

Revenue (1896) · Department.

MISCELLANEOUS SERIES.

G.O., No. 2627.

DATED 4th July

[Despatch Abstract.]

B. Narasimha Chari of Anantapur district.

Declining to modify the assessment imposed on the lands
owned by -----.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Translation of
 Enclosure No. 2 to Rev Cno. 2030
 Copy of lakid from C. T. Crossliwait to
 Ag Sub Collr of Bellary to MARR Naravara
 Simhacharlu Tahsildar of Gooty Id
 No. 64 & Kalyandrug the 5th Feb'y 76
 H. Appa Rao of Anantapur ^{requested permission} dig a
 channel at his own cost from the Penna
 river through the fields of Pensakacher
 Gooty Id and ~~requested permission~~ to
 make use of this water. An order was
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 and praying that the dry rate may be
 charged on the lands irrigated by this
 channel. On perusal of this petition
 and in accordance with L.O. No. ¹³⁴⁷ Rev
 of the 10th Sept^r last it is hereby ordered
 that dry rate be charged on such lands.
 This order shall be communicated to
 the peti^r.

C.O.
 7.4.96.



Proceedings of the Board of Revenue

(Revenue Settlement, Land Records and Agriculture.)

Dated 28th February 1894.

No. 1389 M.S.

READ

The following letter from the Deputy
Commissioner of Revenue Settlement
Partur No I dated 19th February
1894 No 58:-

I have the honor to
request the Board's instructions
in the following case:-

2. In the Village of
Panakacheta No. 146 in the Coimbatore
Taluk, Survey fields Nos 92 B
and 94 B measuring 14.88 acres
are irrigated by a channel taken
from the Penuer River. At this
Settlement I assessed these
lands

1896
REVENUE DEPARTMENT
MADRAS
No. 6
40

lands at wet rates, under

Board's Proceedings No. 428 dated ^{Ex 4452}
the 17th July 1891. But one objection, ¹²⁸⁻⁸⁻⁹¹
their present ones, claims that ^{= recording the P.P.}
they should be assessed at
dry rates according to the
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permitting the excavation of the
Sail Channel, which, he says,
was constructed at the expense
of private capital. From a copy
of the Tahsildar's order attached
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this Department, it appears that
the construction of the Channel
by private enterprise, was
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in his Tahsil No. 64 ⁵⁻²⁻¹⁸⁷⁶ based on
the authority of R.C. No. 1347 dated
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I beg to be favoured with instructions
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Resolution

The Deputy Commissioner
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present and former dry rate
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ment now fixed. The amount
likely to have been expended
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should be roughly estimated
and reported.

I sincerely and extremely

I beg P. Rayanathar Esq
Secretary

I. The Dy Commr of R. S. M. D. S.

I beg to report

M. Jayaraman
Secretary

Encl 1/16



Proceedings of the Board of Revenue
(Revenue Settlement, Land Records and Agriculture.)

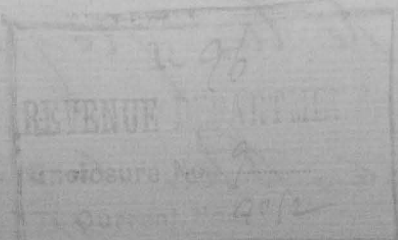
Dated 22nd August 1894.

No. 5073¹ Mis.

READ the following letter from the Deputy
Commissioner of Revenue Settlement
District No I, dated 7th June
1894 No 186:-

+
Copy attached

With reference to
Board's Proceedings dated 28th
February 1894 No 1389^x Mis (Calling
upon Dy Commr of Revenue Settlement
No I District to forward certain records
and furnish certain information
regarding his letter requesting
instructions as to the assessment
on certain S.M. in Penna Kachchare
Village



honor to report that Survey fields
No. 92 B and 94 B are the
only ones irrigated by the
private channel in question.

The former is situated in a
dry block classified as $\frac{8}{4}$
and the latter in another classi-
fied as $\frac{8}{3}$. The rate of assess-
ment for the different Lots in

the class is shown under:-

Red, Sandy
Soil

Rate of assessment for
the different Lots under the
4" group in which the
channel in question has
been placed is

8-1	_____	4-_____
2	_____	3-_____
3	_____	2-8
4	_____	2-_____
5	_____	1-8.

