

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 1198

DATED 2^d March.

[Despatch Abstract.]

Approving the suggestion of the Board of Revenue that
O.S. no 607 of 96 on the file of the Sd. Munsiff of Kapatla
(re levy of water tax) be compromised and ^{reporting} informed
the collector ^{by wire} to compromise the suit.

BACK PAPERS.

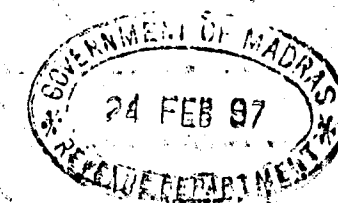
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

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

Revenue (1897) Department.

CURRENT No. 1719



*Desp. Telegram
to dtd 2/3/97*

Horrible mess of Govt. S.E.

Order mis No: 1198 dtd 28 Mar 1897

From

The Board of Revenue
Land Revenue Madras.

No 700

*In the circumstances stated,
the course suggested by the Board of
Revenue is approved and the following
deferred telegram will be despatched
to the Colls of the District St.*

Dated 24th February 1897

Received 24-2-97

Registered

Enclosures 5

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*"Board's Pres. Land Revenue, No 700
mis, dated 24 Jan 1897 & Govt. Sanctions
Compromise, Bapatla water rate
Case"*

26/2/97 Mm

SUBJECT.

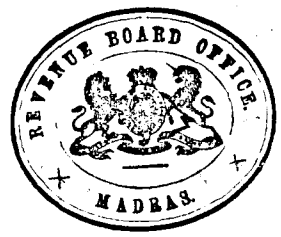
Requesting the early orders of
Govt. as to whether O.S. No. 607 of '96
on the file of the District Munsiff
of Bapatla (re: the levy of water --
tax on lands irrigated by the in-
voluntary flow of drainage water) may
be compromised and promising to sub-
mit a separate Progs. on the question
of amending the water cess act vil-
of 1865.

*In the Board of Revenue (L.R.)
with us
"Colls of District dtd 2/3/97."*

606-4-3-97

*Note: In the face of the recent decision
of the High Court, the Board does not
expect any favorable ruling for Govt.*

c. 1/3/97 R-4/97



Proceedings of the Board of Revenue
(Land Revenue)

NO. 700 Misc. dated 24th February 1897.

Read letter from J.N. Atkinson Esq. Collector of District to the Secretary to the Commissioners of Land Revenue Madras Ref. on C No. 8178-Ver. dated 17th December 1896.

Resolution.

Submitted to Government.

2. As the High Court has recently ruled that water tax - B.P. No. 237 Misc. d. 30-1-1897. is not leviable under Act ~~III~~ of 1865 on lands from which the owner or occupant was not able to exclude the flow of Government water, even though he derived a benefit from its use, and as the Government Pleader states that it is not possible to get this ruling modified or reversed on review, by reference to the Full Bench or otherwise, the orders of Government are requested as to whether the suit, referred to in the above letter, may be compromised by admitting the plaintiff's claim.

3. The Collector of District has been asked to apply for an adjournment of the hearing of the suit.

The Board will submit to Government a separate Proceedings on the question of amending the law relating to the control of water for irrigation. The course to be adopted in the present suit requires an early decision, and the Board requests that orders may be sent direct to the Collector of District by wire if necessary.

The Secretary to Govt., P.D., with the Collr's letter & a file of enclos.

The Collector of District.
(True Extract)
Secretary.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

How do you know this
was possible
26/2/97

It will be observed that the plaintiffs or the persons through whom they claim have obtained decrees against Govt. and it is a pity that the taluk officials should have never thought of imposing upon them the water rate again. The plaintiffs gave a registered notice to the defendant more than two months ago, praying that the water tax might be remitted but unfortunately no reply has been given them. This compromise will no doubt lower Govt. in the estimation of the people. The best course would have been to cut off all supply to the plaintiff's lands and thus make them feel want of water.

The Board has just been asked to send the opinion on this subject. As the Board is a judicial body, it is not a mere administrative body.

The subject is discussed in my note on the Board's Resolution.

Re
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Safe

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When signed _____

READ AGAIN G.O., No. _____ DATED _____
189 , ' '

Order No. _____

ENCLOSURE TO G. No. _____

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

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