a draft set for the Board's approval. It will be seen that the rules not only set forth the principles on which quit-rent is to be imposed, increased or diminished, but also describe concisely the procedure of the Registration Department in granting quit-rent certificates to applicants. The fees payable under the rules are those at present charged. There are at present no written departmental rules on this subject (except what are recognized in practice as such).

3. Referring to the concluding clause of paragraph 6 of the Board's Proceedings, I beg to state that the rules provide for the reduction of quit-rent irrespective of decrease in extent in cases where the deterioration in value is so great as to render such reduction expedient on grounds of policy.

4. The Deputy Collector of Madras has submitted a schedule proposing a scale of rates at which quit-rent should be imposed for the future. This he thinks necessary, inasmuch as the present system of charging quit-rent on valuation is to be given up. The system is in vogue only within the Black Town walls, there is consequently no necessity to revise the rates prevailing outside those limits where the existing rates are based on the extent of the properties concerned.

5. In regard to the properties within the Black Town walls, there are at present three different rates of assessment, but I do not see the necessity of altering these rates even if the principle on which they have been imposed is to be abandoned. In paragraph 4 of the Proceedings under reply, the Board express themselves averse to any change in the rates of assessment in Black Town, and as observed by them in paragraph 6 of the same Proceedings, one main principle on which Act XII of 1851 proceeds is the recognition of existing assessments irrespective of any consideration of the manner in which they were arrived at. Thus the present rates of assessments may be recognized as the standard rates, though they have been arrived at from the value of properties, and whenever they have to be hereafter increased or decreased with reference to increase or decrease in extent, the enhancement or abatement may be made proportionately. Cases in which abatement of quit-rent will have to be made in consideration of deterioration in value will be rare, and in these cases there can be no objection to the assessment being reduced in proportion to the decrease in value. In the cases of land not hitherto assessed the quit-rent will, if necessary, be imposed at rates customarily charged upon land of equal extent and of a similar description in the neighbourhood. These cases will also be very few in number.

6. In reply to paragraph 8 of the Board's Proceedings under reference, I beg to state that as reported in this office letter, No. 52, dated 13th February 1878,

the survey registers have not been kept corrected up to date. The numerous changes that have taken place since the survey of the Madras Town was made have not been noted down and the quit-rent registers which show the existing state of things do not therefore admit of comparison with the survey records. In fact nothing short of a resurvey can give accurate results, and the Board have decided that it is not desirable to undertake a resurvey of the town. In the case of certain divisions reports on the results of the survey have been submitted, and these show an increase of quit-rent as reported in paragraph 5 of this office letter, No. 108, dated 23rd March 1876. As regards the other divisions reports will be prepared with the aid of the temporary establishment sanctioned in Board's Proceedings, No. 12,388, dated 4th December 1878, and which will be entertained on 1st proximo.

ENCLOSURE No. 1.—Draft Rules.

In their Proceedings, dated 27th August 1877, No. 3,968, the Board pointed out that the Standing Rules of the Quit-rent Registration Department were based on a misconception of the instructions issued by them, and called on the Collector to submit revised rules for their approval. These he now submits with the letter above recorded.

2. The Board's views are correctly interpreted by the Collector in paragraph 5 of his letter, but they would slightly modify the manner in which they are given expression to in the rules. Thus in Rule 1 instead of giving a list of existing rates continuing in force, they think it would be better simply to say: "The existing assessments of quit-rent continue in force," leaving the table to be introduced as an appendix to Rule 31 which would then run as follows:—

"31. The rates on which existing assessments are based are given as an appendix and the rates at which excess shall be charged and abatements allowed for deficiencies shall be those prevailing in the holdings in which such excesses or deficiencies shall be found. Provided however that in cases in which the quit-rent was originally based on value under Clause (c) of the appendix, the enhancement or abatement shall be calculated proportionately to the extent and assessment of the original holding irrespective of considerations of value. Nothing in the above however shall prevent a reduction in quit-rent irrespective of a decrease in extent being allowed by the Deputy Collector, subject to the orders of the higher authorities, in cases in which the deterioration in value since the date of the original assessment has been so great as to render such reduction expedient on grounds of policy."

3. Rule 32 in the draft may be amplified to provide for the cases referred to in the last sentence of paragraph 5 of the Collector's letter by the addition of the following words:—

"In the case of land not hitherto assessed any quit-rent imposed will be assessed at the rates customarily charged upon lands of equal extent and of a similar description in the neighbourhood."

4. The other rules are a codification of the existing departmental instructions, and the Board think they may be accepted.

5. The rules with the modifications above noted will now be submitted for the orders of Government with copy of Board's Proceedings, dated 27th August 1877, No. 3,968.