Resolution

The land in question
will be classed as lot in the IV
group

group: No. 92 B as 8-4 and
94 B as 8-3.

/ True Copies and Extracts /

/ Sequel P Rajaratna Mudaliar.

Secretary

To the Dy Commr of Rev. Sels M. P. P. P.

Respectfully

/ True Copy /

M. Rajaratna Mudaliar
Secretary

Filed
9/6



No. 2613 Mis.

156 p. illus:

Resolution

The Board begs to
submit the following report on the
appeal petition of B. Narasimha
- Chetty, received with the G.O.
read above.

2. The Channel referred
to by the appellant takes off
from the Permat, which is a perennial
river. Its construction was first
sanctioned in 1863, Subject to the
payment of a wet assessment of

XI. Kathy Takaidas' wife & the Acting Sul & Sulphur of Berkeley No 808 dated 31st December 1874 The amount

of Rs 2 per acre, in the area
irrigated, but for some person
or ^{other} which it is now unnecessary
to discuss, the applicants gave
up the undertaking, and relinquished
the lands in full. $\frac{1277}{1867-68}$. In
1874 one Kavalu Appakur offered
to construct the channel, if the
extent irrigable were assigned to
him at dry rates. He then Schilder
of Gorky (the present appellant -
himself), reported that, as the
channel was to be dug from the
Purna river, it would not be
proper to grant the lands at
dry rates, but, taking into con-
sideration the heavy initial
outlay that would be necessary
to construct the channel, and
the further cost of annual
clearance

clearances, he recommended
that the lowest wet rate, one
rupee per acre, should be charged
for a single crop, and half a
rupee additional for second
crop. This was approved by the
then Sub Collector in his Letter
No 47 dated 23 January 1875
and accepted by Appakur,
but a year later, on a further
petition from the said Appakur,
the same officer directed, in
modification of his previous
order, that only dry rates should
be charged, in accordance with
the principle laid down in G.O.
No 1347 dated 10.9.75. These
lands are now in the possession
of

of one Gollappa and the
appellant.

3. At the present Settlement,

S^{nos} 92 B and 94 B

irrigated by the above

Channel and held

by Gollappa on patta,

were classed as wet,

and assessed at Rs 2 and Rs 2-8-

per acre, respectively, following the

procedure adopted in the case

of Pennar Channels in this and

other Taluqs in the District. Gollappa

- appellants against the charge of

wet assessment, but the Board

declined to reduce it. The order

of the Sub Collector was originally

ultra vires and the lands had

the benefit of the order since 1876

up to 1891.

Survey No	Area	Rev. Day Rate	Settlement Day Rate of the Block	Net rate fixed at Settlement
92 B	6.52	4-12-	4	2--
94 B	8.36	4-12-	6	2-8-

4 When disposing of Gollappa
appeal, it was discovered that
portions of the above Survey
Nos (ie S^{nos} 92 A and 94 A) in
the occupation of the present
appellant and irrigated by the
same Channel, were classed
as dry, and that no water rate
was charged. The Board called
for explanation from the Deputy
Commissioner, and ordered that
the appellants' lands should
be charged with water rate,
whenever irrigated, or transferred
to wet and assessed at the
same rates as those charged
on the portions in the occupation
of Gollappa.

5. The Commission allowed

It is to be noted that the rate is
allowed in Board's Sanctioning
Order No. 10 is intended to
apply only to ~~the~~ jungle streams,
not to channels taken from
perennial rivers like the Gomati.

The original order sanctioning
the construction of the channel
now owned by appellant and
G. Chaffa do not show that the
concession was intended to be
permanent (vide correspondence
printed in B.L. No. 539 dated
27th November 1889 and No. 381 dated
6th December 1890). In consideration,
however, of the heavy outlay
incurred in constructing and
maintaining the channel, the
Board fixed the wat rates of
Rs. 2 and Rs. 28 per acre

respectively, which are the rates
sanctioned for 8-3 and 8-4, Lits
under Class IV. Sources. The
rate for 8-1 Lit under this
class of irrigation is Rs. 4 per
acre.

