

Revenue (1899) Department.

PRESS SERIES.

G.O., No. 365

Dated 9th June

[Despatch Abstract.]

Stating that standing order No. 23 regarding Remission must be construed as providing a way for granting wet remission on portions of fields in respect of loss crop which has already accrued before the application for sub. division was made.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Ord 6162/99							
205925	11648	Revenue	20-11-99				
205925	11648	Revenue	11-6-99				

Order

Revenue (189^e) Department.

CURRENT No. 3034

From

The Board of Revenue, Revenue Settlement, Land Records and Agriculture, Madras.

No. 2188 Mls.

Dated 2nd May 1899.

Received -

Registered -

Enclosures

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SUBJECT.

Submitting to Government in continuation of B.P.No.81/15-3-99 with the Board's recommendation letter from the Collector of South Arcot suggesting that formal sub-division of fields may be dispensed with when wet remissions on portions of fields damaged by floods are granted.

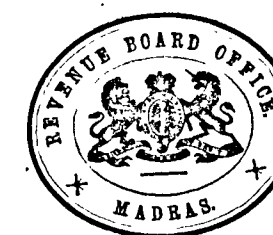
BACK PAPERS.

G.O.	No.	Department.	Date
	282		1-5-99
	(in the year).		

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 2nd May

1899.

No. 2128 Mis.

READ

the following letter from L.M. Wynch Esquire, I.C.S., Acting Collector of South Arcot Ref. on No. 106/VS of 99, dated. 9th April 1899:-

In continuation of my letter Ref. on Reg. No. 106/VS dated 24th February 1899, I have the honour to request orders whether formal sub-division must be insisted on, in cases where only portions of wet fields damaged by floods have been recultivated owing to subsequent insufficiency of water supply or severity of damage by silt &c. to the remainder. Provided that the one acre rule is observed and that the portion left without being recultivated is measured with sufficient accuracy for fiscal purposes, I do not see any particular object in insisting on formal sub-division, preparation of sketches in duplicate drawn to scale for formal sanction and entry of sub-divisions in the various village accounts. The position and shape of such sub-divisions is of course purely fortuitous and the record of them would not, in my opinion, secure any useful purpose hereafter. I

would

on page 2 of 80
282-2/1-5-99

3
would request therefore that the sanction of Government should be obtained for the grant of remissions in deserving cases without all these formalities. The main object is to secure the correct measurement of the area on which remission is granted, and for this purpose rough sketches prepared by the Curnam and checked by the Revenue Inspector would be quite sufficient.

Resolution

Submitted to Government in continuation of B.P.No.81/15-3-99.

2. The Board supports the Collector's recommendation that formal sub-division of fields should be dispensed with in the cases referred to.

(True copy and extract)

R. V. Srinivas
Secretary.

To
The Secretary to Government R.D.

Government (1899) of Madras.
REVENUE.

Recd.

Enclosures

Regd.

1899.

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G.O., No. 282, 1st May 1899.

MAY.

"Dry" Remissions.

Sanctioning, as a special case, the grant of — in the South Arcot district to the extent proposed by the Collector and approved by the Board of Revenue, as the floods of 1898 in the district were of a very exceptional character.

by hnk
5/5.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), No. 81, dated 15th March 1899:—

Read—the following letter from L. M. WYNCH, Esq., I.C.S., Acting Collector of South Arcot, to the Secretary to the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture, dated Cuddalore, 21st February 1899, Ref. on No. 106-V.S.:—

Adverting to paragraph 5 of B.P., No. 32, dated 31st January 1899, I have the honour to submit that full remissions may be granted for the following kinds of dry lands damaged by the recent floods in this district:—

(1) Lands on the banks of rivers, jungle streams, irrigation channels, &c., which have been washed away or so silted up as to necessitate a heavy outlay to make them fit for cultivation.

(2) Lands which, though classed as dry, are usually cultivated with wet crops and charged tirwajasti.

(3) Lands on which only one crop has been grown and that crop has been lost owing to the floods and the land cannot now be re-cultivated.

2. My proposals contemplate the grant of remissions in individual deserving cases that have suffered in the manner stated in the above paragraph. Such lands will be found along the banks of rivers and large streams which overflowed their banks and under tanks that breached. The extent thus affected will be comparatively small, and it would therefore be far simpler to deal with the individual fields damaged than with tracts. I do not also anticipate any great difficulty in azimuthing such lands.

