

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2152

Press

~~Mis~~

220. 223

Dated 12-9-1867.

Not to be folded or roughly handled

30.10.2152.

*Proceedings of the Madras Government, Revenue Department,
12th September 1867.*

Read the following papers :—

No. 220. Proceedings of the Board of Revenue, dated 19th July 1865, No. 4,171.
Read the following letter from the Collector of Nellore, to the Acting Secretary to the Board of Revenue, dated 27th February 1865, No. 28.

1. I have the honor to acknowledge the receipt of the Board's Proceedings of the 16th, No. 928,* directing me to reply distinctly to the queries put in their former Proceedings of the 8th October 1864, on the subject of the Manangadinne Shrotriem.

* Petition No. 3,959 of 1864, is herewith re-transmitted.

2. In their Proceedings of the 8th October 1864, the Board directed me to state whether it was correct that this Shrotriem had been attached and resumed for arrears of Jodi that had accrued during the period it was under attachment.

3. In my letter of the 10th September, on which those Proceedings were passed, I had stated the grounds on which this Shrotriem had been resumed. In my letter of the 24th December, on which the Proceedings under acknowledgment were passed, I have stated the grounds on which it was attached; and on referring to these two letters, it will be seen that it is not correct to say that the Shrotriem was attached and resumed for arrears of Jodi that had accrued during the period it was under attachment.

4. The order of attachment of the 29th November 1859,† shews that the Shrotriem was then in the hands of the Shrotriemdars, and was attached for current arrears; entered in the Order at Rupees 240, and it was resumed, as stated in my letter of the 10th September last, for failure on the part of the Shrotriemdars to fulfil an agreement entered into before the Sub-Collector, that they would produce within a month good security that the arrears against their Shrotriem should be cleared off in two years.

5. Whether the balance of those arrears over and above the Rupees 240, current arrears shown in the order of attachment, was a balance that had accrued during a period the Shrotriem was under attachment, or was a balance that had accrued whilst the Shrotriem was in the hands of the Shrotriemdars, I made no inquiry. The Shrotriemdars had entered into a deliberate agreement before the officer in charge of the Sub-Division, and unless they could prove that the agreement was the result of intimidation, as asserted, it seemed to me that they must abide by it.

6. Should the Board, however, determine that this agreement, made in 1860, is to be set aside, I will make a fresh inquiry into the case *de novo*, on receiving their orders to that effect.

Enclosure No. 1.—Petition.

The Board observe that it is not a question whether the agreement is to be set aside, but whether the agreement included arrears, which, under the orders of Government, should have been written off. The Collector has not yet replied to the two queries of the Board in their Proceedings under date 8th October 1864, No. 6,620. He has neither reported whether the arrears for which the Shrotriem was resumed, or any portion of them, had accrued during the period whilst it was under attachment, nor has he stated under what order of Government he acted in

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resuming the Shrotriem. Mr. Dykes will now be directed to make the further inquiries which he proposes, and submit distinct information on these two points.

No. 221. Proceedings of the Board of Revenue, dated 7th August 1866, No. 5,439.

Read the following letter from the Collector of Nellore, to the Secretary to the Board of Revenue, dated Prabhagiriapatnam, 27th January 1866, No. 25.

1. I have the honor to submit the information called for by the Board in their Proceedings of the 19th July last, No. 4,171.

2. In respect to the resumed Shrotriem of Manangadinne, the Board observed that the propriety of the resumption is not a question of the agreement entered into by the Shrotriendars, but of when the arrears accrued for which the Shrotriem was resumed, and under what orders I acted in resuming it.

3. Previous to the re-arrangement of the district, the talook of Kavali, in which Manangadinne is situated, belonged to the principal Division, but was under the management, to a certain extent, of the Sub-Collector, and to this divided control must be partly ascribed the difficulty I have had in tracing out the information called for.

4. The Shrotriem in question is a genuine Nellore Shrotriem, and its history the reverse of the Revuru Ramadas Kandrika, on which I reported yesterday, having received the previous evening the details I am now about to submit.