6. Copies, with translation,
of the Tahsildar's arzi and the
Sub Collection orders, relating to
the grant of permission for the
construction of the channel, in
question are enclosed for reference.

Yours extremely

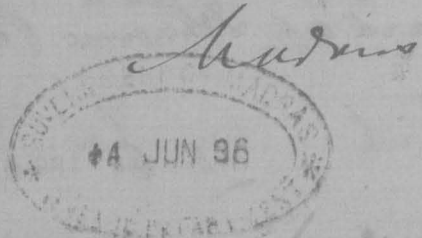
M. J. K. S. S. S.
Secretary

1. The Secretary to Govt. Rev. Offt.
with copies and translation of
Tahsildar's arzi and Sub Collection
orders in B.L. No. 5073, ^{the returned,} and ^{copies of B.L. No. 5073}
22-8-94 1387 1894

Go. 1561
24.4.96

Rev 1896 Sept

Board of Revenue
(Rev. Sett. Ld and Appr)



Secretary to
Government
Revenue Department
Madras.

Recd 4.6.96

No. 1 June 1896
N. 2613 M.

G. 10

Subject

Submitting the report
called for by Govt
in G.O. 1561 on the
24.4.96 appeal petition of B
Narasimhachari of
Anantapur, praying
for reduction of
assessment.

29.6.96

D 1,000-20-2-96.

Read again G.O. 4364 21.2.96
2 1561 d. 24.4.96
REVENUE DEPARTMENT.

also C. No. 4012 of 96

From

the Board of Revenue (Rev. Sett. Ld and Appr)

Dated

1. 6. 1896.

FOR ORDERS.

The change is fair & I
prop. no reason to interfere

JG
3/7/96

The Current
read above contains the report
called for in G.O. d. 24.4.96
No 1561, regarding the petition
from one Narasimhachari of
Anantapur, who complained
of the enhancement, by the
Board of Revenue, of the
rate of assessment levied
on certain lands irrigated by
a private channel, from the
Dennur river. The facts of
the case are fully stated in
the Board's resolution. The
construction of the channel
which now irrigates the lands
belonging to the petitioner and
another, named Gollappa, was
sanctioned by the sub-collector
in 1875, on the understanding
that the area irrigated by
the channel would be charged

charged one Rupee per acre
for first Crop and half a
Rupee per acre for second
Crop. A year later, however,
the ~~Sub Collector~~, in view of the
heavy outlay which the Construc-
tor of the channel alleged
he had to incur, ^{the sub collector} directed
that only dry rates should
be charged on the lands
irrigated by the channel,
in accordance with the
principle laid down in G.O.

Dy 10.9.75 No 1347.

The Petri and the other patth-
dar under the channel, too
enjoyed the benefit of the
Sub Collector's Order, till
the recent settlement, when
the question of the propriety
of revising the assessment
on the 'Special rate lands' under
channels from Pennar and
other perennial sources
of irrigation, was raised.

The Collector of Bellary sub-
mitted to the Board of Revenue
a statement showing cases
in which permission had
been granted by former

FOR ORDERS.

with his letter in B.P. dy 6.12.90 No 381

recorded in No. 607
26.1.91

The parties concerned
were fortunate in having
^{enjoyed}
held any concession
under the Pennar.
Hd 30.6.96.

B.P. 381
6.12.90
recorded in No. 607
26.1.91

former District officers for
the construction of private
channels from perennial
sources of irrigation, and
observed as follows:—

'I consider that in all these
'Cases the rates are open to
'alteration at the general re-
'vision of assessment. No
'promise or stipulation was
'made at the time the rates
'were fixed, ^{that} they should never
'be revised; and by the time
'the new settlement is intro-
'duced, they will all have
'been in operation for a
'period amply sufficient
'to compensate the ryots con-
'cerned for their outlay.'...

The Board of Revenue
~~observed~~ agreed with the Collec-
tor in thinking that there
was nothing in any of those
cases to prevent the revision
of the existing rates at the
new settlement, and it
directed the Dy. Commr to
inspect each work and to
report what rate should,
his opinion, be imposed
af

after making ample allow-
ance in each case for the
original expenditure in-
curred in the construction
of the work, or for any
expenditure necessitated
for the upkeep of the
work in excess of that
required and paid for
by the ryots on similar
Government works.

