Revenue (1897) Department.

ROUTINE SERIES.

G.O., No. 1445

DATED 30th July

[Despatch Abstract.]

Forwarding to Cuttack the duplicate challan for the packet containing cash No 32446 dt 17-8-94 and the receipt acknowledgment received from him, which were returned by the Dead Letter Office

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Rev 8488/97							

W.O. papers 21/7

Revenue (189) Department.

Rec'd 24/7

CURRENT No. 6143

List

Order R. no. 1445 of 30th Jul 97.

The packet Contain-
ing Endt No 3244 dated 17th
August 1894 and the lim
enclosures received from the
petitioner, which was re-
turned by the dead lette
office on the ground that
the addressee was not to
found, will now be again
forwarded to the petr.

30/7/97

From Venkata Bhadrayya
Chadoo,
Bellary

No.

Dated 12th July 1897

Received

Registered

Enclosures

Spare copies

SUBJECT.

Requesting the
return of the papers sent
with his petition to Govt

to the petr
with the packet
(in Go 3244 17.8.94)

17.8.94

No 2917 Note. The petr gives the same address as before.

W.O. 27/7

BACK PAPERS.

G.O.	No.	Department.	Date.
	3244	Rev.	17.8.94

FURTHER PAPERS.

G.O.	No.	Department.	Date.

TO

HIS EXCELLENCY THE GOVERNOR-IN-COUNCIL, FORT ST. GEORGE MADRAS.

The humble petition of Venkata Tholappala Charloo Jahghirdar of Krishnapuram in the Hospet Taluk, Bellary District.

Respectfully Showeth,

The petitioner above named begs to appeal against the order of the Board of Revenue contained in its proceedings No. 5468 dated 31st August 1892, disallowing the right of the petitioner to the Nirbhatta (tax for the distribution of water) levied by him from the Minor Inamdars of the Jahghir and directing it to be levied by the officers of Government.

That the grounds of his appeal are the following :—

(1) This is a source of Revenue which petitioner has been enjoying ever since the grant of the Jahghir to him in 1806 and long before the village was enfranchised by the Inam Commissioner.

(2) The officers of Government have recognised and allowed it. In the year 1885 when Mr. M. D. Bell was in charge of the Hospet Division, a question was raised as to the legality or otherwise of this source of income to the Jahghirdar and he ordered that the petitioner should not be disturbed from its enjoyment. Vide his order No. 627 dated 18-12-85 (herewith submitted).

(3) It is contended by the Collector that *Nirbhatta* is a contribution by the minor Inamdars towards the cost of repairs executed by Government to the Main channels from which their wet Inam lands receive their supply. This is not so even with referrance to the Minor Inams situated in Government villages, because its incorporation with the "Irrigation cess fund" when that cess was in existence shows that it was being levied from Inamdars for the petty repairs to minor channels such as those which can be done by Kudimaramut or village labour. As regards the Jahghirs and Shrotriems the Jahghirdars and Shrotriemdars are entitled to collect the Nirbhatta for the up keep and maintenance of minor distributing channels which carry water to their wet lands. This work is not being done by Government and the Government is not therefore entitled to it. The fact that the petitioner has been executing these repairs as far as his Jahghir village is concerned is evidenced by the fact that the Deputy Collector in charge of Hospet division took this circumstance into his consideration when he assessed the petitioner to Incometax in 1873 when he allowed 100 Rupees for his expenses under this head while the petitioner's claim was for Rs. 150. Vide para 5 of his Takeed No. 147 dated 22nd March 1873 to the Hospet Tahsildar.

(4) The Sannad granted to the Petitioner by Sir William Bentick and the orders of the Board of Revenue were not duly considered in depriving the petitioner of his income by the levy of Nirbhatta. The former expressly gives him

the right to enjoy the revenues derivable from the lands belonging to Krishnapoor and the latter distinctly lay down the general principle that when Shrotriemdars and Jhaghirdars had an interest in an item of extra source of Revenue before the settlement made by the Inam Commissioner they must be allowed to enjoy the same in future. The Nirbhatta cess in question is no doubt a Revenue derivable from the minor Inam lands in the Jahghir and is an item of extra source of Revenue in which he had an interest from the year 1806. This is a contribution to the petitioner for the work done by him to the distributaries a work which benefits the minor Inamdars to the same extent as the Jahghirdar.

(5) The order of the Board of Revenue will deprive the petitioner of the enjoyment of the right to collect Nirbhatta from minor Inamdars which he has been enjoying for nearly a century with the tacit permission of Government. The Revenue accounts submitted by the petitioner to Government from time to time showed this item of Revenue and no objection was taken to the levy of the cess by the petitioner by the successive Collectors for about 90 years.

(6) The fact that the Inam Commissioner at the time of settlement did not take this income into consideration in fixing the assets is no argument to deprive the petitioner of this source of income to which he had a right by long enjoyment. Probably the Inam Commissioner did not think it equitable to take this into account in fixing the quit rent on the village as it was an extra source of revenue enjoyed by petitioner long before settlement. Whatever may be cause for his ommission it does not at any rate justify the deprivation of the petitioner's right to enjoy the Nirbhatta to which he is entitled from a long time past.

In these circumstances the petitioner states that he has been unjustly deprived of an annual income of Rs. 30 or 40 by the levy of Nirbhatta from the minor Inamdars of the Jahghir by Government direct and requests that the Government will be pleased to pass orders allowing the petitioner to enjoy the same as heretofore.

LIST OF DOCUMENTS.

Serial No.	No. of Documents.	Date of Documents.	Description of Documents.	Remarks.
I	627	18-12-1885	Order of the Head Assistant Collector of Hospet Division.	Shows that he is entitled to enjoy that source of income.
II	...	2-7-1891	Proceedings of the Collector of Bellary.	.....
III	147	22-3-1873	Takeed of the Deputy Collector of Bellary to the Tahsildar of Hospet.	.....
IV	...	27-10-1806	Sannad granted by Lord William Bentick.	Shows the grant of village Krishnapoor to the Petitioner and his heirs.
V	5468	31-8-1892	The order of the Board of Revenue appealed against.	Shows that he is deprived of the enjoyment of the right to collect Nirbhatta from minor Inamdars which he has been enjoying for a century by Government permission.

BELLARY,

July 1894.

To

His excellency The Governor
in council Fort St. George
Madras.

CHIEF SECRETARY,
16. JUL. 1897
GOVERNMENT OF MADRAS.

SEC. GOVT. MADRAS
17 JUL 97
REV. DEPT.

PETITION
593
REVENUE DEPT.

The humble petition of Venkata
Tholappala Charlu jahgirdar
of Krishnapuram in the Hospet
Taluk Bellary District.

Most respectfully sheweth;

That the petitioner had sent in the month of July/1894 the appeal petition a copy of which has been herewith forwarded for reference concerning the nirbhatta of minor Inams of jahgir — Krishnapuram of Hospet Taluk on date and submitted some other papers in original along with it.

The petitioner begs to submit that he has not been favored with any order on his appeal petition yet and prays that the records sent in original may be returned to him as they are required for reference.

I beg to remain sir
Your most obedient servant
[illegible]
Jahgirdar of Krishnapuram
Hospet Taluk

12/July/1897

When given for copying _____
When copied _____
When examined _____ } 189 .
When signed _____

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

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT	A	A	A	A	A	A	A	
LETTER OF GOVERNMENT.								
STATEMENT WITH DITTO.								
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.								

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