5. Manangadinne lies near the coast, and has a fine tank. If the tank be kept in order, the power of the village to pay the estimated revenue is a certainty; if the tank be neglected, the village is but little profit to any one, and the Shrotriendars having allowed their tank to be breached, and having failed to repair it, the Government, of course, have had the village thrown on their hands.

6. It appears that Manangadinne was attached in 1843, and remained in the hands of Government to 1856-57, when it was restored.

7. To answer the Board's question, as to when the arrears accrued, for which the Shrotriem was subsequently resumed, it became necessary, of course, to decide accurately when the Shrotriem was restored to the Shrotriendars, and having called for the order from the Sub-Collector's Office, I received with the Acting Sub-Collector's letter of the 12th ultimo, a copy of an Order, No. 318, of the 2nd March 1857, as the Order wanted. I enclose a translation of the Order (Enclosure A). It says nothing about restoration; the original is not now forthcoming; and when first received from the talook, in the Sub-Collector's Office, with the Tahsildar's Arzi of the 24th April 1860, No. 152, it is referred to as having been issued in 1850.

8. Further search has, however, brought to light an order of Mr. Elton's, dated 11th March 1865, (Enclosure B,) which refers to certain Orders of Government, the number and date of which are not given, and directs that the Shrotriem is to be restored to the Shrotriendars after the close of Fusly 1265; and this is probably the Order referred to by Palle Chent-al Row, (who was then the Tahsildar of Kavali, and is now in the Inam Commission,) in his order, of the 24th March 1857, making over the village to the Shrotriendars, and referring to an order he had received, for which again neither number nor date are given.

Enclosure C.

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9. On these grounds, such as they are, I therefore assume that the Shrotriem was not restored to the Shrotriendars till 1856-57, and I will now give what subsequently ensued.

10. Having recovered possession of their Shrotriem, it is to be presumed, as I have just stated in 1856-57, the Shrotriendars were not long in falling into arrears again. On the 21st November 1859, the Tahsildar had to report that the Shrotriendars had failed to pay the September, October, and November instalments, amounting to Rupees 240, and on the 29th idem, the Acting Sub-Collector issued an Order, (Enclosure D,) directing that the Shrotriem should be at once attached, unless the sum should have been paid before the order was received.

11. On the receipt of the Orders of Government, Revenue Department, dated 24th December 1859, No. 1,762, directing that no time should be lost in clearing off the heavy Shrotriem arrears that had so long thrown discredit on this district, the Acting Sub-Collector, by an Order of the 23rd February 1860, called for a Statement of arrears on Shrotriems in the Sub-division and attached prior to 1855; and the Tahsildar of Kavali thereon reported that there were no arrears on any Shrotriems in his talook attached prior to 1855, but there were arrears on four Shrotriems attached subsequently, of which Manangadinne was one (report of the 8th March 1860, which gives no further details of the arrears).

12. The Shrotriendars having had an attack of illness, which was reported under date the 10th April 1860, (No. 127,) on the 12th idem, are reported to have given in a statement in respect to the arrears due by them to Government. The Tahsildar further states that the Shrotriem had been attached on the 2nd December 1859, and a Memorandum enclosed shews that the arrears were as follow:—

A. D.	Fusly	Rs.	A.	P.
1855-56 ...	1265 ...	784	15	3
1856-57 ...	1266 ...	9	10	0
1857-58 ...	1267 ...	9	10	0
1858-59 ...	1268 ...	9	10	0
Total...		813	13	3

The Tahsildar having, on the 28th February, reported that there were no arrears on Shrotriems attached prior to 1855, and Manangadinne having been under attachment since 1842, it is difficult to reconcile the details of the Memorandum with what was previously stated; but there may have been some confusion as to classification, and the Shrotriem having been subsequently restored, was not considered to come within the scope of Shrotriems attached prior to 1855.