3. A fieldwar inspection will be necessary as in all cases the area affected will be less than the area of a village, and after my experience of last year, I am quite sure it will be a very difficult matter to determine what should be the limits of the "tracts" to which the concession should be granted and to calculate the average loss thereon. For instance a "tract" might very well include dry lands usually cultivated with wet crops and ordinary dry land. The paddy crop lost will probably have been the only crop grown on the former; dry paddy and in some cases varagu will have been the only crop grown on some of the latter. Other fields again will have yielded a good cumbu harvest in the early part of the season and the ground-nut or gingelly crop subsequently sown may not have been altogether lost; the outturn of the cumbu harvest on such fields can only be estimated from the unchecked figures recorded by karnams last year. Harvesting operations are already considerably advanced and it will be impossible now to say with any accuracy what the outturn of the later crops was. Again the estimates of outturn recorded in the village accounts are entered month by month for the crops harvested in those months, they apply to the village as a whole and are not subjected to any effective check, they are recorded in terms of 0 to 4 annas, 4 to 8 annas, 8 to 12 annas, whereas for the purposes of calculating percentage of abatement under the new standing order, outturns need to be estimated at 0 to 2, 2 to 4, 4 to 6 annas. The tendency of Revenue Inspectors and Tahsildars

last year was rather to over-estimate than to under-estimate outturns and the result of an average estimate would be to deprive deserving persons of full remission and to grant partial remission to others who do not so much need it. I would not therefore recommend the grant of any partial remission or remission by "tracts".

4. With reference to the last paragraph of the Board's Proceedings, I have the honour to inform you that the mahazar referred to in the telegram was received by me on the 2nd ultimo and sent to the Head-quarter Deputy Collector on 3rd January 1899 with the following endorsement:—

"Forwarded to the Head-quarter Deputy Collector for favour of enquiry and report. The amount of loss said to have been sustained appears to be an exaggeration and the prayer for the postponement of kist cannot be granted. The lands should be azimuthed as soon as possible and collection suspended in cases of fields which are undoubtedly entitled to remission under the rules."

I have not as yet received the Deputy Collector's report and shall deal with the petition in due course as soon as the report is received.

5. A great portion of the lands said to have been affected in the petition has, I believe, been re-cultivated and the Tahsildar of Cuddalore was personally instructed by me not to press coercive process in the case of lands on which the crops are not yet ready for harvest. The large balance remaining uncollected out of the January kist proves that the Tahsildar has not been dealing harshly with the ryots, and I would also point out that the Revenue authorities are accused of "torturing ryots to pay kist" before even the kists have become due.

6. On receipt of the Board's Proceedings under reference, I have issued a general circular to all Divisional-officers and Tahsildars to postpone collection till the close of the jamabandi in cases in which it is clear that remissions will have to be granted.

Resolution—No. 81, dated 15th March 1899.

Submitted to Government in continuation of paragraphs 4 and 5 of B.P., No. 32, dated 31st January 1899.

2. The Collector of South Arcot proposes to grant full remission of assessment on dry lands damaged by floods in November and December last in the following cases:—

(1) "Lands on the banks of rivers, jungle streams, irrigation channels, &c., which have been washed away or so silted up as to necessitate a heavy outlay to make them fit for cultivation."

(2) "Lands which, though classed as dry, are usually cultivated with wet crops and charged tirwajasti."

(3) "Lands on which only one crop has been grown and that crop has been lost owing to the floods and the land cannot now be re-cultivated."

It is presumed that in cases (1) and (2) also, no crop was secured in the year.

3. The Collector states that he is not in favour of granting remission by tracts as prescribed in the Standing Order No. 23-A. He urges that the necessary inspection and determination of outturns over tracts will be difficult to carry out, and that the grant of a percentage remission by tracts would deprive deserving persons of full remission while remission (partial) will be obtained by men who do not need it. He reports that the dry lands which have suffered by the floods will be found along the banks of rivers and large streams which overflowed and under breached tanks, that their area is small and they can be easily inspected, and that it would be much simpler to deal with individual fields than with tracts.