(A true Copy and Extract.)

(Signed) J. STURROCK,
Acting Sub-Secretary.

No. 281. ORDER THEREON, 19th July 1879, No. 1,513.

Miscellaneous.

The rules submitted by the Collector of Madras as modified by the Board are approved. The Government have made a few verbal alterations in them. The rules as passed are given below:—

Draft Rules framed for guidance in the Registration Department of the Madras Collectorate.

THE following rules shall apply to all parts of the Madras District within the original jurisdiction of the Madras High Court in respect to the registration of land, grounds, houses, and other properties, to the issuing of certificates thereof, and to the charging of quit-rent thereon—

1. The existing assessments of quit-rent continue in force.
2. Any person or persons wishing to obtain a certificate for his or their property shall apply to the Deputy Collector of Madras in writing, and produce before him all the title-deeds of the property. A receipt shall be granted for the documents thus produced, and orders will then be issued to the proper officers to measure the extent of the property referred to in the application.
3. A separate application shall be made for each holding on account of which a certificate is wanted.
4. Every property for which a certificate is applied for shall be measured by a Revenue Inspector, and a report submitted to the Deputy Collector on the results of such measurement without delay.
5. The Revenue Inspector so measuring shall collect a fee of 1 rupee for each holding measured without reference to its area, grant a printed receipt for the same to the payee, and pay the money into the Treasury of the Deputy Collector's office, obtaining a receipt for the same.
6. On receipt of the Revenue Inspector's report a notice will be posted on the holding calling upon any persons who object to the issue of a certificate to represent the same to the Deputy Collector in writing. When the applicant's title to the property appears to be complete, or when the holding is already covered by a certificate of a previous date, and the extent of the holding now measured is the same as that mentioned in the previous certificate, thirty days' time will be allowed, within which time objections should be brought forward.
7. When the title is incomplete, or when there is no certificate of a previous date already covering the holding, or when there is a difference in the area as now measured and as entered in a certificate of a previous date, sixty days' time will be granted for objections to be brought forward.
8. It shall be the duty of the applicant to see that the notice remains posted on the most conspicuous part of the property.
9. No attention will be paid to, or notice taken of, objections which may not reach the Deputy Collector of Madras in writing within the time fixed in the notices, unless sufficient cause is shown for the delay in sending or presenting the objections.
10. The notice posted on the holding calling for objections shall be brought back to the Deputy Collector's office after the expiration of the time fixed in the notice endorsed by the inhabitants in the neighbourhood of the spot where it was posted, and by the Quit-rent Conacapillay in charge of the division, in proof of the notice having been publicly posted on such conspicuous place.
11. After the return of the notices to the Deputy Collector's office on the expiration of the time fixed therein, the Deputy Collector shall by notice require the attendance before him of the applicant for the certificates and the counter-petitioners, on a day fixed by him in order to decide the case; and the parties thus summoned should appear before him on the prescribed day either personally or by duly authorised agents. Should any of the parties not appear the case will be proceeded with *ex parte*.
12. On the date fixed for the appearance of the parties or their authorised agents, if the applicant fails to attend in person or by agent before the Deputy Collector, the Deputy Collector may strike the application off his file, or if he thinks proper, adjourn the hearing of the case to a further convenient date. The Deputy Collector may also adjourn the hearing of the case at any stage of the inquiry.
13. When the applicant to a certificate attends on the date required by the Deputy Collector by notice, and when no objection petitions have been received, the Deputy Collector shall, if satisfied with the applicant's title, order the issue of a certificate in favor of the applicant.
14. The parties required to attend before the Deputy Collector may attend with their respective witnesses and documents if any, or apply for summonses to procure the attendance of witnesses if necessary, on payment of a fee of four annas for each witness.
15. When the parties or their authorised agents attend before the Deputy Collector according to the requisition contained in the notice or on the date to which the inquiry may be adjourned, the Deputy Collector will hold a summary inquiry into the claims of the parties and

record his decision, if the case has been closed, or adjourn the hearing of the case to some further day, if further inquiry be necessary, due notice of the same being given to both parties.

16. After the passing of the order by the Deputy Collector for the issue of certificates, the applicant shall pay into the Treasury the sum of 3½ rupees for each certificate applied for.

17. On the receipt of the fee, the certificate shall be prepared in duplicate, to which the applicant shall affix his signature before the Deputy Collector, or, under his orders, before the Registrar.

18. When, however, the applicant by reason of sex or ill-health is unable to attend before the Deputy Collector for purposes of signature, the certificate may be signed by a duly authorised agent specially empowered on such behalf.

19. When the applicant wishes to sign the certificate at his or her own residence, the Registrar shall attend for that purpose on payment of a fee of Rs. 10 and a further sum of Rs. 1 on account of carriage hire.

