

Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 4220

DATED 28th October 98

[Despatch Abstract.]

Board's Progs: submitting
letter from the Colls of N. Arcot re: the levy of ~~revenue~~-
on grant lands in the district proposed to be con-
verted into permanent properties, recorded with
remarks, with reference to C. O. 630 dt. 4. 98.

Revenue
Public

(1898)

Department.

BACK PAPERS.

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

FURTHER PAPERS.

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

CURRENT No. 3/18.

From the Board of Revenue
(Land Revenue) Madras.

Order mis No: ⁴²²⁰348d 28 ⁵October 1898

Recorded with reference ^{No: 550 Pres d 28} ⁵Oct. 1898.
to para 2 of C.E. (Land Revenue)

Ref: No. 464 ^{630 Pres}
^{28.10.98}

rd
⁵⁻¹⁰⁻⁹⁸ 2. If any case requires
special consideration

Dated 23rd April 1898.

The Bd is requested to submit
it for orders separately in
Shorthand (L.R.) (with enclosure)

Received 26th

Registered 27th

Enclosures 2.

Spare copies

⁴⁹ ²⁻¹¹⁻⁹⁸
10/10/98

SUBJECT.

Submitting, with remarks,
for the orders of Government,
letter from the Collector of North
Arcot regarding the levy of
water-rate on grant lands in
the Dst proposed to be converted
into permanent properties.

BACK PAPERS.

G.O.	No.	Department.	Date.
Alig	1921	Rev.	12.5.95.
R.	1335	Rev.	13.10.94.
R.	2365	Rev.	17.12.94.
fu	733	18-12-96	
"	1981	18-5-95	
Bd	562		

N-available

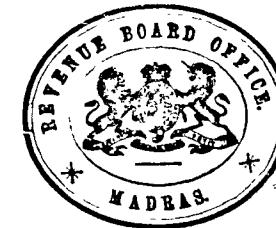
fu 744 8 30-8-89
Bd. 465 8 25-2-98
 FURTHER PAPERS.

G.O.	No.	Department.	Date.

Reference on No. of 1898.

In replying the above should be quoted.

(LAND REVENUE.)



Read — again Board's Proceedings No. 5112 mis.;
 dated 14th November 1896.
 Read — also — do — No. 588 mis.; dated 15th
 February 1897, Communicating to the Collector of
 North Arcot, G.O. passing orders on the question
 raised in connection with the conversion of lease-
 holds into permanent properties, as to whether
 water-rate could in any case be charged in
 addition to quit-rent and requesting the
 Collector to expedite proposals called for in
 Board's Proceedings ⁵¹¹² 14.11.96.
 Read — also letter ^{stating} from The Collector of North Arcot
 Ref: No. 1551/145 of 97, dated 7th May 1897, and the
 following reference thereon, dated 2nd June 1897:—
 The Board observes that the proposals
 submitted by the Collector in the statement
 read

read above, have not been revised with reference to the instructions of Government in para 4 of G. O. 733 18-12-96 Revenue. The Collector is requested to furnish at an early date a revised statement adding a column to show whether or not the old grants distinctly conveyed a right to water. It should also be reported whether in cases in which a charge for water is proposed to be made a condition of the confirmation of permanent title, the owners of the lands consent to the condition (vide para 1 of G. O. 1981 18-5-1895 Rev.).

Read - also letter from the Sub-Collector in charge of North Arcot, Ref: on Cur: No. 1278 of 1897, dated 19 January 1898.

Reference - No. 464, dated 23rd April '98.

Submitted for the orders of Government.

2. In its Proceedings No. 562 21-12-94, the Board submitted proposals for the conversion of 99 years' leaseholds in the North Arcot district into

into permanent properties according to the terms offered by Government in G. O. 744 30-8-89 Revenue. But in this connection the question was raised whether water-rate could be charged in addition to the quit-rent proposed to be levied on the grant lands and the Government directed that the liability of the lands to water-rate should be decided with reference to the terms of the old grants (vide G. O. 1981 18-5-95 Rev. and 733 18-9-96 Rev.).