4. In the circumstances reported by the Collector, the Board recommends that his proposals may be sanctioned. It is observed that, on the occasion of floods in the same district in 1884, a course similar to that now suggested by the Collector was sanctioned in B.P., No. 204, dated 21st January 1885, copy of which was submitted to Government. The attention of Government is also solicited in this connection to

G.O., No. 245, Revenue, dated 20th February 1883, and No. 140, Revenue, dated 29th January 1884, in which a similar concession was granted in the Kistna district on account of floods in 1882-83.

(True Copy and Extract.)

(Signed) R. V. SRINIVASIAH,
Secretary.

To the Secretary to Government, Revenue Department.

ORDER—No. 282, Revenue, dated 1st May 1899.

Miscellaneous.

The floods of 1898 in South Arcot were of a very exceptional character. As a special case, the grant of "dry" remissions is sanctioned to the extent proposed by the Collector and approved by the Board of Revenue.

(True Extract.)

(Signed) G. S. FORBES,
Secretary to Government.

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

Exd. Shaik Karim.

40 Copies.

Page 8. of B.P. 17
20-1-98

S.O. No. 28.

B.P. No. 2158 Vis (Cus 3034)
2-6-98

To the Under Secretary

Under para I, clause (2) of S.O. No. 23, no wet-remission can be granted for portions of survey fields, but sub-division may be allowed for this purpose, provided that the new field is not less than one acre in extent. The portion sub-divided has to be demarcated and plotted and the measurement entered in the field measurement book. Each sub-division thus made would be treated as a separate field in future years.

2. The Collector of South Arcot proposes to grant remissions on portions of wet-fields which had been damaged by floods and could not be wholly recultivated owing to subsequent insufficiency of water supply or severity of damage by silt &c. This can be done only after sub-division of the fields.

fields. The Collector suggests that the formal Sub-division in this case may be dispensed with, provided that the one-acre rule is observed and that the portion left without being re-cultivated is measured with sufficient accuracy, rough sketches being prepared by the Karaman and checked by the Rev Inspector. He adds that the position and shape of such Sub-divisions render any record of them unnecessary. If the Sub-division is to be treated as permanent, it would perhaps be better to have it formally done. If on the other hand it is to be only temporary, there appears to be no necessity for going through all the formalities. ~~The Collector is not in a position to support the~~ The Collector's support to the Collector's recommendation for the formal Sub-division being dispensed with in these cases. orders are requested.

RD
19-5-99
Secy
Submitted. The formalities are being observed.

By order of the Collector
The Collector is not in a position to support the
The Collector is not in a position to support the
The Collector is not in a position to support the

The order in the B's reference may start from here I think.

10
The rule is precise, & is a check on reckless remissions. Prima facie if only part of a field is damaged, no remission should be granted. The ryot has not lost all.

7/5/97

Under the general rule no remission can be claimed unless the crop on the entire area of a revenue field has been totally lost -
As many revenue fields are very large in extent the rule goes on to provide that fields may be subdivided (at the cost of the patta dar) into blocks not less than one acre for the purpose of obtaining wet remission -
This means wet remission in the future, not remission in respect of loss of crop already suffered on part of the field of which subdivision is sought -

The Collector is in error in supposing that para 1 clause (2) of S.O. 23 permits the subdivision

of survey fields in order that remission may be claimable ~~on~~ for loss of crop on portions of such fields - which has already occurred

The rule permitting subdivision of fields for the purpose of obtaining wet remission was framed with a view to the fact that many survey fields are of large area, & that no wet remission is claimable for loss of crop on portions of fields.

Such subdivisions are to provide against prospective loss of crop, & the subdivisions will not (as asserted by the Collector) be purely fortuitous in position & shape but must be made in accordance with the rules in S.O. 28 -

S.O. 23 ^{must} be construed as providing a way for granting wet remission on portions of fields in respect of loss of crop which has already accrued before application for subdivision was made -

I agree with the Hon. Mr. Winterbottomham

H. H. Arundel

31-5-99

in respect of loss which has already occurred on portions of fields?

If such a practice anywhere exists it can only be by totally ignoring S.O. 28 which is what Lynch proposes to do.