20. The certificate after being signed by the applicant shall be entered in a book kept in the Registration Department and afterwards forwarded to the Collector of the District for his signature.

21. Immediately after the return of the certificate from the Collector with his signature, it shall be sealed with the Deputy Collector's official seal, the former title-deed being cancelled, and given with the fresh certificate to the party or his accredited agent on a receipt being given, but not before the applicant shall have paid any arrears of quit-rent due on the holding up to date.

22. Persons obtaining landed property covered already by the new form of certificate either by purchase, gift or inheritance, &c., shall have the option of having the transfer registered in their favor on payment of a registering fee of 2 rupees and on their discharging any arrears of quit-rent due on the holding.

23. Property-holders in the shrotriem villages of Chintadripettah, Teroovateswarampettah, and Alwar Pettah, attached to Madras, shall have the option of obtaining certificates for their properties subject to the same rules as above. Such certificates, however, will be signed by the Deputy Collector of Madras in lieu of the Collector. The Shrotriemdar's receipt for the last payment of quit-rent which should be up to the close of the fasli previous to application must accompany each application.

24. In cases where the area only of which a certificate is applied for is found to be in excess of that entered in a certificate at a previous date, or where no certificate has been previously issued for the property, the Shrotriemdar's consent to the issue of a certificate should be produced before the Deputy Collector.

25. The rate of quit-rent to be imposed on landed properties in shrotriem villages under the last rule shall be the same as that entered in the cowl granted by Government to the Shrotriemdars.

26. Property-holders in Government villages shall have the option of obtaining freeholds for their properties on payment of a sum equal to twenty-five years' quit-rent charged on the holding and of all arrears of quit-rent up to the date of application, but not before all the forms and procedure laid down for the issue of certificates shall have been observed and a certificate in the applicant's own name previously obtained.

27. Persons possessing freeholds shall have the option of registering the transfers of such freeholds provided a fee of Rs. 2 be paid for each transfer.

28. Persons wishing to have the boundaries of their holdings defined and marked out for them, shall have their wish complied with provided a written application be presented in the first instance, and a measuring fee of 1 rupee or 3 rupees be paid according as the extent of the land to be measured is less than a cawny or otherwise.

29. Persons dissatisfied with the first measurement made by the Revenue Inspector shall have the option of applying for remeasurement on payment of an additional fee.

30. The quit-rent once charged on a property shall not be liable to any revision either in the way of increase or decrease, except on a discovery of an increase or decrease over or under the registered extent respectively.

31. The rates on which existing assessments are based are given as an appendix, and the rates at which excess shall be charged and abatements allowed for deficiencies shall be those prevailing in the holdings in which such excesses or deficiencies shall be found. Provided, however, that in cases in which the quit-rent was originally based on value under Clause (c) of the appendix the enhancement or abatement shall be calculated proportionately to the extent and assessment of the original holding irrespective of considerations of value. Nothing in the above, however, shall prevent a reduction in quit-rent irrespective of a decrease in extent

allowed by the Deputy Collector, subject to the orders of the higher authorities, in case of the deterioration in value since the date of the original assessment has been so great as to render such reduction expedient on grounds of policy.

Table
Existing Rates of Quit-rent in Madras District.

- Within the Walls.
- (a.) The property in the Beach and the property in the town shall be taxed at the rate of Rs. 1-12-0 per ground per annum on the extent occupied.
- (b.) Kondi Tope is charged quit-rent at the rate as in the part of the town without the walls, for which see below.
- (c.) All other property is charged quit-rent at the rate of twelve annas, six pies, on 35½ rupees worth of property.

Without the Walls.

Two rates are charged—Manai rate and Cawny rate.

The Manai rate is charged on building sites at the rate of 1 rupee per ground per annum or every additional one-fourth ground two annas per annum.

Building sites which are upwards of a cawny in extent are charged cawny rate only.

The cawny rate is charged on cultivated land and garden land. This rate varies from 1 pagoda per cawny to 3 pagodas per annum according to the character of the land.

Per Cawny.

	PAGODAS.	OR	RS.	A.	P.
1st Class	3	"	10	8	0
2nd do.	2½	"	8	12	0
3rd do.	2	"	7	0	0
4th do.	1½	"	5	4	0
5th do.	1	"	3	8	0
6th do.	¾	"	2	10	0
7th do.	½	"	1	12	0
8th do.	¼	"	0	14	0
9th do.	1/8	"	0	7	0

In fixing the quit-rent on holdings, the value of lands or of houses shall not be taken into consideration. In the case of land not hitherto assessed, any quit-rent imposed will be fixed at the rates customarily charged upon lands of equal extent and of a similar position in the neighborhood.

