

Revenue (1899) Department.

MISCELLANEOUS SERIES.

G.O., No. 1449

DATED 22 April 99

[Despatch Abstract.]

According Sanction for writing off the accounts
the sum of Rs 2059-5 being the irrecoverable por-
tion of an advance made under the Loans Act in
the hand of taluk, Kurum or (and stating that
the fact finds it difficult to believe that the
M. N. S. Guruswami had acted with due care
and attention in estimating the value of the
land.)

N.B. Portion within brackets to be
omitted.

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 (1899) Department.

CURRENT No. 1603

From

The Board of Revenue
Rev: Seth. L. R. & Apr
Madras
No. 1158 Misc.

Order

Dated 28-2-99.

Received 5th March .. 99

Registered 6th .. 99

Enclosures 20

Spare copies

SUBJECT,

Loans.

Requesting the sanction
Government for writing
The accounts the sum
of Rs 205-9-5 reported to be
irrecoverable under the
Acts in the Nandyal
District.

2/6/3

unt. 92

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

(Sett. 13-2,000-25-4-98.)



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

Dated 28th February 1899.

No. 1188 Miscellaneous

READ: Again the following Board's
Proceedings, No 2781 Miscellaneous
dated 31st May 1895:-

Read the following statement from the
Collector, District No. 666 of 30-4-95.

Quarterly Statement of irrecoverable arrears under Loans Act for the quarter ending 31st March 1895 in Kurmool District. No 666 of 95

Grounds for remission	Land Improvement Loans Act				Agricultural Loans Act				Remarks
	Primary Rules	Special well Rules	Principal	Subtotal	Primary Rules	Special well Rules	Principal	Subtotal	
1	2	3	4	5	6	7	8	9	
(1) Irrecoverable after the sale of all the defaulter's property									A loan of Rs 250 was granted to one Keliyellu of Gopavaram Mandal Taluk to sink a well in field No 210 of the above village. The grantee did not take the work in hand and the amount was ordered to be summarily recovered. As the grantee had no moveable property, the loan mortgaged as security for the loan was proceeded against but there were no bidders as the land is included in the proposed block No 1 of Garalapalli. The grantee Keliyellu does not appear to have put in his claim before the Forest Settlement Officer when settling the loan included in this block. Filer Rs 210 + 211 are in the name of the grantee in the accounts and the latter has been in the employment of his brother for the last 10 years and cannot therefore be proceeded against under these circumstances. I recommend the remission of Principal together with interest
(2) Amount erroneously included in the demand.									
(3) Others									
Total				250	3358				

Kurmool Collector's Office
Camp Gyalpalli 30-4-95

Resolution No 2781 of 31-5-95

The Board understands that the block joined to in the remarks column of the statement read above has not yet been finally notified under the Forest Act. Section 17 of the Forest Act allows the admission of claims after the expiry of the time prescribed in the proclamation and the collector himself should now claim an interest in the land on behalf of Government on account of the loan, and have it formally excluded from the reserve. If the land is required by the Forest Department, that department can then liquidate the debt and take the land; or otherwise the land can be put up to auction.

(True copy & Extract)
(Signed) P. Rajaratna Mudaliar
Secretary

To The Collector of Kurmool
Copy to Secretary to the Commissioners of Land Revenue Department.

Read again also the following Board's Proceedings, No 1317 Miscellaneous dated 24th February 1898:-

Read the following letter from Mahmed Razakhan Esq, Acting Collector of Kurmool, R.C. No 981 of 1895 dated 12th February 1898.

Advantage

to Board's Proceedings. To
 1st May 1895, I have the
 state that on the application
 this office claiming an interest
 the land, the Forest Settlement Officer
 issued Rs 87-8-0 as its value. The
 amount was credited into the Mizur
 Treasury by the District Forest Officer
 on 25th January 1898. As the borrower
 Keeli Yellalu of Gopavaram is reported
 to be dead and to possess neither
 moveable nor immoveable property,
 I request that the Board will be
 pleased to obtain the sanction
 of Government for writing off the
 remaining balance as shown
 below:—

Amount entered in the irrecoverable arrears statement— vide this office Dis No 666 of 4-5-95	Principal - Interest
	250 - 0 - 0 - 33-5-8
Amount of interest Subsequently accrued	0 - 0 - 0 - 9-11-9
Total	250 - 0 - 0 - 43-1-5
Debit amount credited by D F. O.	54 - 2 - 4 - 33-5-8
Balance to be written off	195 - 13 - 8 - 9-11-9

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lands
No column
not
eat
own

Resolution No 1317 Misc of 24/2/88

The collector is requested
 to forward for the information of
 the Board the records connected with
 the grant of the loan.

