Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 1366

DATED 10th March

[Despatch Abstract.]

Informing G. Srinivasa Charlu of Gooty, Anantapur district that the govt sees no reason to interfere on his behalf in the matter of assessment imposed on his dry and wet lands in Jadpatry Taluk.

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. 1

The Hon'ble Mr J. Grose C.I.E. 10/3/97

GOVERNMENT OF MADRAS 26 FEB 97 REVENUE DEPARTMENT

From

The Board of Revenue

(Rev. Sett., L. R. & Agri.).

Madras

No. 1433 Miscellaneous

Dated 25th February 1897

Received 26th

Registered 1/3/97

Enclosures 4

Spare copies —

Order mis No: 1366 a/10th March 1897

9/3/97

The govt having received a report from the Board of Reve, sees no reason to interfere on petr's behalf

LD 5.3.97 [illegible]

To The Board of Reve (Rs) 9 & 0
" Petitioner (Endt) with 2 Ens } Dd. 12.3.97

Note The Board's Pros puts the case very clearly and it is submitted that no interference is called for on the part of govt.

[illegible]

SUBJECT.

Submitting to Government, as directed, report on petition from G. Srinivasa Charlu of Gooty, Anantapur District, regarding assessment on his dry and wet lands in Tadpatry Taluk

c. 6/3/97
R. 10/3/97

[illegible] 2/3/97

BACK PAPERS.

G O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

To,

His Excellency

the Governor in Council,

Fort Saint George.

Madras.

PETITION

0789

REVENUE DEPT

The humble appeal-petition of Gandikota Sreenivasa Chariar of Gooty, in Anantapur District,

Respectfully Sheweth:-

1. That the Board of Revenue in Proceedings No. 2423. Mis:, which is herein enclosed, having ordered that, as regards the Petitioner's lands situate in Kallur Village, Gadpahad Taluq, Anantapur District, a wet rate of Rs. 2-8-0 should be charged on about 3 acres of land and a dry rate of 12 annas on the remaining area, the Petitioner begs to prefer this appeal against the latter part of the said order.

2. That the wet-rate charged on above being the lowest one in the village, the Petitioner is not aggrieved in respect thereof. The grievance is only as regards the dry rate of 12 annas, which is not however the lowest one. If the lowest rate, which is 4 annas had been charged the Petitioner had nothing to complain against.

3. That, in the said Proceedings, it has been mentioned that, if the Petitioner likes, he may relinquish any portion of the lands. The Petitioner

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Gooty.
Dated 13 Sept/96.

PETITION
0788
REVENUE DEPT

To,

His Excellency the Governor in Council
Madras

CHIEF SECRETARY
17 SEP 1896
GOVERNMENT OF MADRAS

The humble appeal petition of Gandikota Srinivasa Charlu, of Gooty in the Anantapur District, Showeth:-

1. The appellant in 1863 applied to the Dy Collector Gooty Dn for permission to excavate a spring channel in the Village of Poosalapadu, hamlet of Tootrallapally in Todputry Taluq and irrigate dryland belonging to him free of water charge. The permission was duly granted after proper inquiries conducted by the Taluq authorities. The appellant has had up to date the enjoyment of this privilege. The continuance of this privilege was once questioned by a late sub Collector in 1879 who charged Tirvajasty which on appeal was subsequently remitted by the Collector and again in 1892 consequent on the classification of this land as wet by the Rev. Settl: Department, the Rev. authorities charged Tirvajasty but on appeal it was again remitted.

2. The appellant begs to invite the attention of the benevolent Government to the fact that on all these occasions proper inquiries were

were distributed by the Rev. authorities.

3. As it would be unnecessary to recapitulate in full detail all the various points which have been discussed by the Board in these proceedings appealed against, the appellant begs to touch on the important ones for fear that he should intrude on the precious hours of your Excellency.

4. The Board presumes that the original order of the Deputy Collector in 1863 and the subsequent order of the Collector confirming it were given under a mistake in all probability induced by fraud, and declines to continue the land at dry rates. The Board has it on the fact that the original endorsement showed that the Talipera Kalwa or Spring Channel constructed by the petitioner was deep through sporambole land and did not interfere with Government or private interests: the so-called Spring Channel is practically a channel deep in the bed of a Jungle stream which in years of normal rainfall contains water for full 6 months. The Board has fully relied on the report of the Deputy Commissioner, Rev: Settlement, which shows that six channels issue from the said stream, that the Spring head of the Appellant's channel and the channel itself are situated right in the bed of the stream, and that the stream both in the rainy season & in summer gives a good supply of water to the channels as in the case of the Penner or the Chitravaty, and agrees with

with the Deputy Commissioner that it cannot be treated as an insignificant jungle stream.

5. The appellant strongly protests against this presumption of the Board inasmuch as the mention of Poramboke in the original order clearly conveyed the idea that the channel issuing from a Vanka was not located in any poramboke. Except a Vanka or stream, & spring channels are, except in rare cases, always located in or about streams which are found by experience to contain sufficient water. The belief that the original or the subsequent orders were induced by fraud is farfetched as no orders of this kind were ever passed without regular & local azmaish & inquiry. That this stream was an insignificant one is evident from the fact that at paimash it was not separately numbered as all big ones were. The application of the term of poramboke was a byword for all such streams in official correspondence. It is not understood how the Deputy Commissioner thought it fit and probable and the Board accepted that this vanka is not insignificant and even placed it on the level of two notable rivers which irrigated almost the whole of the District.