13. The Acting Sub-Collector, however, also apparently felt doubts on the subject; and on the 21st April, he requested the Tahsildar to send him the order putting the Shrotriendars in possession of their village, as they had stated that the arrears previous to restoration had been written off; whereon, with his report of the 24th April, the Tahsildar forwarded the order to which I have already referred

as having no bearing on the subject whatever,* and he referred to as issued

* Paragraph 7.

on the 2nd March 1856, or, in other words, in Fusly 1265.

14. On the 23rd April, the Acting Sub-Collector without, apparently, waiting for the Tahsildar's reply, directed the permanent resumption of the village from the 1st July 1860, as the Shrotriendars had failed to enter into any agreement for the payment of the arrears; and on the 26th April, he closed his proceedings in respect

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to the Shrotriem, by returning the order sent by the Tahsildar on the 24th, and directing his previous order of the 23rd to be strictly enforced.

15. These decided steps, on the part of the Acting Sub-Collector, had the effect of bringing the Shrotriemdars to the Sub-Collector's Cutcherry on the 13th July 1860, and there Indrakanti Lakshminarasu gave, before the Acting Sub-Collector, the agreement of that date, referred to in my previous reports. In this agreement (Enclosure E.) the arrears are stated to have accumulated from Fuslies 1265 to 1268; but nothing is said of whether they had accumulated while the Shrotriem was under attachment. The Shrotriemdar simply agrees to pay them off in certain fixed instalments.

16. The Acting Sub-Collector in his Order (Enclosure F.) of the 14th July 1860, in like manner only recapitulates the terms of the agreement, and referring to the attachment of the Shrotriem, he directs that it be restored if the Shrotriemdar should pay up the balance that has accrued in the interval, and give security for the payment of the arrears set forth in the agreement.

17. On the 10th July, I issued orders to the Tahsildars of the District generally to report to me all cases in which the Shrotriemdars had failed to clear off their arrears, and on the Tahsildar of Kavali reporting what had taken place in regard to Manangadiune, I directed him to uphold the agreement. This order was issued on the 1st September 1860, and is Enclosure G.

18. The Shrotriemdar had, in the meanwhile, appeared before me. I looked on the question raised, as to when the arrears had accrued, as simply another plea to gain time, and having then refused to enter into the question, unless the Shrotriemdars would first furnish security to pay the arrears within two years if required, and as agreed on before the Acting Sub-Collector, I will now give my opinion on the point of when the arrears accrued as required by the Board, and with reference to the information I have now submitted for the consideration of the Board.

19. Supposing the Memorandum forthcoming as forwarded with the Tahsildar's Report of the 12th April 1860 to be correct, and supposing, further, that we are likewise correct in assuming that the Shrotriem was not restored to the Shrotriemdars till 1856-57, then, of the sum for which the Shrotriem was finally resumed, Rupees 784-15-3 were arrears that had accrued whilst the Shrotriem was under attachment; and Rupees 28-14-0 as shown in the said Memorandum, and Rupees 240 as shown in the Tahsildar's Report, on the 21st November 1859, were arrears that had accrued whilst the Shrotriem was in the hands of the Shrotriemdar. Though, from the confusion as to dates, and unsatisfactory nature of the whole case, it is difficult to decide, with certainty, as to any one point; and the last mentioned sum of Rupees 240, the actual sum on which the Shrotriem was attached, on the 2nd December 1859, is not referred to specifically, either in the order of the Sub-Collector of the 14th July 1860, or in mine of the 1st September, which was based on the agreement.

20. The Order of Government on which I acted in resuming this Shrotriem, was the Order of Government of the 24th December 1859, No. 1,762, Revenue Department, under which authority I have acted all along in clearing off the Shrotriem arrears, which were Rupees 28,383 in 1859-60, and are Rupees 950 in 1865-66. The resumptions, where this step was found necessary, I have reported to the Board in the Annual Settlement Reports.

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21. And in closing this letter, which I regret it has been necessary to extend to this length, I beg to give the adjusted demand, the revenue realized from the village since 1859-60, and the expenditure in the Public Works Department.