(T. H. Garstin.)
Signed) J. H. GARSTIN,
Acting Secretary to Government.

The Board of Revenue.

Ed. W. H. French.

No. 3076

From Board of Revenue

Dated 16th April 1879

FOR ORDERS.

In 1851 an Imperial act was passed (No 12 of 1851) to enable the land revenue accruing in the town of Madras to be collected in a summary manner as in other parts of the Company's territories.

The principles on which the act was based were:-

- (1) That assessable lands, not the property of the East India Company, within the limits of the town of Madras, of which the rate of assessment is not known or which have not heretofore been assessed

In last sheet.
of final alterations
in book of

G.O. 19-7-79 No. 1013

21-5-92
10-10-92
18-6-92
5/10/92
18/10/92
11/9/92
5/10/92
11/10/92

17-7-22
4-10-26

3-3-13
26-11-15
19-7-16
26-1-18
7-10-26
1-6-28
17/6/31
3-12-32
25/1/35
23-11-37
17-10-47

assessed should be assessed at the rates customarily charged upon lands of a similar description in the neighbourhood

(2) Recognition of title to rent-free tenures if possessed uninterruptedly for 60 years unless held under an unexpired grant from the British Govt.

(3) Proportionate abatement or increase of assessment according as whether the actual dimensions of the property are less or more than those on which the assessment was calculated.

The act contains no provision for alteration

7. alteration of assessment according to increase or decrease in the value of the property

Subsequently, in 1867, a Local Act was passed (No. VI of 1867) to enable arrears of assessment to be realized by distraint and sale of the moveable or immoveable property of the defaulters. In 1854, the Survey of the town of Madras was begun. The town was for the purposes of the survey, divided into 8 districts. The Survey was completed in 1864.

Reports on the results

8
results of the survey
and the increase
or decrease of quit
rents were submitted
for 4 divisions between
1857 and 1863 and
orders were passed on
these reports. In 1864,
an attempt was
made to prepare re-
ports for the remaining
4 divisions but up
to the present date
they have not been
submitted for the
reasons explained
by Mr. Melville in
his letter recorded in
the Revenue Board's
Proceedings of the
14th March 1878, but
the Board have sanc-
tioned an extra es-
tablishment (tempo-
rary) for the purpose
of preparing the reports
and

+ Egmore
St. Thomas
Purampakkam
Tupliane -

9
and the estate⁵ was
to be entertained
from April 1st 1879-
and is presumably
now at work.

4
For many years
prior to the passing
of Act XII of 1851 pro-
perty within the
Black Town of Madras
was assessed with
quit-rent on its value
and not on its rent
and when certificates
for houses in Black
Town were presented
for renewal, at the
expiration of the term
for which they were
originally granted,
the properties were
newly valued and
the assessment was
raised or lowered
according to the actual
value of the property
at the time of
renewal of the Cer-
tificate. This was
on

10
on the strength of
a ruling of the
Revenue Board in
1822 (letter to Col^r
of Madras of 15 April
1822, No 561).

In 1860, the Col^r of
Madras, Mr. Junliffe,
held that the terms
of Act XII of 1851 and
the order of the Board
above quoted justified
him in charging
increased quit rent
on property in Black
Town on the occasion
of a new certificate
being issued, first
on its transfer, if its
value had increased,
but the Board overruled
him and upheld their
decision on the Col^r's
asking for a recon-
sideration of the point
in 1861.

Thereupon, the
Deputy Col^r in charge
of

* Bd's Pro. No 107 of 22 Dec 1860 - not Comd.
* — do — No 1016 of 25 Feb 1861: SL-C.

11 6
of the Quit rent Dept^t
wrote to the Col^r
submitting 31 hypo-
thetical cases which
might arise in con-
-nection with de-
-mands for the issue
of new Certificates
and asked for orders
on each. The Col^r
passed orders on
each case and these
orders have up to
the present day con-
-stituted the rules
of practice of the
Quit rent regis-
-tration department.
The Col^r's rulings
were not however
submitted to the
Revenue Board for
approval and
sanction.

At length, in
1873, Dep^t Col^r in
Raghunatha

12
Raghunatha Rao
brought to notice the
anomalies and in-
justice of the System
of assessing quit
rents and submitted
a draft bill for amend-
ing the law relating
to such assessments
and their collection
in the town. The Board
were not in favour of
altering the existing
law but considered
that, in future, quit
rents should never
be raised except
with reference to an
increase in the area
covered by the property
assessed. and that
reduction should
be allowed for decrease
in the assessed area
but not for deterioration
in value unless it
was so great as to
render reduction
expedient

*Board's Proc. No 113 of 20th
Jan'y 1875-

13
expedient on grounds
of policy. The Mr.
was called on to report
what reductions were
probable in future and
to submit rules framed
so as to give effect to
the Board's intentions.

