M.R. O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 318 Press
113-115 Mis.

Dated 5th February 19-1009

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 5th February 1869.

Read the following:—

No. 113. Proceedings of the Board of Revenue, dated 15th May 1868, No. 3,623.

Read the following letters:—

From the Acting Collector of Cuddapah, to the Secretary to the Board of Revenue, dated 6th April 1868, No. 52.

1. With reference to a correspondence which has taken place on the subject of well-lands in this district, and which ended with Proceedings of the Board, dated 20th November 1867, No. 7,577, I have the honour to inform you that, as the subject seems to include two quite distinct classes of land, viz:—

First.—Dry lands in which wells were sunk prior to the preparation of Register A. in 1860, and which were excluded from the benefits of the twenty-five per cent. remission, which is enjoyed by lands irrigated from wells sunk since that period by Mr. Fraser's order.*

Second.—Garden lands which Government have directed to be reduced from a garden to a dry assessment. I propose dealing with each class separately to avoid confusion.

2. As regards the first class, or those dry lands irrigated by wells sunk prior to the date of Mr. Fraser's order, the reduction of the assessment, which is already a dry one, by twenty-five per cent.; thus putting these lands on the same footing as those irrigated by wells dug subsequently, is a measure of justice, urgently required and perfectly easy of execution.

3. Mr. Smith's statement, forwarded with his letter of the 6th September 1867, No. 122, (and of which I have now the honour to enclose a copy for convenience of reference,) exhibits the area of such lands, the assessment now levied, and the difference between that assessment and that to be levied hereafter. The Board in their Proceedings† on Mr. Smith's letter, seem to infer that the lands alluded to are garden lands, and would, therefore, come under the scheme for the reduction of garden to dry rates; such, however, is not the case. The lands entered in this Statement are classed as dry, and the only thing now to be done is to reduce the assessment by twenty-five per cent., and the lands will then be in exactly the same position as those dry lands irrigated by wells subsequently dug.

4. For this purpose Register A. will have to be altered, and new puttahs made out.

5. Considering that the scheme for altering the garden to dry rates will involve great corrections in the A. Register, I would beg to suggest the advisability of drawing up supplemental Registers to include lands, the subject of this correspondence, and seeing that the Fusly has now so far advanced as to render it quite impossible to make the necessary alterations before its close, I beg to recommend that the changes made in the puttahs for next Fusly.

* *Vide* Notice published at page 44 of the District Gazette, dated 17th February 1860.

† 20th November 1867, No. 7,577.

Statement shewing the extent and assessment of dry lands converted into garden by means of private wells, for which the usual remission of twenty-five per cent. is still withheld in the District of Cuddapah.

Talooks.	Total Ayacut.	Gross assessment still levied.	Deduct 25 per cent. remission to be made after the sanction of Government.	Net leviable assessment to be collected.
	A. C. A.	RS. A. P.	RS. A. P.	RS. A. P.
1. Badwel	3,043 31 1	3,946 15 7	986 6 9	2,960 8 10
2. Poddatur	4,318 21 11	6,568 2 0	1,641 1 4	4,927 0 8
3. Sidhout	3,177 4 12	7,522 7 7	1,880 8 10	5,641 14 9
4. Pullampett	4,161 6 12	5,434 15 6	1,357 5 4	4,077 10 2
5. Cuddapah	6,090 8 11	10,322 3 2	2,580 5 8	7,741 13 6
6. Jammalmadugu	1,971 7 1	2,997 9 8	748 14 6	2,248 11 2
7. Pulivendala	8,751 21 1	10,624 7 7	2,653 10 3	7,970 13 4
8. Royachoty	4,739 38 3	4,892 13 1	1,226 4 4	3,666 8 9
9. Kadiri	8,390 34 1	5,033 10 8	1,257 3 7	3,776 7 1
10. Voilpaud	3,272 21 10	3,272 8 10	818 0 7	2,454 8 3
11. Madanapally	3,302 32 0	3,288 13 5	821 6 4	2,467 7 1
	51,219 26 15	63,904 11 1	15,971 3 6	47,933 7 7

CUDDAPAH,
6th September 1867.

(Signed) H. G. SMITH,
Collector.

(True Copy.)

(Signed) F. B. MOLONY,
Acting Collector.