Year.	Expenditure.	Adjusted demand.	Revenue realized.
	RS.	RS.	RS.
1859-60.....	...	810	618
1860-61.....	...	811	811
1861-62.....	...	811	811
1862-63.....	...	811	811
1863-64.....	1,737	976	976
1864-65.....	...	1,447	767
1865-66.....	...	1,188	.....

ENCLOSURE No. 1, A.

ABSTRACT.—Translation of the Order, No. 318, dated 2nd March 1857, referred to in paragraph 7 of the Collector's letter.

ENCLOSURE No. 2.

ABSTRACT.—Returning Petition No. 3,959 of 1864, as requested in the Acting Sub-Secretary's Official Memorandum, No. 184, of the 22nd instant.

ENCLOSURE No. 3, C.

ABSTRACT.—Translation of the Order of the then Tahsildar of Kavali, Pulla Chontsal Row, dated 24th March 1857.

ENCLOSURE No. 4, D.

ABSTRACT.—Translation of the Acting Sub-Collector's Order, dated 29th November 1859, referred to in paragraph 10 of the Collector's letter.

ENCLOSURE No. 5, E.

ABSTRACT.—Translation of the agreement given by Indrakanti Lakshminarasu, before the Acting Sub-Collector, on the 13th July 1860, referred to in paragraph 15 of the Collector's letter.

ENCLOSURE No. 6, F.

ABSTRACT.—Translation of the Acting Sub-Collector's Order of the 14th July 1860, referred to in paragraph 16 of the Collector's letter.

ENCLOSURE No. 7, G.

ABSTRACT.—Translation of the Order issued by the Collector, Mr. Dykes, on the 1st September 1860, to the Tahsildar of Kavali, and referred to in paragraph 17 of the Collector's letter.

1. Mr. Elton, in his letter dated November 6th, 1858, recommended that the balance of Jodi outstanding against the Manangadinne Shrotriem for Fusly 1265 should be written off; and Government, in their Order of the 24th December 1859, evidently contemplated the remission of all balances which had accrued previous to Fusly 1266 on Shrotriems while under the management of the Revenue Officers. Under these circumstances, the Board are of opinion that no demand ought to have been made for the sum of Rupees 784-15-3, which became due before the restoration of the village, and that the proceedings of the Sub-Collector and Collector were in this respect uncalled for.

2. The current arrears of 1859-60 would probably have been paid, if the demand had been confined to that amount, and to enable the Board to decide how far just demands have been satisfied, and in what light the village may now be viewed, the Collector will be requested to submit an account shewing the Demand,

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Collection and Balance of the village from the date of its attachment, and the amount of Jodi due from the same date, including those arrears which accrued after the restoration of the Shrotriem in 1837. The total expenditure on the tank up to date should also be stated. The Collector will be pleased to submit the required information as early as possible, in order that this case may be finally disposed of without further delay.

No. 222. Proceedings of the Board of Revenue, dated 6th July 1867,
No. 4,233.

Read the following letter from the Collector of Nellore, to the Secretary to the Board of Revenue, dated 25th August 1860, No. 269.

1. I have the honor to acknowledge the receipt of the Board's Proceedings of the 7th, and submit the required information.

2. To shew clearly how far the quit-rent imposed on this Shrotriem has been paid by the Shrotriemdars, I enclose a Demand, Collection, and Balance Statement from 1801-2, and shew under the head of Remissions Rupees 11,207:—

Statement shewing the Demand, Collection, and Balance on the village of Manangadine, in the Kavali Talook, from 1801-2 to 1865-65.