7
The Mr. reported
that the probable
loss of quit rent on
account of deficit
area and deterioration in
the value of property
might be estimated
at 50 Rs per annum
on each item. At the
same time, he sub-
mitted a copy of the
rules in force in the
quit rent registration
department and
stated his opinion
that whenever quit
rent has to be increased
or decreased the in-
crease or decrease
should be proportion-
ate to the increase or
decrease

decrease in the area or value. whichever was to be taken as the guide. The copy of the rules submitted by the Collector were the replies of the Coll^r in 1861 to the Dep^y Coll^r's 31 questions above alluded to. The Board, in their Proc^s of the 27th August 1877 No 3960, in passing orders on the Coll^r's letter stated their opinion that the difficulties and anomalies of the present system of assessing quit-rents would be obviated by abandoning the principle of assessment on valuation of property and

and they directed the Collector to revise the questions and answers which formed the rules of practice of the department in accordance with the principles of Act^{no} of 1851 retaining the concession made in 1875 of reductions of assessment when the deterioration in value of property was so great as to render such reduction expedient on grounds of policy.

The Collector in his letter recorded in the Board's Proc^s read at the head of this Memo accordingly submits a revised set of rules based on the principles suggested by the Board.

These

These the Board submit for the approval of Govt. with one or two modifications which I submit may be adapted.

There is, however, one point which is not clear - viz the rate of assessment chargeable under clause (C) of the Appendix A on land within the walls of Black Town - Dr. Mr. Raghunatha Rao in his report printed in Board's Proc. of January 20 1875, No 113 says the rate has always been 15 annas in 100 pagodas or 350 Rs. Mr. Arbuthnot in his letter of March 15th 1873 (printed in the same Proceedings) says

+ fanam = 0-1-3²⁰

575/2 DM.

Says it is 10 fanams = 0.12.6. per 100 pagodas while Mr. Milville makes it 0-12.5. I have no doubt that 0.12.6 is the right rate - but this should be settled.

Then again the rule about the "Manai rate" is not clearly worded - It runs as follows: - "The Manai rate is charged on building sites at the rate of one Rupee per ground per annum and for every additional one-fourth in ground 2 annas per annum." - At this rate for 1 3/4 ground a man would pay 1-6-0 but for 2 ground 2 Rs - that is 10 annas for the last quarter of the second ground. The rule should I think be that fraction of

18

of a ground shall
be charged by the
quarter at the rate
of 4 annas per
quarter - or any
fraction less than
 $\frac{1}{4}$ as $\frac{1}{4}$ - any fraction
between $\frac{1}{4}$ and $\frac{1}{2}$ as $\frac{1}{2}$
- any fraction between
 $\frac{1}{2}$ and $\frac{3}{4}$ as $\frac{3}{4}$ - any
fraction between $\frac{3}{4}$
and 1 as 1 - ^{Lastly,} Building
sites of upwards
of a cawny are to
be charged at cawny
rate only - but there
are 9 cawny rates -
It should be stated
at which cawny
rate they are to be
charged.

3/6/27 J.H.F.

I should make no
change in the rate
if it is of long standing

The 'Cawny' rate
depends on the class
of the land - It is
doubtless defined
by local rule.
I should make no change

Minutes of the
Board of the
Registrar of the
Mauritius

copy

leave

C4-6-772
R10-772
R11-772
R12-772

Draft Rules framed
for guidance in the
Registration Department
of the Maur. Collectorate.

The following rules
shall apply to all parts
of the Maur. District
within the original
jurisdiction of the
Maur. High Court
in respect to the
registrations of land,
grounds, houses and
other properties, to the
issuing of certificates
thereof, and to the
charging of Int. Rent
thereon.

The existing rates
of Int. Rent continue
in force.

Here enter Table A.

2. Any person or persons wishing to obtain a certificate for his or their property shall apply to the Deputy Collector of Masana ^{in writing} petition and produce before him all the title deeds of the property. A receipt shall be granted for the documents thus produced and orders will then be issued to the proper officers to measure the extent of the property referred to in the application.

3. A separate application shall be made for each holding on account of which a certificate is wanted.

4. Every property for which a certificate is applied for, shall be measured by a Revenue Inspector, and a report submitted to the Deputy Collector on the results of such measurement without delay.

5. The Revenue Inspector so measuring shall collect a fee of one Rupee for each holding measured without

without reference to it anew; grant a printed receipt for the same to the payer; and pay the money into the Treasury of the Deputy Collector's office obtaining a receipt for the same.