From the same Officer, dated 8th April 1868, No. 53.

1. In continuation of my letter, No. 52, of 6th instant, I have now the honour, with reference to Orders of Government, No. 113, dated 14th January 1867, and Proceedings of the Board, No. 945, dated 16th February 1867, to submit a scheme for carrying out the wishes of Government in regard to the reduction of garden rates under old wells to dry rates, which will, I trust, be intelligible to the Board.

2. I will commence by stating, that, as far as I can ascertain, there are no accounts or documents in the records shewing that Government has, at any time, laid out any money in constructing or in maintaining these wells. I believe myself that these wells were constructed by private individuals prior to the date of Sir Thomas Munro's survey, and that garden rates were fixed on them entirely with reference to the crops which the land, with the assistance of the irrigation afforded by the wells, was capable of raising, and not in any measure by the quality of the land itself.

3. The enclosed Statement, which embodies the latest and most reliable information, shews that there are in all 20,329 wells in the district, to which the proposed measure will apply: of these, 11,702 are wells to which no Dasabandam Inam is attached, and the remainder 8,627 are wells to which there is such Inam either

Khandam or Shamilat; there being 1,369 with Khandam Inam, and 7,258 with Shamelat Inam.

4. The difference between these two descriptions of Inam is briefly this—

1*st.*—Khandam Dasabandam Inam consists of a distinct and separate piece of land, always the same piece, frequently a whole number, but always well-defined. It is irrigated by water from the well for the maintenance of which it was granted.

2*nd.*—Shamilat Dasabandam Inam is a portion of the land under the well, but not of necessity exactly the same portion every year.

5. None of these 20,329 wells are situated within the irrigable area of tanks and channels, and thus none of them receive a supply from a Government source of irrigation.

6. There is also, as I have above stated, nothing to shew that they were constructed at Government expense, and they are, therefore, all wells coming within the scope of the Order of Government.

7. The Government are correct in supposing, as per paragraph 5 of their Order, that the acreage entered in Mr. Cockerell's Statement, of 1st November 1865, as Dasabandam garden land, where the repair of the well is provided for by a Dasabandam Inam, does not include the Inams, and are similarly correct with regard to the assumption in paragraph 6 of their Order.

8. One of the chief difficulties of the proposed measure lies in the settlement of the question of Dasabandam Inams; but I apprehend that, it being manifestly for the interest of all parties cultivating under a well that the well shall be kept in good order, it will be best to throw the responsibility of keeping it up upon all equally, and that if a settlement can be effected which will relieve the Dasabandamdars of this duty, and at the same time put their tenures on a satisfactory footing, such a solution will be the one which the Government require.

9. As regards Khandam Dasabandam Inam, the portion of land enjoyed as Inam being fixed and determined, the only thing remaining is to fix the amount to be paid by them, and I am inclined to think that the Inams might, with great advantage, be enfranchised at five-eighths of the new assessment to be now fixed at dry rates, as suggested by Government in paragraph 12 of the Order.

10. As regards Shamilat Inam, I beg to inform the Board that the Settlement Department are now demarcating these Shamilat Inams in portions separate from the Circar portions, and that this may be done in every instance, thus placing Shamilat in exactly the same position as Khandam Inams. This having been done they may be enfranchised at five-eighths of the new assessment, and all Inamdars will then be free of all responsibility for keeping up the wells, except such as they share in common with all the other cultivators.

11. The next question is with respect to the Bhatavarty and similar Inams, which have already been dealt with by the Inam Commissioner, and for which title-deeds have been issued. It will be found, (though to what extent I cannot now say,) that the quit-rent which has been fixed on these Inams, and which was calculated on the garden rates, will in many if not in most instances be actually at a

higher rate per acre of area than the ryots will have to pay at the reduced assessment. To meet this difficulty, there are but two courses open, either the whole of these title-deeds must be called in, and the quit-rent revised and made to bear the same proportion to the dry assessment that it now does to the garden, or the Inamdars must relinquish their Inams, and continue their occupation on the more favorable terms as ryots. I should feel inclined to adopt, or rather I should say to encourage, the relinquishment of the Inams, as I think that the Inamdars will have no injustice to complain of when they are offered their lands at lower rates than the ones at which they now hold them. The expense and labour of altering all the title-deeds, amounting in fact to a fresh Inam Settlement of these lands, would be enormous. I think the Inamdars might fairly be called on either to pay the quit-rent now fixed, or to hold the lands at a lower rate as Circar ryots.