In any case of drought there is no time properly to effect subdivision before famine and Lynch's difficulty about the position & shape of the new fields would be felt in full force -

The practice would moreover be in effect a complete evasion of the rule which forbids the grant of remission for loss on portions of fields - What is the use of this rule if the crop may claim to have the land lost subdivided out?

The crop on an entire existing field must be lost before any remission can be claimed -

That this is the proper construction of the rule is to my mind so clear that I see no use in enquiring as to whether the rule is anywhere misconstrued -

Please see if the Hon. Mr. Arundel agrees with me.

2-6-99

Here. I am not sure that the practice in many districts is not to allow subdivision for the purpose of remission. If so we might ask the Board to report what the general practice is before issuing the go.

S.R. 1/6/99

H. H. Arundel

13

To. US

Please see draft order
 given me first
 8/6/29

below.

W.S.
 6.6.29

Printed
 9.6.29

E

14

Revenue Department

- B. Read again C.O. 282 of 1.5.29
- A. Read also B.S. 2188 mis of 2.5.29
 (C.O. 2034).

Mis Order No. 36579th June 1829

mis first

The collector is in error in supposing that para 1 clause (2) of S.O. No. 23 permits the sub-division of survey fields in order that remission may be claimable for loss of crop which has already occurred on portions of such fields. The rule permitting sub-division of fields for the purpose of obtaining wet remission was framed with a view to the fact that many survey fields are of large area and that no wet remission is claimable for loss of crop on portions of fields. Such sub-divisions are to provide against prospective loss of crop, and ~~(the sub-divisions)~~ will not, (as asserted by the collector), be purely fortuitous in position and shape, but must be made in accordance with the rules in S.O. No. 28.

2. S.O. No. 23 must not

15
not be construed as providing
a way for granting wet remission
on portions of fields in respect
of loss of crop which has already
accrued before the application
for sub-division was made.
(from orders)

Me
8/6/99
Jme

To
The Board of Rev. Sett.
P.C. No. 23-6-99 - Issued 11.6.99
40/2
6.6.99

Government (1899) of Madras. REVENUE.

Recd.

Regd.

1899.

Enclosures

Spare copies

G.O., No. 365, 9th June 1899.

JUNE.

Remission.

Stating that Standing Order No. 23 regarding — must not be construed as providing a way for granting wet remission on portions of fields in respect of loss of crop which has already accrued before the application for sub-division was made.

First copy sent to Press.

Returned for signature.

Despatched in print.

Number of copies { Order complete.
required. { Letter only.
Order complete with Letter.

READ AGAIN G.O. No.
189

DATE

ORDER No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO

PIECES NOT FILLED UP BEING MEANT FOR DISPATCH
IN ORIGINAL.

NOTE—

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

READ—again G.O., No. 282, Revenue, dated 1st May 1899.

ABSTRACT.—Sanctioning, as a special case, the grant of "dry" remissions in the South Arcot district to the extent proposed by the Collector and approved by the Board of Revenue as the floods of 1898 in the district were of a very exceptional character.

READ—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), Mis. No. 2188, dated 2nd May 1899:—

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Submitted to Government in continuation of Board's Proceedings, No. 81, dated 15th March 1899.

2. The Board supports the Collector's recommendation that formal sub-division of fields should be dispensed with in the cases referred to.

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2. Standing Order No. 23 must not be construed as providing a way for granting wet remission on portions of fields in respect of loss of crop which has already accrued before the application for sub-division was made.

(True Extract.)

(Signed) N. E. MARJORIBANKS,
Ag. Secretary to Government.

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

Exd. Shaik Karim.

40 Copies.

Government (1899) of Madras. REVENUE.

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31-10-1899 ✓

23-11-14 ✓

2-11-16 ✓

29. 7. 20 ✓

8. 2. 21 B11 ✓

14-6-41 ✓

27-5-47 ✓

1-2-48 ✓

GOVERNMENT OF MADRAS.

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READ—again G.O., No. 282, Revenue, dated 1st May 1899.

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2. Standing Order No. 23 must not be construed as providing a way for granting wet remission on portions of fields in respect of loss of crop which has already accrued before the application for sub-division was made.

(True Extract.)

(Signed)

N. E. MARJORIBANKS,
Ag. Secretary to Government.

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

Exd. Shaik Karim.