6. On receipt of the Revenue Inspector's report a notice will be suspended on the holding calling upon persons who object to the issue of a Certificate to represent the same to the Deputy Collector by petition. When the applicant's title to the property appears to be complete or when the holding is already covered by a certificate of a previous date and the extent of the holding now measured is the same as that mentioned in the previous Certificate 30 days' time will be allowed within which time objection should be brought forward.

7. When the title is incomplete or when there is no certificate of a previous date

2 already covering the
4 adding or when there is
8 difference in the area
2 now measured and
7 entered in a certificate
4 a previous date 60 days
1 time will be granted for
6 objections to be brought
1 forward.

It shall be the duty
of the applicant to see
that the notice remains
suspended at the most
conspicuous part of the
property.

9. No attention will
be paid to or notice
taken of, objections & petitions
which may not reach the
Deputy Collector of Muzas
within the time fixed
in the notice, unless
sufficient cause is shown
for the delay in sending
or presenting the petitions.

10. The notice suspended
on the holding calling for
objections shall be brought
back to the Deputy Collector's Office
after the expiration of the
time fixed in the notice
endorsed by the inhabitants
in the neighbourhood of
the spot where it was
suspended and by the
Deputy

But Bent Conocapillay in
charge of the Division in
proof of the notice having
been publicly suspended
at such conspicuous place
11. After the return of the
notices to the Deputy Collector's
office on the expiration
of the time fixed therein,
the Deputy Collector shall
by notice require the
attendance before him
of the applicant for the
certificate and the
counterpetitioners on a day
fixed by him in order
to decide the case; and
the parties thus summoned
should appear before
him on the prescribed
day either personally or
by duly authorized agents.
Should any of the parties
not appear the case will
be proceeded with ex parte
12. On the date fixed for
the appearance of the
parties or their authorized
agents when either or
both the parties do not
attend before the Deputy
Collector, the Deputy Collector
may strike the application
off his file or if he thinks
proper

And with this shall
be the order of the
Deputy Collector's Office
to be observed.

proper adjournment the hearing of the case to a further convenient date. The Deputy Collector may also adjourn the hearing of the case at any stage of the enquiry.

13. When the applicant to a certificate attends on the date required by the Deputy Collector by notice and when no objection petitions have been received, the Deputy Collector shall, if satisfied with the applicant's title or title, the issue of a certificate in favour of the applicant.

14. The parties required to attend before the Deputy Collector may attend with their respective witnesses and documents of any or apply for summonses to procure the attendance of witnesses if necessary on payment of a fee of four Annas for each witness.

15. When the parties or their Authorized Agents attend before the Deputy Collector according to the requisition contained in the notice or on the date

date to which the enquiry may be adjourned, the Deputy Collector will hold a summary enquiry into the claims of the parties and record his decision, if the case has been closed or adjourned the hearing of the case to some further day if further enquiry be necessary due notice of the same being given to both parties.

16. After the passing of orders by the Deputy Collector for the issue of certificates, the applicant shall pay into the Treasury the sum of $3\frac{1}{2}$ rupees for each certificate applied for.

17. On the receipt of the fee, the certificate shall be prepared in duplicate to which the applicant shall affix his signature before the Deputy Collector, or, under his orders, before the Registrar.

18. When however the applicant by reason of

of sex or ill health is unable to attend before the Deputy Collector for purposes of signature the Certificate may be signed by a duly authorized Agent specially empowered on such behalf.

19. When the applicant wishes to sign the Certificate at his or her own residence, the Registrar shall attend for that purpose, on payment of a fee of Rs. 10 and a further sum of Rs. 1 on account of Carriage hire.

20. The Certificate after being signed by the applicant shall be entered in a book kept in the Registration Department and afterwards forwarded to the Collector of the District for his signature.

21. Immediately after the return of the Certificate from the Collector with his signature it shall be sealed with the Deputy Collector's Official Seal,

Seal, the former title deed being cancelled, and given with the fresh certificate to the party or his accredited Agent on a receipt being given, but not before the applicant shall have paid the arrears of Quit Rent due on the holding up to date.

22. Persons obtaining landed property covered already by the new form of Certificate either by purchase, gift or inheritance shall have the option of having the transfer registered in their favour on payment of a registering fee of 2 Rupees and on their discharging the arrears of Quit Rent due on the holding.

23. Property holders in the Shrothiem Villages of Chintadripettah, Peruvatturamampettah, and Alwar Pettah attached to Ponnas shall have the option of

of obtaining Certificates for their properties subject to the same rules as above. Such Certificates however will be signed by the Deputy Collector of Districts in lieu of the Collector. The Shrotrumdars receipt for the last payment of Quit Rent which should be up to the close of the Faeli previous to application must accompany each application.