12. There is one point which strikes me as one of some difficulty; it is the case of Inamdars who have accepted the terms offered by the Inam Commissioner, and have paid too much for the privilege, and that the amount they paid, being calculated on garden rates, is very much heavier than they would have been called on to pay had the land borne a dry assessment instead of a garden one. I do not think myself that they will be entitled to any refund, as a matter of right; the question of whether the difference should be refunded to them is fairly one for the consideration of Government.

13. The next point to be dealt with is the Service Inam. Here, however, there is no difficulty that I see. The rates would have to be altered merely to secure uniformity in the accounts; but such alteration will not affect in any way either the Government revenue or the emoluments of the office holders.

14. In a few instances it will be found that the garden rates now in force are actually lower than the fixed minimum dry rate of one rupee. In such cases (involving a sum of only 103 Rupees) the land might be simply reclassed, bearing its present assessment at a dry instead of a garden rate.

15. These are the only questions of principle that occur to me as requiring settlement; the rest is matter of detail. If these principles are sanctioned, and I am ordered to carry out this or any other scheme during the next Fusly, I propose dividing the district amongst the European Staff and Deputy Collectors, and settling the whole measure village by village; but I would respectfully request that final orders may be given if possible so as to permit of the alteration being made in the months of July, August, and September, so that I may be able to secure its being finished before the season for the Jummabundy Settlement comes round.

16. The chief accounts that will require alteration are the A. Register Nos. 4 and 5, the Coolwary and Adungal. I would suggest that the A. Register may only be altered by passing a pen with red-ink through the entries respecting the lands to be dealt with, and that a supplemental Register be drawn up for all such lands; there is no difficulty with regard to the Coolwary and Adungal accounts.

Statement shewing the number of old wells, the Circar and Inam extent and assessment under them, the assessment proposed to be fixed on Circar lands, and the loss to Government by the proposed measure, in the District of Cuddapah.

Items.		Number of wells.	Circar Ayacut under wells.				Inam Ayacut.							
							Dasabandam Inams.		Service Inams.		Sundry Bhatavarty Inams.		Total.	
			Acres.	Assessment	Amount of assessment after reduction as ordered by Government.	Amount to be remitted.	Acres.	Assessment.	Acres.	Assessment.	Acres.	Assessment.	Acres.	Assessment.
				Rs.	Rs.	Rs.		Rs.		Rs.		Rs.		Rs.
Old wells...	Garden ...	9,907	40,390	2,48,485	1,02,335	1,46,150	.....	.....	6,223	48,112	2,050	34,185	8,273	82,297
	Wet... ...	1,795	4,316	25,251	8,072	17,179	.....	.....	118	1,248	25	428	143	1,676
	Total ...	11,702	44,706	2,73,736	1,10,407	1,63,329	.....	.....	6,341	49,360	2,075	34,613	8,416	83,973
Dasabandam old wells.	Khandam ...	1,369	5,469	42,313	18,066	24,247	1,472	14,505	500	5,592	585	9,369	2,557	29,466
	Shamilat ...	7,258	10,180	82,717	24,584	58,133	6,196	56,687	141	1,581	199	1,497	6,536	59,765
	Total ...	8,627	15,649	1,25,030	42,650	82,380	7,668	71,192	641	7,173	784	10,866	9,093	89,231
Grand Total ...		20,329	60,355	3,98,766	1,53,057	2,45,709	7,668	71,192	6,982	56,533	2,859	45,479	17,509	1,73,204

CUDDAPAH,
8th April 1868.

(Signed) F. B. MOLONY,
Acting Collector.

In Government Order, dated 14th January 1867, Government directed that the assessment on the "old well lands" of the Cuddapah District should be fixed at the highest "dry" rate of the villages in which they are situated, one Rupee per acre being the minimum rate; provided that none of them are within the ayacut of a Government tank, and that the wells were not originally constructed at the expense of the State. Mr. Molony states that there is no room to doubt that the wells were dug by private individuals at their own expense, and that none of them are within the irrigable area of any Government tank.