Year.	Collection.	Balance.	Remarks.
	RS. A. P.	RS. A. P.	
<i>Under the Shrotriem Tenure.</i>			
Demand...		1,021 0 0	The demand shown here is the demand originally fixed on this village as a Shrotriem.
1801-02	1,021 7 3	.. ..	
1802-03	1,021 7 3	.....	
1803-04	1,021 7 3	.....	
1804-05	1,021 7 3	.....	
1805-06	1,021 7 3	.....	
1806-07	1,021 7 3	.....	
1807-08	1,021 7 3	.....	
1808-09	1,021 7 3	.....	
1809-10	1,021 7 3	.....	
1810-11	1,021 7 3	.....	
1811-12	1,021 7 3	.....	
1812-13	1,021 7 3	.....	
1813-14	1,021 7 3	.....	
1814-15	1,021 7 3	.....	
1815-16	1,021 7 3	.....	
1816-17	1,021 7 3	.....	
1817-18	1,021 7 3	.....	
1818-19	758 5 3	263 2 0	This balance, Rupees 4,141, was written off under the Order of Government, dated the 13th May 1825, No. 261.
1819-20	125 8 6	895 14 9	
1820-21	50 6 0	971 1 3	
1821-22	544 7 2	477 0 1	
1822-23	477 11 9	543 11 6	
1823-24	30 12 0	990 11 3	
1824-25	1,021 7 3	.....	
1825-26	1,021 7 3	.....	
1826-27	1,201 7 3	.....	
1827-28	1,201 7 3	.....	
1828-29	1,201 7 3	.....	
1829-30	1,201 7 3		
1830-31	1,201 7 3		
1831-32	1,201 7 3		
1832-33	1,201 7 3		
1833-34	1,201 7 3		

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Statement shewing the Demand, Collection, and Balance, &c.—(Continued.)

Year.	Collection.	Balance.	Remarks.
	RS. A. P.	RS. A. P.	
1834-35	1,021 7 3		This balance, Rupees 3,803, was written off under the Order of Government, dated 2nd June 1854, No. 631.
1835-36	1,021 7 3	.....	
1836-37	1,021 7 3	.....	
1837-38	1,021 7 3	.....	
1838-39	1,021 7 3	.....	
1839-40	1,021 7 3	.....	
1840-41	1,021 7 3	.....	
1841-42	1,021 7 3	.....	
1842-43	150 14 5	670 8 10	
1843-44	720 11 0	300 12 3	
1844-45	759 3 6	262 3 9	
1845-46	800 0 0	221 7 3	
1846-47	602 2 0	419 5 3	
1847-48	947 3 0	34 4 3	
1848-49	643 10 11	377 12 4	
1849-50	598 8 3	422 13 0	
1850-51	557 12 9	463 10 6	
1851-52	590 11 6	430 11 9	Written off under the Order of Government, dated 27th September 1855, No. 1,090. This balance, Rupees 1,651-6-11, was written off under the Order of Government, dated 25th November 1856. In 1856-57 the original demand was modified and fixed at Rupees 800, fees Rupees 9-10-0, under the Order of Government, dated the 25th Nov. 1856, No. 379. This balance, Rupees 28-14-0, was written off under the Order of Government, dated 22nd April 1861, No. 907. The Shrotriem having been attached this year for current arrears, the balance uncollected at the end of the year, viz., Rupees 191, was written off under the Order of Government, dated 1st September 1862, No. 1,857.
1852-53	416 6 11	605 0 4	
1853-54	110 3 7	911 3 8	
1854-55	231 4 0	740 3 3	
1855-56	236 8 0	784 15 3	
Demand...	.....	809 10 0	
1856-57	800 0 0	9 10 0	
1857-58	800 0 0	9 10 0	
1858-59	800 0 0	9 10 0	
1859-60	617 13 5	191 12 7	
Total...	48,211 1 8	11,207 5 1	

At the ordinary rates of assessment.

Year.	Demand.	Collection.	Balance.	Remarks.
	RS. A. P.	RS. A. P.	RS. A. P.	
1860-61	810 8 0	810 8 0	.....	Rented.
1861-62	810 8 0	810 8 0	.....	
1862-63	810 8 0	810 8 0	.....	
1863-64	975 14 1	975 14 1	.....	
1864-65	1,446 11 1	762 10 8	684 0 5	Ryotwar. Of this sum, Rupees 674-5-9 were ordered not to be collected, being the assessment charged at the Jummahbundy on rice lands for which water was not available, and Rupees 4-2-5 have been since collected, and Rs. 5-8-3 have been entered as irrecoverable at the last Jummahbundy. * Collected up to 17th August.
1865-66	1,263 12 7	1,039 11 7	204 1 0	
	6,117 13 9	5,229 12 4	888 1 5	