Again in June 1891, in dealing
with the settlement of the
Gooty Taluk, ^{in the} Anantapur
Dist, the Dy Comr of Revenue
settlement wrote as follows:-

'In regard to the fields
now held under special
'rates' I beg leave to state
that as the supply from the
Pennis, enough at least for
a single crop, has never been
known to fail, and as the
labour involved in keeping
up the Channels led from
it is nothing peculiar
to those dug by private
individuals as opposed
to those reputed to belong
to Govt, and as there seems

B. P. No 381
6.12.90

x para 3 of letter in page 3 of B.P.
d, 17.7.91 No 428 - recorded in
4.0 No 4452 d, 12.8.91.

para 16 of the Dy Comr's letter
in page 5 of B.P. No 257.
31.3.92

para 11 of the above B.P.

to be nothing in the authorities
under which the special rates
are levied to bind this de-
partment not to extend its
new scale of assessments to
the tracts which are now sub-
ject to those rates, it is
now a question for the Board
to decide whether the special
rates above referred to are
or are not to be perpetuated
at the impending settlement.

The Board of Revenue de-
cided that the rates should
be revised and accordingly
accepted those proposed
by the Dy Comr.

The same question was again
raised in connection with
the settlement of the Tad-
patri Taluk and the Board
observed as follows:- 'Land
'granted at special rates
'under Competent authority
'as prescribed in the Stand-
'ing orders of the Board of
'Revenue will not be affected
'at the new settlement, but
'the standing orders on the
'subject do not contemplate

the grant of any permanent
Concessions in the case of
perennial rivers like the
Pennis and the Chitravati.
Lands granted at a light-
assessment should be
dealt with as directed in
'B.P. No 381d, 6.12.90.'

It will thus be seen that
in several other cases besides
that of the petr, the rate
of assessment originally
fixed has been revised, in
the Bellary and Anantapur
Districts.

In the present case, the
Board points out that the
Sub. Collector's order of 1876,
permitting a perennial
source of supply to be
tapped by a private indi-
vidual, without the payment
of any additional revenue
to Govt, was ultra vires,
that the order does not
show that the Concession
then made was intended
to be permanent, and that
the favorable terms allowed
in the Board's S.O No 10.

It does not say "the Concession shall
be permanent"; but this is more or
less to be inferred from the failure to
specify a definite period for which
the concession shall last.
D

to were meant to apply only
to jungle streams and not
to ^{streams taken from} perennial rivers like the
Pennis.

The question now for Considera-
tion is whether in fixing the
revised assessments on the
lands under the Channel in
question the Board has made
allowance ^{as it said in B.P. 381d, 6.12.90} for the original
expenditure incurred in the
work and for the annual cost
of clearing and maintaining
the Channel. Survey Nos
92B and 94^B which belong
to Gollappa have been charged
at the wet rates of Rs 2 and Rs
2-8-0 per acre respectively,
and the petr's lands 92A & 94
A. have been ordered to be classed
as 'wet' and to be assessed at
the above rates unless the petr
chooses to pay water rate +
dry assessment on the area
irrigated ^{from} ~~by~~ the Channel.
The Board says that the rates
have been fixed at Rs 2 and
Rs 2-8-0 per acre, 'in Considera-
tion of the heavy outlay in-
curred in constructing a

and maintaining the channel.

It is not, however, clear what concession has been made in fixing the rates.

The blocks of lands in which the 2 survey Nos lie have ~~been~~ ^{were} classified as 8-3.

and 8-4, and the wet rates corresponding to this classification, under IV Group ^{Perennial} irrigation, are 2 Rs-8. and Rs 2-4 respectively.

So far as I can see the Board has granted no concession, but has merely assessed the lands just as if there had never been any special permission granted by the Sub. Collr.

D.D.

28.6.96

It is a curious fact that the present appellant is himself the Tah. who recommended the Sub. Collr. to assess the lands with the lowest wet rate.