(True copy & Extract)
 (Signed) R. V. Srinivasan
 Secretary

To the Collector of Kurnool.

Read again also the following Board's
 Proceedings, No 3212 Miscellaneous—
 dated 19th May 1898:—

Read the following letter from Mahom.
 Raza Khan Esq, Acting Collector of
 Kurnool, Re No 981 of 95 dated 27th April
 1898:—

I have the honor to forward
 herewith the loan records called
 for in Board's Proceedings, No 1317
 Miscellaneous dated 24th February 1898
 as directed.

Resolution No 3212 Misc of 19.5.98

In the papers received with
 the Collector's letter read above, the land
 hypothecated is shown as unsurveyed field
 No 210. The Settlement Register, however,
 shows no unsurveyed area in the village.
 According to that register, Survey field
 No 210 contains only 21 cents, whereas according
 to the loan records the area of the land
 mortgage

It gaged as security for the loan is 7.88 acres. The collector is requested to explain these discrepancies.

2. The principal (Rs 250) represents the first instalment of a loan of Rs 500 sanctioned by the Head Assistant Collector on the recommendation of the Tahsildar, Mr R. V. S. Guruswami Naidu. The Tahsildar, who held the necessary local enquiry with reference to the application for the loan, estimated the value of the Applicant's land at Rs 1430, at the rate of Rs 80 per acre. He expected that the well would irrigate 6 acres and increase the annual profit therefrom, from Rs 25 to Rs 50 an acre and the value thereof from Rs 80 to Rs 150. He also found the land to be free from encumbrances and from liability for arrears of revenue; and he recommended the grant of the loan on the security offered. But it would appear that the Tahsildar's estimates and expectations were too sanguine. The land was all dry and was assessed at Rs 8-12- at the lowest dry rate of the village of annas 8 per acre; the search in registration

Records

records for encumbrances showed the land fetched only Rs 70 at a Court Sale held in 1874; the Revenue Inspector who was directed to sell the land for the recovery of the first instalment of the loan, estimated its value at Rs 170; and the Forest Settlement Officer has awarded for the same only Rs 87-8-0. In these circumstances, the collector is requested to call on the Tahsildar, who is now Muzur Sheristadar in North Arcot, to explain the grounds on which his estimates of the value of the land, and his recommendation for the grant of a loan of Rs 500 on the security thereof, were based.

3. The present reference should be treated as urgent, and the reasons why it took more than $2\frac{1}{2}$ years to get the Government's claim settled by the Forest Settlement Officers should be reported.

(True copy & extract)
(Signed) R. V. Srinivasian
Secretary

To the Collector of Kurnool, with
enclosures to be returned with reply.
Read also the following letter from
Mahommed Ragub Khan Esq. Collector
of Kurnool, Dis No 2310
of 99 dated 7th
February

January 1899:-

With reference to Board's —

7. Proceedings No 3212 Mis: dated 19th May
to 1898, I have the honor to state that
2 210 is the Pymaish number of the land
1 hypothecated for the loan in question
and as it is unsurveyed, there is
no corresponding number for it in
the Settlement Register of the village.

2. The Loan records connected
with the case and the explanation
of Mr Ry. S. V. Curuswamy Naidu Gam
together with a copy of the Forest
Settlement officers letter Dis No 155 dated
9th June 1898 explaining the delay in
settling the Government's claim are
herewith submitted.

3. I regret the delay in replying
to the Board's reference, which is
due to the very late receipt of
the explanation of the Tahsildar,
who recommended the grant of
the loan, which reached me
only on the 3rd instant.

Resolution No 1188 Mis dated 28th February 1899.

Submitted for the orders
of Government.

2. A loan of Rs 500 was sanctioned
under the special well rules of the
Land Improvement Loans Act, and
the first instalment of Rs 250 was
granted in June 1892 to one Keeli Yellala
of Gopavaram, Tanjaval Taluk, Kurnool
District, for constructing a well
on the security of his patta land
measuring 17.88 acres assessed
at Rs 8-12-0 and estimated to be
worth Rs 80 an acre before, and
Rs 150 an acre after the proposed
improvement. The grantee having
failed to execute the work, summary
recovery of the loan with interest
at $6\frac{1}{4}$ per cent was ordered, and
the security lands were proceeded
against; but no bidders were forth-
coming at the auction sale, and
this was found to be due to the
fact that the land had in the
meantime been included in a
proposed forest reserve, and
the grantee had not presented
his