24. In cases where the area on account of which a Certificate is applied for is found to be in excess of that entered in a Certificate of a previous date or where no Certificate has been issued for the property, the Shrotrumdars Consent to the issue of a certificate should be produced before the Deputy Collector.

25. The rate of Quit Rent to be imposed on landed properties in Shrotriya Villages under the last rule shall be

be the same as that entered in the Cowl granted by ¹⁶ Government to the Shrotrumdars.

26. Property holders in Government villages shall have the option of obtaining freeholds for their properties on payment of a sum equal to 25 years Quit Rent charged on the holding and arrears of Quit Rent up to the date of application but not before all the forms and procedure laid down for the issue of Certificates shall have been observed and a Certificate in ^{his} own name previously obtained.

27. Persons possessing freeholds shall have the option of registering the transfers of such freeholds provided a fee of Rs 2 be paid for each transfer.

28. Persons

28. Persons wishing to have the boundaries of their holdings defined and marked out for them shall have their wish complied with provided a petition be presented in the first instance and a measuring fee of one Rupee or 3 Rupees be paid, according as the extent of the land to be measured is less than a cawny or otherwise.

29. Persons dissatisfied with the first measurement made by the Revenue Inspector shall have the option of applying for remeasurement on payment of an additional fee.

30. The Unit Rent, once charged on a property shall not be liable to any revision either in the way of an increase or decrease except on a discovery of an increase or decrease over or under the registered extent respectively.

31. The

31. The rates at which excess shall be charged and deficiencies or abatements shall be allowed shall be those prevailing in the holding in which such excesses or deficiencies shall be found. Provided however that in cases where Unit Rent was originally based on a value and where the deterioration in value has been so great as to render reduction in Unit Rent expedient on grounds of policy, such reduction may be allowed irrespective of decrease in extent by the Deputy Collector subject to the orders of the higher authorities.

32. In fixing the Unit Rent on hold- ings the valuation of lands or of houses shall

18

Charles
Collector of Woods

36
To
Secretary to the
Board of Revenue

In a letter from the
Collector of Mavoras
dated 22nd March 1879
No. 97

No. 367/79

Sept. 20/79

Draft Rules.

37
19
Existing Rates
of Unit Rent in Mavoras
District.

Within the Town Walls.

(a) The property in the
Beach and the Bank
Shalls is taxed at the
rate of Rs 1-12-00 per
ground per annum on
the extent occupied.

(b) Khandi Lopo is
charged Unit Rent at
Cawny rate as in the
part of the town without
the walls for which
see below.

(c) All other property
is charged Unit Rent
at the rate of 12 annas
5th pice on 350 Rupees worth
of property.

Without the Town Walls.

Two rates are
charged. Manai rate
and Cawny rate.

The Manai rate is charged
on building sites at the
rate of 1 Rupee per
ground

ground per annum and
for every additional
one foot of ground two
annas per annum.

Building sites which
are upwards of a Cany
in extent are charged
Cany rate only.

The Cany rate is
charged on Cultivated
land and gardens
land. This rate is derived
from 1/8 of a Pagoda
per Cany to 3 Pagodas
per annum according
to the character of the
land.

The existing rates are

1 st class 3 Pagodas or Rs. 10-8-0 per Cany.	
2 nd class 2 1/2 Do	8-12-0 Do
3 rd Do 2 Do	7-0-0 Do
4 th Do 1 1/2 Do	5-4-0 Do
5 th Do 1 Do	3-8-0 Do
6 th Do 3/4 Do	2-10-0 Do
7 th Do 1/2 Do	1-12-0 Do
8 th Do 1/4 Do	0-14-0 Do
9 th Do 1/8 Do	0-7-0 Do

No.
PROCEEDINGS OF THE BOARD OF R.

Read the following letter from R. J. ME,
J. STURROCK, Esq., Acting Secy.
22nd March 1879, No. 97:—

I HAVE the honor to reply to Board's F

2. The questions and answers referre
ings and which now form the standing rul
Madras Collectorate are mainly based on th
is to take place whenever the renewal of a
for. As the principle of assessment on va
questions and answers may likewise be a
for the guidance of the Registration Depar
Board's approval. It will be seen that t
which quit-rent is to be imposed, increased
the procedure of the Registration Depar
applicants. The fees payable under the r
at present no written departmental rules
in practice as such).