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3. In paragraph 12 of my letter of the 27th January last, I find, to my regret, that the information given stopped short of the year for which it was most important. I shewed Rupees 9 annually in arrears, and did not shew Rupees 191, arrears uncollected at the end of the year, when the Shrotriem was resumed, and the balance uncollected of Rupees 240 current arrears, for which the Shrotriem was attached.

1. In their Order of the 27th September 1855, on the Shrotriems of the Nellore District, (paragraph 8,) Government directed that all villages then under attachment should be surrendered to their proprietors, if they were willing to receive them "on the understanding that henceforward the full Jodi must be paid, and that failure will involve forfeiture of the Shrotriem."

2. In paragraph 14 of his letter to the Board, dated 4th June 1857, the Acting Collector reported that Manangadiemo (the village to which the foregoing correspondence refers) had accordingly been made over to the proprietor from the beginning of Fusly 1266 (1856-57). The village had been under attachment for many years, and heavy balances had accrued on it. From Fusly 1252 to Fusly 1261 the arrears amounted, according to Mr. Dykes, to 3,803, but according to one of his predecessors Mr. Ratliff to 3,827, and were remitted by Government Order, 2nd June 1854, No. 631. In Fusly 1262 an arrear accrued of Rupees 605, which was remitted by Government Order, 27th September 1855, No. 1,090, and in Fuslies 1263 and 1264, arrears accrued of Rupees 1,651, which were ordered to be written off by Government Order, 25th November 1856, No. 1,248.

3. The village remained in the hands of the proprietor until the end of 1859, when, as the Collector reports in his letter in Board's Proceedings, No. 6,620, dated 8th October 1864, it was resumed on account of arrears amounting to Rupees 813-13-3.

4. These arrears were made up in the following manner:—

Arrears which accrued while the village was under	Rs.	A.	P.
Government management prior to 1856	...	784	15 3
Current arrears	...	28	14 0

The Collector's letter, dated 25th August 1866, No. 269, now brings to light that there was a further current arrear of Rupees 191-13-4.

5. The petitioner applies for the restoration of the village, which, since its last resumption, has remained under Government management, on the ground that the bulk of the balance for which it was sequestrated was an outstanding which had been already remitted.

6. The Board consider the petitioner's request entitled to consideration. There is no doubt the resumption was made on unjustifiable grounds, and that under the circumstances it was in opposition to the principle laid down in Government Order, No. 1,248, dated 25th November 1856, where it is stated with respect to the villages still in hands of the Government Officers which are ordered to be restored, and all claims against them written off: "The Shrotriem-dars who now consent again to undertake the management of their villages, will be able to re-commence free from embarrassment." The arrears of Rupees 785-15-3 accrued prior to the date of this Order, and should not have been included in the demand.

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7. Since the last resumption, Rupees 2,751 have been spent on the tank on which the cultivation of the village depends. The Board recommend that the village be offered to the proprietors on condition of their making good the outlay on the tank, and paying all the arrears shewn to have been legitimately outstanding in 1859, and which were Rupees 191-13-7+28-14-0, in all Rupees 220-11-7.

No. 223. ORDER THEREON, 12th September 1867, No. 2,152.

Irrigation, No. 9.

The Government sanction the adoption of the course recommended by the Board, leaving it to them to determine what interval shall be allowed for

repayment of the expenditure on the tank repairs.

(True Extract.)

(Signed) W. HUDLESTON,

Secretary to Government.

To the Board of Revenue.

Ed F. R. Bantleman.

W. 2152. (1)

The for! sanction

the adoption of the courses
recommended by the H.
leaving it to them to
determine what in time
shall be allowed for
payment of the
expenses on the tank
repairs. L.B.

W.D.

12th Sept/67.

14 Copies To the R of R and 15th