his claims before the Forest Settlement Officer, when the lands included in the reserve were settled. The Collector in his Communication read in B.P. No 2781 dated 31st May 1895, recommended that, in the abovementioned circumstances, the loan amount with interest thereon might be sanctioned to be written off the accounts. But the Board, in its Proceedings quoted above, observed that Section 17 of the Forest Act allowed the admission of claims after the expiration of the time prescribed in the proclamation, that the Collector should claim an interest in the land on behalf of Government on account of the loan and have it formally excluded from the reserve, and that, if the land was required by the Forest department, it could then

then liquidate the debt and take the land and if it was not required the land could be put up to auction. The Collector reported in his letter read in B.P. 1317, dated 24th February 1898, that, on an application made by him claiming an interest in the land, the Forest Settlement Officer valued Rs 87-8-0 as the value of the land; that the amount was credited into the treasury by the District Forest Officer on the 25th January 1898; and that, as the borrower was reported to be dead and to have left no property to be proceeded against, the sanction of Government might be obtained for writing off the balance of Rs 205-9-5 (Rs 195-13-8 under 'principal' and Rs 9-11-9 under 'interest') that remained after deducting the amount awarded by the Forest Settlement Officer. Thereupon, the Board in its Proceedings No 1317, dated 24th February 1898 referred to above, called for the records connected with the loan. The records submitted by

The Collector showed some discrepancies in the extent of the land taken as security and it also appeared from the records that the land was valued at Rs 170 only by the Revenue Inspector, who was directed to sell it and that it had realized only Rs 70 at a Court sale, while the high estimate referred to in para 2 above had been fixed by the Tahsildar, who recommended the loan. The Board, in its Proceedings last read above, requested the Collector to explain the discrepancy in the area and to call upon the Tahsildar to explain the grounds on which his estimate of the value of the land was based. He was also asked to explain the long delay that had occurred in getting the Government claim settled by the Forest Settlement Officer. The letter read above contains the Collector's reply. The Collector explains that the discrepancy in the area was due to his having quoted the paimash instead of the survey number of the field and that the delay

in the settlement of the claim by the Forest Settlement officer was due to a long correspondence that ensued between that officer and the Board in the Land Revenue Department. The Tahsildar (now Huzur Sheristadar of North Arcot District), who recommended the grant of the loan, explains that his estimate of Rs 80 per acre was ~~deducted~~ deducted from the still higher estimates framed by a majority of the ryots of the village; that the low price for which the land was purchased at a Court sale in 1874 was simply a nominal one, as the purchaser was an influential rich merchant of Mahadevapuram; that there was combination at the sale; that, judging from the nature and situation of the land which was close to a spring channel, it would have fetched more than Rs 150 an acre, if the well had been a success; and that he is not aware of the grounds on which the price of the land was fixed at Rs 87½ by the Forest Settlement Officer.

and at Rs 170 by the Revenue Inspector. The Collector has not offered any remarks on the explanation furnished by the Tahsildar. The Board considers that it is not quite satisfactory. As already observed in B.P. 3212 dated 19th May 1898, the land offered as security was all dry and assessed at Rs 8-12-0 at the lowest dryrate of the village, viz annas 8 per acre.

3. The Board supports the Collector's recommendation that sanction may be accorded for writing off the accounts the sum of Rs 205-9-5 reported to be irrecoverable.

(True Copies and Extract)

P. V. Minwalla
Secretary

To The Secretary to Government Revenue Department with the records in original to be returned
Copy to the Collector of Kurmool

Encl
4/3

B.P. Prop No. 1188 (Cuo 1603)
28.2.99

To the Under Secretary

The Board of Revenue submits with its support a recommendation of the Collector of Kurmool to write off the accounts the sum of Rs 205-9-5 being the irrecoverable portion of an advance made in 1892 under the Land Improvement Loans Act, in the Nandyal Taluk, Kurmool Dt.

2. The facts of the case are fully and clearly set out in para 2 of the B.P. (Current) and are briefly as follows:—

The first instalment (Rs 250) of a sanctioned loan of Rs 500 was paid in 1892 under the Special Well Rules for the improvement of a dry field measuring 17.88 acres assessed at 8 as per acre, the value of which was estimated at the time by the Tahsildar

Para 2 of the B.P. in the current

on what date?
15

On the 16-5-92
vide app. filed
10-3-99 A

Talsildar who conducted the ^{local} enquiry, at Rs 80 per acre or Rs 1430 for the whole field in its unimproved state and at Rs 150 per acre after the improvement. The grantee having failed to execute the work, the instalment was ordered to be recovered summarily, and the field was put up to auction, but there were no bidders as it was included in a proposed reserved forest reserve; the Forest Dept has since paid Rs 87-8-0 the value set upon the field by the Forest Settlement officer and the balance of principal and interest amounts to the above sum of Rs 205-9-6.