3. Referring to the concluding clau
I beg to state that the rules provide for
decrease in extent in cases where the de
such reduction expedient on grounds of p

4. The Deputy Collector of Madras
of rates at which quit-rent should be
necessary, inasmuch as the present system
given up. The system is in vogue only
quently no necessity to revise the rate
existing rates are based on the extent of

5. In regard to the properties with
three different rates of assessment, but I
even if the principle on which they h
paragraph 4 of the Proceedings under r
any change in the rates of assessment i
paragraph 6 of the same Proceedings, or
proceeds is the recognition of existing as
the manner in which they were arrived
may be recognized as the standard rate.
value of properties, and whenever they
with reference to increase or decrease in
be made proportionately. Cases in whic
in consideration of deterioration in value
no objection to the assessment being rec
In the cases of land not hitherto assessed
rates customarily charged upon land of
the neighbourhood. These cases will all

6. In reply to paragraph 8 of the
to state that as reported in this office
survey registers have not been kept c
that have taken place since the survey
noted down and the quit-rent registers

16th April 1879.

Esq., Collector of Madras, to
Board of Revenue, dated

3,968, 27th August 1877.

5 of the above Proceed-
tration Department of the
a revaluation of property
ate on its account is applied
ty is to be given up, these
resh set of rules drawn up
ewith submit a draft set for the
ly set forth the principles on
out also describe concisely
g quit-rent certificates to
resent charged. There are
except what are recognized

of the Board's Proceedings,
f quit-rent irrespective of
ue is so great as to render

schedule proposing a scale
future. This he thinks
t-rent on valuation is to be
Town walls, there is conse-
ide those limits where the
ncerned.

n walls, there are at present
essy of altering these rates
d is to be abandoned. In
express themselves averse to
nd as observed by them in
on which Act XII of 1851
tive of any consideration of
resent rates of assessments
ve been arrived at from the
fter increased or decreased
ncement or abatement may
t-rent will have to be made
in these cases there can be
n to the decrease in value.
if necessary, be imposed at
of a similar description in
number.

ings under reference, I beg
ed 13th February 1878, the
te. The numerous changes
yn was made have not been
existing state of things do

not therefore admit of comparison with the survey records. In fact nothing short of a resurvey can give accurate results, and the Board have decided that it is not desirable to undertake a resurvey of the town. In the case of certain divisions reports on the results of the survey have been submitted, and these show an increase of quit-rent as reported in paragraph 5 of this office letter, No. 103, dated 28th March 1876. As regards the other divisions reports will be prepared with the aid of the temporary establishment sanctioned in Board's Proceedings, No. 12,388, dated 4th December 1878, and which will be entertained on 1st proximo.

ENCLOSURE No. 1.—Draft Rules.

In their Proceedings, dated 27th August 1877, No. 3,968, the Board pointed out that the Standing Rules of the Quit-rent Registration Department were based on a misconception of the instructions issued by them, and called on the Collector to submit revised rules for their approval. These he now submits with the letter above recorded.

2. The Board's views are correctly interpreted by the Collector in paragraph 5 of his letter, but they would slightly modify the manner in which they are given expression to in the Rules. Thus in Rule 1 instead of giving a list of existing rates continuing in force, they think it would be better simply to say: "The existing assessments of quit-rent continue in force," leaving the table to be introduced as an appendix to Rule 31 which would then run as follows:—

"31. The rates on which existing assessments are based are given as an appendix and the rates at which excess shall be charged and abatements allowed for deficiencies shall be those prevailing in the holdings in which such excesses or deficiencies shall be found. Provided however that in cases in which the quit-rent was originally based on value under Clause (c) of the appendix, the enhancement or abatement shall be calculated proportionately to the extent and assessment of the original holding irrespective of considerations of value. Nothing in the above however shall prevent a reduction in quit-rent irrespective of a decrease in extent being allowed by the Deputy Collector, subject to the orders of the higher authorities, in cases in which the deterioration in value since the date of the original assessment has been so great as to render such reduction expedient on grounds of policy."

3. Rule 32 in the draft may be amplified to provide for the cases referred to in the last sentence of paragraph 5 of the Collector's letter by the addition of the following words:—

"In the case of land not hitherto assessed any quit-rent imposed will be assessed at the rates customarily charged upon lands of equal extent and of a similar description in the neighbourhood."

4. The other rules are a codification of the existing departmental instructions, and the Board think they may be accepted.

5. The rules with the modifications above noted will now be submitted for the orders of Government with copy of Board's Proceedings, dated 27th August 1877, No. 3,968.

(A true Copy and Extract.)

J. Munnick
Acting Sub-Secretary.

To the Secretary to Government, Revenue Department,
with draft rules as amended by Board to be returned, and copy of
Board's Proceedings, dated 27th August 1877, No. 3,968
(its original enclosure in No. 2,064 of 1876 to be returned),
Copy to the Collector of Madras.

Exd. W. J. Lewis.