2. The conditions set forth by Government being thus fulfilled, the Board might at once have ordered the reduction of assessment sanctioned by Government to be carried out, had the Acting Collector not overlooked the instructions conveyed in paragraph 14 of the Government Order, that the expense of compensating the Dasabandam Inamdars should be covered by a ratable addition to the assessment on the other old well lands.

3. Mr. Molony explains that the Inams of the Khandam Inamdars are distinct and well-defined plots of land, that they are never changed, and that they are irrigated from the wells for the maintenance of which they are granted. In this last respect Mr. Molony's description differs from that given by Mr. Cockerell, and commented on by Government in paragraph 7 of their Order above quoted.

4. The Shamilat Dasabandam Inams agaimare portions, but not necessarily always the same portions of the land under the well. They are now being separately demarcated by the Settlement Department, and when this operation is ended, they will be in exactly the same position as the Khandam Inams.

5. Mr. Molony proposes that the whole of these Inams be enfranchised at five-eighths of the new assessment. The Government proposed this arrangement as regards the Khandam Inamdars, but this was on the supposition that they would not benefit by the reduction of assessment on the old well lands; this impression having been caused by Mr. Cockerell's erroneous description of the Inams. In the case of the Shamilat Inamdars, Government remarked that if their Inams can now be made over to them, they will in fact become co-parceners in the land watered "by the wells to which their Inams are attached, and seeing how greatly the "assessment is about to be reduced, the assessing of their Inams, coupled, as it will "be, with freedom from the obligation of repairing the wells, hitherto resting "solely on them, (which will hereafter have to be provided for by the landholders "generally, themselves included,) involves no hardship."

6. As it appears from Mr. Molony's letter that the Khandam Inamdars now are, and the Shamilat Inamdars shortly will be, in this position of co-parceners in the well lands, and will benefit greatly in the manner indicated by Government, there would seem to be no reason for giving them an additional bonus in the shape of a remission of three-eighths of the reduced assessment. The total Dasabandam ayacut is given by Mr. Molony as 7,668 Acres, assessed at Rupees 71,192, or an average of nearly 9½ Rupees per acre; the reduced assessment on the Circar ayacut is about 2½ Rupees per acre; a sum which can hardly represent the equivalent of the obligation of repairing the well from which the Inamdars will be absolved. If Mr. Molony concurs in this view he can at once carry out the reduced assessment,

reporting his intention of doing so. He should at once forward a statement shewing what the assessment on these Inams will amount to, when reduced to the highest dry rate of each village. It is presumed that the sum entered in the statement, (namely, Rupees 71,192,) is only the nominal assessment of these Inams, which are probably all Surva Inam.

7. As regards the Village Service Inams (Acres 6,982, assessed at Rs. 56,533,) Mr. Molony states that "the rates would have to be altered merely to secure "uniformity in the accounts; but such alteration will not affect in any way either "the Government Revenue or the emoluments of the office-holders." It is not quite clear how the Government revenue is concerned in the matter, unless it be that some of the Inams are charged with a quit-rent, which is to continue unchanged. The emoluments of the office-holders, it would seem, will not be affected, only if they enjoy the occupancy right as well as the right to the Government assessment. If they possess only the latter, they must lose by its reduction. Mr. Molony should furnish explanations on both these points.

8. As regards the non-service Inamdars, the Board consider that they are entitled to the option of giving up their deeds and holding their lands on Ryotwary tenure at the reduced assessment, and if they elect to do this, such of them as have converted their Inams into freeholds should certainly have their payments refunded. A re-settlement of their Inam tenures on the basis of the revised assessment cannot, in the Board's opinion, be fairly claimed, and such a concession would introduce a very embarrassing precedent. On this point, however, the Board will refer to the Inam Commissioner.

9. The few exceptional cases referred to in paragraph 14 need no remark.

No. 114. Proceedings of the Board of Revenue, dated 8th August 1868, No. 5,750.

Read again Board's Proceedings, dated 15th May 1868, No. 3,623.

Read also the following letters:—

From the Acting Collector of Cuddapah, to the Acting Secretary to the Board of Revenue, dated on circuit at Kadiri, 26th May 1868, No. 96.