D.D.

The concession lies in retaining the dry class & sort, viz. 8-3 & 8-4 although the lands are wet, instead of forming a separate block for the wet land at 8-2 and 8-3, as is frequently done in settlement. It will be seen from para 5 of B.P. 428 of 17.7.91 in G.O. 4452 of 12.9.91, that the average for similar lands elsewhere is Rs 3. The lands in the present case are thus more highly assessed.

^{at Rs 2-2 per acre} ^{submitted that no} ^{case is made out for interference} 30.6.96

C No 4012 of '96

Petition from B. Narenbhachari
Anantapur Dist.

re. the assessment imposed
on his lands.

The Hon^{ble} J. Grose C.I.E

Let

P.O. no. 8-262784 July 1896

The Govt sees no reason to modify the assessment imposed upon the petitioner's lands.

P.O.

to

4.7.96

Plt with 3 aces

Board of Rev. R.L.

with records

HT

4.7.96

11/7/96

47
C No 4012 of 96

Petition from B. Narasimha
Chari

Anantapur Dist

Re. the assessment imposed
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The Hon^{ble} of Grose C. I. E

Dr 4/7

When given for copying _____
When copied _____
When examined _____
When signed _____

189

READ AGAIN G.O. No.
189

PATRI

CURRENT No.

ENCLOSURE TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTERS OF GOVERNMENT

STATEMENT WITH DITTO

APERS NOT FILED UP, BRING MEANT FOR DESPATCH
IN ORIGINAL.

N. Y.

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only

Revenue (1896) · Department.

MISCELLANEOUS SERIES.

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End of 76



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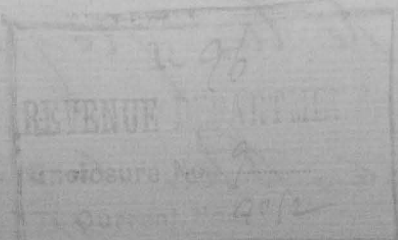
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Village



11. North Side of the River at the mouth of the
the great of the river at the mouth of the
in condition of the river at the mouth of the
1. The river at the mouth of the
1. The river at the mouth of the
the 5th of January 1876 during the change of the river at the mouth of the

808 dated 31st Decemr 1874. The amount
of a private channel from the bank
on lands private to it. The
sum of 1875 accepting the Subsidised
system of Karai Appan no No by date
and irrigated by Appan no No by date

Reference therein dated 7th July 1894

The Deputy Commis-
sioner is requested to report
the Classification of the lands
irrigated by the Channel and
the rate of assessment for the
different Tracts in the class.

Read also the following letter
from the Dy Commissioner dated
17th July 1894 No 224:-

In reply to Board's re-
-france dated the 3rd Instant
in R.R. No. 3518 of 1894, I have the honor

honor to report that Survey field
No. 92 B and 94 B are the
only ones irrigated by the
private channel in question.

The former is situated in a
dry block classified as $\frac{8}{4}$
and the latter in another classi-
fied as $\frac{8}{3}$. The rate of assess-
ment for the different Lots in

the class is shown under:-

Red, Sandy
Soil

Rate of assessment for
the different Lots under the
4" group in which the
channel in question has
been placed is

8-1	_____	4-_____
2	_____	3-_____
3	_____	2-8
4	_____	2-_____
5	_____	1-8.

Resolution

The land in question
will be classed as lot in the IV
group

group: No. 92 B as 8-4 and
94 B as 8-3.

/ True Copies and Extracts /

/ Sequel P. Rajaratna Mudaliar.

Secretary

To the Dy Commr of Rev. Sd. M. P. P. P.