The grantee having died without leaving any property other than the land offered as security, there is no means of recovering this amount. But for the high estimate put upon the

When was it included?
H

The land was proposed to be included in the reserve by the notification approved in G.O. 4447 4-5-92, which was published in the 76th G.O. Gazette of 10-5-92. (The 76th Gazette is not available in the office as it has gone to the Press for being bound.) The application for the loan is dated 4-5-92 and the loan was sanctioned on the 24-5-92. (C)

RS
20-3-99

His letter of 30-1-99 flagged B (in the current)

the land by the Talsildar - viz Rs 1430, the loss to Govt would not have occurred. The fact that the land is only dry, assessed at Rs 8-12-0 (at the lowest dry rate of the village viz. 8 as per acre), that at a court sale held in 1874 it fetched only Rs 70, that the Res Insp. Pictor was directed to sell the land for the recovery of the first instalment of the loan estimates the value of the land at only Rs 170, and that the F.S.O. awarded for it only Rs 87-8-0, all point to the conclusion that the Talsildar's estimate was excessive.

3. The Talsildar, Dndy S.V. Gurusawani has now Hazur Shariadas, North Arcot, however, who contends that the land is really valuable, being near a spring channel, and about 7 or 8 acres of it being fit for

for wet or garden cultivation,
that if the well had been a
success the value of the land
would be even higher than
his estimate of Rs 150 per
acre, that as far as he
could recollect two ~~other~~
fields lying near the
field in question were
estimated at Rs 100 and
Rs 80 per acre respectively,
that the low price obtained
at the Court sale was
represented to him to be
due to combination, and
that he is not aware of
the grounds on which
the Res. Inspector and the
L.S.O. estimated the value
at only Rs 170 and Rs 87-8-
respectively. The collector
offers no ~~explanation~~ ^{remarks} on
the explanation.

The Board is not satis-
fied with the Taluk's explanation,
but however, recommends
the writing off of the entire
balance due to Govt.

4. For orders as to
whether the Board's recom-
mendation may be ac-
cepted or whether any
recovery should be
ordered from the Talukdar.

RS
14-3-99
46-8-39

Secy

It will be seen
from the marginal note
above that the proposal
to include the field in a
reserve was actually
notified in the 7th
Gov. Gazette some days
previously to the
Talukdar's petition
& valuation. The
Talukdar himself, it is
submitted, has been
very careless if he did
not know of the
reservation proposed.

He
21-3-98

Secy.

The sum may be written
off; & a remark to be
added that it is presumed

due notice has been taken
of the gross & culpable carelessness
of the Tahsildar, for it can be
nothing else

27/4/99

I don't see how we can add
the remark about gross
culpable carelessness in the
face of the fact that the
Tahsildar has submitted a
long explanation on the
Board's comment is
that it is not quite
satisfactory -

The Tahsildar declares that he
personally inspected the
field & contends that it is
valuable -
Since the loan was advanced
it has not been put up to
auction -

It is difficult to believe that
the Tahsildar really thought the
land to be worth more
than 160 times its assessment,
but the Hd. Am. Collector Mr. Cunningham
(who was reported) might
have spotted this
is responsible -

When you come to
think of it the strange
thing is that we
should take for
granted that the Rs
250 was paid to
the applicant -
We are told that he is dead &
has no property with him
We not content -
no enquiry is made as to why
he mortgaged the amount -
Very possibly it never
reached him -

I would say

The sum of Rs 205-9-5
may be written off the
accounts as
irrecoverable -

The Govt finds it
difficult to believe
that the Tahsildar

S.V. Gurusawani Naidu
acted with due care &
attention in estimating
the value of the land
in its unimproved
condition at more
than 160 times its
settlement assessment

M.S. -
10-4-99

To us

Please see draft order

put up.

RS
15-4-99
14-4-99

See
27/4/99
M.S.

27/4/99
27/4/99

Recd B.P. No. 1188
28-2-99
(Cen 1603)

27/4/99

C

G.O. No. 1449 of 22 April 99
Sanction is accorded

for writing off the
accounts the sum of
Rs 205-9-5 as recom-
mended by the Board of Rev.

2. The Govt finds
it difficult to believe
that the Tahsildar S.V.
Gurusawani Naidu acted
with due care and attention
in estimating the value
of the land in its unim-
proved condition at
more than 160 times its settle-
ment assessment.

M.S.
27/4/99

(From order)

27/4/99

To the B.D. of Rev. (Rev. Secy)
" Accountant General

Per Secy

RS
15-4-99
14-4-99

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