1. I have the honour to acknowledge receipt of Proceedings of the Board, dated 15th May, on the subject of the revision of assessment on old well lands.

2. Before taking action in the matter, it would be best that the question of the treatment of the Dasabandam Inams should be authoritatively settled.

3. The Board propose that these Inams should be treated as puttah land, and assessed in the same way as Government land, that is, at the highest dry rate of the village, with a minimum rate of one Rupee per acre, on the supposition that the assessment so imposed will only be an equivalent for relieving them of the exclusive burden of keeping the wells in repair. Theoretically doubtless the Board are right in this supposition, but practically I am convinced that assessing these lands at the same rates as the other lands under the same wells will meet with great opposition. Though these Inamdars are nominally burdened with the expense of keeping the wells in repair, in reality, but very little was ever done to them, and that only when the state of the well came to notice, and pressure was brought to bear upon those on whom the responsibility rested. I merely bring this matter to the notice of the

Board with a view to my receiving instructions whether the settlement on the basis of assessing these Inams at the same rate as the other lands under the wells is to be considered compulsory on the Inamdars, and if not, in what way Inamdars refusing the terms are to be treated.

4. With regard to the Service Inams, the Government revenue will not be in any way affected as I have already stated, nor will the emoluments of the office-holders, whether in occupation of the land or not. In the latter case the land has, I may say, almost universally been sublet on division of produce, not on payment of assessment; any case to the contrary can be treated specially, and I do not think any general rule can now be laid down.

5. I shall forward the Statement shewing the assessment on Dasabandam Inams in case they are charged with the full dry rate as soon as it can be compiled.

6. In conclusion, I beg to express my intention of carrying out the measure as soon as the question of the treatment of the Dasabandam Inams has been conclusively settled.

From the Officiating Inam Commissioner, to the Acting Secretary to the Board of Revenue, dated Madras, 4th June 1868, No. 13.

1. I have the honor to acknowledge the receipt of the Proceedings of the Board of Revenue, dated 15th May 1868, No. 3,623.

2. I fully concur with the Board in the opinion that the Inamdars in the District of Cuddapah are not entitled to claim a re-settlement of their garden lands on the basis of the revised assessment, since the Inam Settlement was concluded as a *permanent* arrangement on the clear understanding that the quit-rents fixed by this department were not to be affected by any future revision of assessment. The Inamdars, of course, possess the right of giving up their Inam tenures and holding their lands on revenue puttahs, whenever they may consider that such an arrangement would be for their advantage.

3. There are only four cases in the District of Cuddapah in which the quit-rent of garden Inams has been redeemed by the Inamdars, and these Inams are of trifling value. Consequently the consideration of the question whether the redemption money ought to be refunded to the Inamdars in the event of their electing to throw up their Inam tenure is not of much importance, though on principle I consider that the Inamders are not entitled to the refund. The enfranchisement of Inams and the redemption of quit-rent were offered to, and accepted by, the Inamdars unconditionally; they were both regarded as permanent arrangements, and I can see no reason why the permanent character of the settlement should not be considered a bar to the refund of the redemption money, as well as to the revision of the quit-rents.

4. Should, however, the Board look to the equity of the case without reference to the permanent nature of the settlement, I am decidedly of opinion both that the quit-rents should be revised and the redemption money refunded. The present reduction of the garden assessment is, as the Board have observed in paragraph 8 of their Proceedings, dated 3rd October 1866, No. 7,079, nothing more than a surrender to the owners of the valuable results of their investments of capital, and the Inamdar cannot be considered to be less entitled to the profit of the investment

Proceedings of the Madras Government, Revenue Department, 5th February 1869.

of his capital than the Government ryot. Had the Inamdars been aware that this revision of the garden assessment on Ayen lands would take place, they would neither have enfranchised their garden Inams, nor commuted the quit-rent fixed on them, but would have retained them on their existing tenure free of quit-rent, the revised assessment being alone chargeable on them on lapse.