Respectfully

/ True Copy /

M. Rajaratna Mudaliar
Secretary

Filed
9/6

of Rs 2 per acre, in the area
irrigated, but for some person
or ^{other} which it is now unnecessary
to discuss, the applicants gave
up the undertaking, and relinquished
the lands in full. $\frac{1277}{1867-68}$. In
1874 one Kavalu Appahnu offered
to construct the channel, if the
extent irrigable were assigned to
him at dry rates. He then Schilder
of Gook (the present appellant -
himself), reported that, as the
channel was to be dug from the
Purna river, it would not be
proper to grant the lands at
dry rates, but, taking into con-
sideration the heavy initial
outlay that would be necessary
to construct the channel, and
the further cost of annual
clearance

clearances, he recommended
that the lowest wet rate, one
rupee per acre, should be charged
for a single crop, and half a
rupee additional for second
crop. This was approved by the
then Sub Collector in his Letter
No 47 dated 23 January 1875
and accepted by Appahnu;
but a year later, on a further
petition from the said Appahnu,
the same officer directed, in
modification of his previous
order, that only dry rates should
be charged, in accordance with
the principle laid down in G.O.
No 1347 dated 10.9.75. These
lands are now in the possession
of

of one Gollappa and the
appellant.

3. At the present Settlement,

S Nos 92 B and 94 B

irrigated by the above

Channel and held

by Gollappa on patta,

were classed as wet,

and assessed at Rs 2 and Rs 2-8-

per acre, respectively, following the

procedure adopted in the case

of Pennar Channels in this and

other Taluqs in the District. Gollappa

- appellants against the charge of

wet assessment, but the Board

declined to reduce it. The order

of the Sub Collector was originally

ultra vires and the lands had

the benefit of the order since 1876

up to 1891.

Survey No	Area	Rev. Inv. Date	Settlement Dry rate of the block	Wet rate fixed at Settlement
92 B	6.52	12-12-11	4	2-8-
94 B	8.36	12-12-11	6	2-8-

4 When disposing of Gollappa
appeal, it was discovered that
portions of the above Survey
Nos (ie S Nos 92 A and 94 A) in
the occupation of the present
appellant and irrigated by the
same Channel, were classed
as dry, and that no water rate
was charged. The Board called
for explanation from the Deputy
Commissioner, and ordered that
the appellants' lands should
be charged with water rate,
whenever irrigated, or transferred
to wet and assessed at the
same rates as those charged
on the portions in the occupation
of Gollappa.

5. The Commission allowed

It is to be noted that the rate is
allowed in Board's Sanctioning
Order No. 10 is intended to
apply only to ~~the~~ jungle streams,
not to channels taken from
perennial rivers like the Gomati.

The original order sanctioning
the construction of the channel
now owned by appellant and
G. Chaffa do not show that the
concession was intended to be
permanent (vide correspondence
printed in B.L. No. 539 dated
27th November 1889 and No. 381 dated
6th December 1890). In consideration,
however, of the heavy outlay
incurred in constructing and
maintaining the channel, the
Board fixed the wat rates of
Rs. 2 and Rs. 28 per acre

respectively, which are the rates
sanctioned for 8-3 and 8-4, Lits
under Class IV. Sources. The
rate for 8-1 Lit under this
class of irrigation is Rs. 4 per
acre.

6. Copies, with translation,
of the Tahsildar's ariji and the
Sub Collection orders, relating to
the grant of permission for the
construction of the channel in
question are enclosed for reference.

Yours extremely

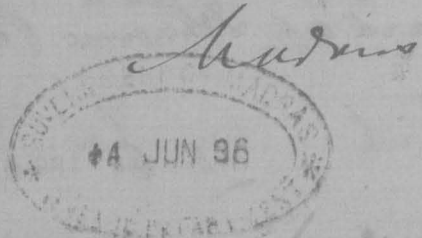
M. J. S. S. S.
Secretary

1. The Secretary to Govt. Rev. Offt.
with copies and translation of
Tahsildar's ariji and Sub Collection
orders in B.L. No. 5073^{the returned,} and copies of B.L. No. 5073
22-8-94¹³⁸⁷ 1894

Go. 1561
24.4.96

Rev 1896 Sept

Board of Revenue
(Rev. Sett. Ld and Appr)



Secretary to
Government
Revenue Department
Madras.

Recd 4.6.96

No. 1 June 1896
N. 2613 M.S.

G. 10

Subject

Submitting the report
called for by Govt
in G.O. 1561 on the
24.4.96 appeal petition of B
Narasimhachari of
Anantapur, praying
for reduction of
assessment.

29.6.96

D 1,000-20-2-96.