6. The stream may be an important one in the eyes of the Dy. Commissioner but has no local importance except its name. The appellant and many others of his age (70 years) are living & witnesses

witnesses of the growth of this stream. It was an insignificant Vanka about 3 or 4 yards wides at the date of the order in 1863, and is now not more than thirty at its widest place. The Board's standing orders that water of jungle streams may be utilized free of charge, was a very old one, and the amendment that it should be classed as such after inspection, was a recent insertion. It was then not interpreted in the narrow sense in which it now is in that cultivation, and was compulsorily imposed on the ryot in those times and the Government was so benevolent as to give any sort of encouragement to the ryots to improvements.

7. Any offer of any ryot to cultivate land dry or wet was received with the greatest pleasure by authorities, and every sort of encouragement was given to the ryots who before the advent of the British had never known such promises readily work advantage and gradually improve their estates. If the Government is now inclined to revoke the previleges which it once gave simply because that the sources of the ryots have now comparatively developed in consequence of labour and money spent on them by themselves, there would be some hundreds of cases which are to be dealt with in a way similar to petitioner's. The appellant has had the enjoyment of this concession granted to him 32 years ago and find himself highly aggrieved that he has to lose it in his old age after such a long time.

People were assured that the concession granted by Government were of a permanent character and if such things should happen, they should be highly disappointed.

8. The appellant in conclusion begs to point out that the present order of the Board was itself made under a mistake and was induced by the exaggerated report of the settlement officers and prays that the orders appealed against may be annulled and the concession granted to the petitioners in 1863 may be continued.

9. For this act of kindness and charity, the humble petitioners, as in duty bound, ever prays for your honour's long life and prosperity.

The petitioners begs to remain,

His Excellency's most obedt servant

(Sett. 24– 2,000—29-10-96)

REVENUE BOARD OFFICE. MADRAS.

Proceedings of the Board of Revenue

(Revenue Settlement, Land Records and Agriculture.)

Dated 25 February 1897.

No. 1433 Miscellaneous.

READ G. O. dated 6 November 1896 No. 4387 Mis Revenue.

Resolution

In his petition submitted to Government, appealing against the order passed by the Board, Petitioner prays (1) that the high rate of assessment viz 12 annas per acre, fixed on his dry lands in Kallur village, Tadpatri taluk, may be reduced to 4 annas, the lowest rate of the village; and (2) that the wet assessment, 2½ Rupees per acre, imposed on his lands irrigated by a private channel, constructed at his own cost in Tutrallapalli village, of the same taluk, may be annulled and the concession granted

granted to him in 1863 Continued.

2 The facts connected with the first prayer mentioned above, are as follow. Petitioner appealed to the Board in November 1892 against the orders of the Deputy Commissioner assessing as 'wet' his lands, Survey numbers 1090, 1095-A, B, and C and 1157 measuring acres 33·66, irrigable by a channel constructed by him at his own cost, and which takes off from the Ghittravati, a perennial river. These lands were originally classed as wet under an old channel and charged Rupees 1½ per acre before they were transferred to dry and assessed at 2 annas per acre at the revision of assessment carried out by Mr. Pelly. In 1864, Petitioner was permitted to excavate a channel to irrigate his lands but no Special Concessions were granted to him and the wet assessment previously imposed was ordered to be levied. It was therefore within the Competence of the Settlement Department to revise the rates at the new Settlement, and the Board was Satisfied that the rate fixed by the Deputy Commissioner

Viz

Rs 2½ per acre, was Sufficiently liberal to Compensate Petitioner for any expenses he might have incurred in improving the channel. It appeared, however, from a report received from the Collector on the Subject, that Petitioner was charged wet assessment only on the area actually cultivated with wet crop (a maximum of 3 acres) and that dry assessment was imposed on the remaining extent. The Deputy Commissioner was accordingly requested, in June 1893, to transfer the latter area to dry, Subject to the Condition that water-rate should be charged thereon whenever irrigated by the Channel.

3 Petitioner thereupon Complained to the Board more than once, of the high rate of 12 annas per acre fixed by the Deputy Commissioner on the extent transferred to dry, which he alleged was unfit for raising either dry or wet crop, being Saline and lying on the Slope of a hill, and fit only for the growth of grass yielding but an income of 10 Rupees annually, and requested

that

that the assessment should be reduced to 2 annas per acre, the rate originally imposed by Mr. Pelly, or to the lowest rate of the Village fixed by the Settlement Department (Viz 4 annas). The Board after obtaining the necessary information from the Deputy Commissioner gave two or three endorsements to the Petitioner to the effect that his dry lands were placed in the lowest sort of the class of soils to which they belong and were assessed at the rates sanctioned for all lands of the same class and sort; that it was reported by the Tahsildar that several ryots were prepared to take up these lands at a wet assessment of Rs 3 per acre; and that Petitioner could relinquish any portion of his lands which he did not wish to keep. Petitioner, has, therefore, it is submitted, no just cause for complaint.

4 The facts connected with the Petitioner's Dep
ettl nd prayer are given concisely in Board's Proceedings No. 2423 Mis dated 16th May 1896. As will be seen therefrom, the Board held that

that the original order granting permission for the construction of a private channel cannot be construed as authorizing Petitioner to dig one in the bed of a natural stream, which supplies irrigation for 5 or 6 months in the year, and that his lands should, therefore, have been charged regular wet assessment. In consideration, however, of the expenses he was put to in clearing the channel, his lands were ordered to be assessed at the lowest wet rate of the Village; No further concession seems called for.

(True Extract)

R. V. Srinivasan
Secretary

To

The Secretary to Government
Revenue Department
with papers returned.

Exd 25-7-97