5. There is one other point which I would beg to notice.

6. In sanctioning the reduction of garden assessment on Government lands held under Dasabandam wells to the extent of Rupees 82,380, the Board and Government are, I believe, under the impression that the ryots cultivating the lands are also the owners of the wells under which their lands are irrigated, the Dasabandam Inamdars being simply regarded as an establishment paid for keeping the wells in repair. Such, however, is not the case. The Dasabandam Inamdars are the owners of the wells under which they hold their Inams, and the ryots cultivating Government lands under those wells have never contributed a single Rupee either towards the construction or the repair of the wells. So far as such ryots are concerned, they are in exactly the same position as those who cultivate lands under Government works of irrigation, and I cannot see how they are in any way entitled to the reduction of their garden assessment into dry. It may be that the present assessment on garden lands held under Dasabandam wells is high and requires reduction; but there is no reason for lowering it to dry assessment.

7. The only parties that are entitled to consideration in the case of lands held under Dasabandam wells are the Dasabandam Inamdars. They are the owners of the wells, and are entitled to the full benefit of the investment of their capital; but I think that since they accepted certain Inams from Government, and agreed to allow water to Government lands, the wells have virtually become the property of Government, and that they cannot claim to have the wells restored to them so long as they are allowed to hold their Inams subject to the condition of keeping the wells in repair. Should, however, the Government see fit to restore the wells, the Inams granted for their repair being resumed, they ought certainly to be made over to the owners, the Dasabandam Inamdars leaving the ryots to arrange with them for drawing water from the wells, dry assessment only being charged on the lands dependent on the wells. The evils of such an arrangement have, however, been fully pointed out by Government in paragraph 10 of their Order, dated 14th January 1867, and the measure is one that would certainly not be acceptable to the ryots.

8. I would also remark that there are many tanks and channels in the District of Cuddapah which are held on Dasabandam tenure, and which are in exactly the same position as the Dasabandam wells, so that any indulgence shewn to the owners of Dasabandam wells may be fairly claimed by the owners of the tanks and channels also.

9. Under all the circumstances of the case, I think that the best course would be to leave the Dasabandam wells on their present tenure, and to reduce the assessment on the Government lands held under such wells where relief may be found to be necessary. Mr. Wedderburn's suggestion to fix the maximum rate at Rupees 7 an acre appears to be very fair.

10. There may be cases in which the Dasabandam Inamdars are also the ryots holding Government lands under the wells; but this is a mere accident, and does not affect the general question.

BEFORE disposing of this subject, the Board desire to have before them detailed accounts in the cases of half a dozen Dasabandam wells and their ayacut, shewing the names of the Inamdar and of the ryots, the area cultivated by each, the assessment paid to Government and to the Inamdars if any is paid, the remission allowed, &c.

2. The accounts should be so drawn up as to shew clearly the operation of the system both as regards Khandam and Shamilat Inams.

No. 115. ORDER THEREON, 5th February 1869, No. 318.

Land Revenue.

1. The Board of Revenue are requested to expedite the disposal of the matter under discussion in the foregoing papers, as the delay which has occurred has already attracted the attention of the Home Government.

2. If the details called for in their Proceedings under date 8th August 1868, No. 5,750, have reached the Board, they should at once be submitted to Government with the Board's remarks. If they have not yet been sent up by the Collector, Mr. Agnew should be required to forward them immediately, with an explanation of the delay which he has permitted to occur in their submission.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Board of Revenue.

Exd. G. A. Turton.

remarks. If they have not

No 1044 P 26/07 Gp-318.

3/18

5th Feby/69

The Board of Revenue

Sir

I am directed to forward herewith a representation from the Inhabitants of the Cuddapah District praying that the Assessment now levied on Wells dug since the commencement of the present Fasly may be remitted, and to request that you will favour me with the opinion of the Board of Revenue thereon.

I have &c

(Sd) [illegible]

Secy to Govt

Govt. of {1869} Madras.

REVENUE.

To

THE BOARD OF REVENUE.

Dated February, 5th.

Recd. *Read.*

G. O., 5th February 1869, *No* 318.

Pre of the Board of Revenue 4th May 1869 No 1525

FEBRUARY.

Nos. 113-115.

Well lands in Cuddapah District.—Board of Revenue requested to expedite the disposal of the question relating to their assessment.

sent us
yet been forwarded
by the Collector, his Agent
thereof be required to
forward them immediately
with an explanation of
the delay which has been
permitted to occur in
their transmission

Mr Cupes Total Dry Rail Dept 6

2/
6

SE

Reported to England
23rd March No 3. of 1869
Land Rec.