Read again G.O. 4364 21.2.96
2 1561 d. 24.4.96
REVENUE DEPARTMENT.

also C. No. 4012 of 96

From

the Board of Revenue (Rev. Sett. Ld and Appr)

Dated

1. 6. 1896.

FOR ORDERS.

The change is fair & I
prop. no reason to interfere

JG
3/7/96

The Current
read above contains the report
called for in G.O. d. 24.4.96
No 1561, regarding the petition
from one Narasimhachari of
Anantapur, who complained
of the enhancement, by the
Board of Revenue, of the
rate of assessment levied
on certain lands irrigated by
a private channel, from the
Dennur river. The facts of
the case are fully stated in
the Board's resolution. The
construction of the channel
which now irrigates the lands
belonging to the petitioner and
another, named Gollappa, was
sanctioned by the sub-collector
in 1875, on the understanding
that the area irrigated by
the channel would be charged

charged one Rupee per acre
for first Crop and half a
Rupee per acre for second
Crop. A year later, however,
the ~~Sub Collector~~, in view of the
heavy outlay which the Construc-
tor of the channel alleged
he had to incur, ^{the sub collector} directed
that only dry rates should
be charged on the lands
irrigated by the channel,
in accordance with the
principle laid down in G.O.

Dy 10.9.75 No 1347.

The Petri and the other patth-
dar under the channel, too
enjoyed the benefit of the
Sub Collector's Order, till
the recent settlement, when
the question of the propriety
of revising the assessment
on the 'Special rate lands' under
channels from Pennar and
other perennial sources
of irrigation, was raised.

The Collector of Bellary sub-
mitted to the Board of Revenue
a statement showing cases
in which permission had
been granted by former

FOR ORDERS.

with his letter in B.P. dy 6.12.90 No 381

recorded in G.O. 607
26.1.91

The parties concerned
were fortunate in having
^{enjoyed} held any concession
under the Pennar.
Hd 30.6.96.

B.P. 381
6.12.90
recorded in G.O. 607
26.1.91

former District officers for
the construction of private
channels from perennial
sources of irrigation, and
observed as follows:—

'I consider that in all these
'Cases the rates are open to
'alteration at the general re-
'vision of assessment. No
'promise or stipulation was
'made at the time the rates
'were fixed, ^{that} they should never
'be revised; and by the time
'the new settlement is intro-
'duced, they will all have
'been in operation for a
'period amply sufficient
'to compensate the ryots con-
'cerned for their outlay.'...

The Board of Revenue
~~observed~~ agreed with the Collec-
tor in thinking that there
was nothing in any of those
cases to prevent the revision
of the existing rates at the
new settlement, and it
directed the Dy. Commr to
inspect each work and to
report what rate should,
his opinion, be imposed
af

after making ample allow-
ance in each case for the
original expenditure in-
curred in the construction
of the work, or for any
expenditure necessitated
for the upkeep of the
work in excess of that
required and paid for
by the ryots on similar
Government works.

Again in June 1891, in dealing
with the settlement of the
Gooty Taluk, ^{in the} Anantapur
Dist, the Dy Comr of Revenue
settlement wrote as follows:-

'In regard to the fields
now held under special
'rates' I beg leave to state
that as the supply from the
Pennis, enough at least for
a single crop, has never been
known to fail, and as the
labour involved in keeping
up the Channels led from
it is nothing peculiar
to those dug by private
individuals as opposed
to those reputed to belong
to Govt, and as there seems

B. P. No 381
6.12.90

x para 3 of letter in page 3 of B.P.
d, 17.7.91 No 428 - recorded in
4.0 No 4452 d, 12.8.91.

para 16 of the Dy Comr's letter
in page 5 of B.P. No 257.
31.3.92

para 11 of the above B.P.

to be nothing in the authorities
under which the special rates
are levied to bind this de-
partment not to extend its
new scale of assessments to
the tracts which are now sub-
ject to those rates, it is
now a question for the Board
to decide whether the special
rates above referred to are
or are not to be perpetuated
at the impending settlement.

The Board of Revenue de-
cided that the rates should
be revised and accordingly
accepted those proposed
by the Dy Comr.

The same question was again
raised in connection with
the settlement of the Tad-
patri Taluk and the Board
observed as follows:- 'Land
'granted at special rates
'under Competent authority
'as prescribed in the Stand-
'ing orders of the Board of
'Revenue will not be affected
'at the new settlement, but
'the standing orders on the
'subject do not contemplate

the grant of any permanent
Concessions in the case of
perennial rivers like the
Pennis and the Chitravati.
Lands granted at a light-
assessment should be
dealt with as directed in
'B.P. No 381d, 6.12.90.'

It will thus be seen that
in several other cases besides
that of the petr, the rate
of assessment originally
fixed has been revised, in
the Bellary and Anantapur
Districts.

In the present case, the
Board points out that the
Sub. Collector's order of 1876,
permitting a perennial
source of supply to be
tapped by a private indi-
vidual, without the payment
of any additional revenue
to Govt, was ultra vires,
that the order does not
show that the Concession
then made was intended
to be permanent, and that
the favorable terms allowed
in the Board's S.O No 10.

It does not say "the Concession shall
be permanent"; but this is more or
less to be inferred from the failure to
specify a definite period for which
the concession shall last.

to were meant to apply only
to jungle streams and not
to ^{streams taken from} perennial rivers like the
Pennis.

The question now for Considera-
tion is whether in fixing the
revised assessments on the
lands under the Channel in
question the Board has made
allowance ^{as it said in B.P. 381d, 6.12.90} for the original
expenditure incurred in the
work and for the annual cost
of clearing and maintaining
the Channel. Survey Nos
92B and 94^B which belong
to Gollappa have been charged
at the wet rates of Rs 2 and Rs
2-8-0 per acre respectively,
and the petr's lands 92A & 94
A. have been ordered to be classed
as 'wet' and to be assessed at
the above rates unless the petr
chooses to pay water rate +
dry assessment on the area
irrigated ^{from} ~~by~~ the Channel.
The Board says that the rates
have been fixed at Rs 2 and
Rs 2-8-0 per acre, 'in Considera-
tion of the heavy outlay in-
curred in constructing a

and maintaining the Channel.

It is not, however, clear what concession has been made in fixing the rates.

The blocks of lands in which the 2 survey Nos lie have

~~been~~ ^{were} classified as 8-3.

and 8-4, and the wet

rates corresponding to this

classification, under IV Group

^{Perennial} irrigation, are 2 Rs-8. and

Rs 2-4 respectively.

So far as I can see the Board has

granted no concession, but has merely

assessed the lands just as if there

had never been any special permission

granted by the Sub. Collr.

D.D.
28.6.96

It is a curious fact that the present

appellant is himself the Tah. who

recommended the Sub. Collr. to assess

the lands with the lowest wet rate.

D.D.

The concession lies in retaining the

dry class & sort, viz. 8-3 & 8-4 although

the lands are wet, instead of forming

a separate block for the wet land

at 8-2 and 8-3, as is frequently

done in settlement. It will be seen

from para 5 of B.P. 428 of 17.7.91 in G.O. 4452

of 12.9.91, that the average for similar

lands elsewhere is Rs 3. The lands in

C No 4012 of '96

Petition from B. Narenbachi

Anantapur Dist.

re. the assessment imposed
on his lands.

The Hon^{ble} J. Grose C.I.E

P.O. no. 8-262784 July 1896

The Govt sees no reason to
modify the assessment imposed
upon the petitioner's lands.

P.O.
4.7.96

Plt with 3 aces. Ht
Board of Rev. R.L. 4.7.96
with records. lccob 7/7/96

47
C No 4012 of 96

Petition from B. Narasimha
Chari

Anantapur Dist

Re. the assessment imposed
on his lands

The Hon^{ble} of Grose C. I. E

Dr 4/7

When given for copying _____
When copied _____
When examined _____
When signed _____

189

READ AGAIN G.O. No.
189

PATRI

CURRENT No.

ENCLOSURE TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTERS OF GOVERNMENT

STATEMENT WITH DITTO

APERS NOT FILED UP, BRING MEANT FOR DESPATCH
IN ORIGINAL.

N. Y.

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