3. In the last letter read above, the Collector points out that in most cases the grant deeds are not forthcoming and that even in the old grant deed relating to case No. 47 which has been obtained from the party, nothing is said about the right to the use of water or as to the classification of land as tanjah or Vinjah. He adds that he is unable to furnish any additional

additional information which may throw light on the question whether the old grants conveyed a right to water or not. From the statement forwarded by the Collector dated 7th May '97 No. 1551 it appears that in 40 out of 53 cases the lands cannot possibly be irrigated by any Government source of irrigation and that in three other cases either wet crops have been raised for a long time without additional charge or that the lands are entitled to water from Government sources according to the water namulnamah. In the remaining 10 cases, the Collector proposes to levy a water rate and the owners concerned have consented to the proposal except in the case of grants Nos. 48 and 51.

4. The Board considers that in all cases in which the period of the leases have expired, new war pattas might be issued as suggested in para 4 of Board's Proceedings No. 45 and that water rate might be charged on the lands when Government water

is taken for irrigation. If the leaseholders so elect, the same course may be adopted also in the case of lands in which the leases are still in force.

5. With reference to para 2 of G. O. No. 1981/18-5-95 Rev., The Board submits that pattas can be granted to the Municipality only for such portions of grants Nos. 20 and 33 as are occupied by the Municipal office and the Municipal latrine and that for the remaining portions pattas will be granted to the purchasers as recommended in para 6 of the Collector's letter No. 2486 dated 31st July '96 printed in G. O. No. 733/18-12-96.

The Board recommends that the site of the Municipal latrine which is included in grant No. 33 may be exempted from assessment as proposed. The site occupied by the Cattle pound is Government property and will be treated as such.

W. H. B.

The Secretary to Govt. R.D.
with letter & statement in original & duplicate.

L. D. Wamikanan

Apt. Secretary

C. No. 3118.

From the Board of Rev (L.R).

N^o 464 Dated 23rd April 1898.

FOR ORDERS.

H

E

C₁.

(G.O. 1981 18-5-95) D'

The above paper contains the report called for in G.O. 1981 18-5-95 as to the levy of water-rate on certain lands held on terminable leases in N. Arcot which the Collector proposed ~~to convert into per-~~ ^(in pursuance of) manent properties. ~~G.O. 18-5-95~~ 744 30-8-89 and 222 24-3-90.

2. In its favour 562 21-12-94 the Board of Rev submitted for the orders of Govt the proposals made by the Collector of N. Arcot for the conversion of the terminable leaseholds in his district, whereon the Govt remarked that neither the Board nor the Collector had considered the question of levying a water-rate in addition to the quit-rents proposed, and "requested the Board to report in what cases, if any, the quit-rent proposed to be charged will convey the right to Govt water, and in what other cases a charge for water may,

C. 15/9/98 R.C. 22/9/98

FOR ORDERS.

H

Correspondence in C. & 733
18-12-96

L

L

H

Collector's letter flagged K in the
current

relating to case No 47 ~~which~~ has
been obtained from the party, nothing
is said ~~about~~ about the right as to
the use of water or as to the classifi-
cation of the land as Nanga or Rimpay,
and that he is in consequence unable
to furnish any ~~additional~~ ^{additional} information ~~to~~
which may throw light on the question
whether the old grants conveyed a
right to water or not. The Board,
however, prints out ^{that it appears} ~~from~~ ^{from}
the Collector's statement that in
40 out of the 53 cases the lands cannot
possibly be irrigated by any Govt
source of irrigation & that in three
other cases either wet crops have
been raised for a long time without
additional charge or that the lands
are entitled to water from Govt
sources according to the water
mamulnamah ^{and that} in the remaining
10 cases in which the Collector pro-
poses to levy a water rate the
owners concerned have consented
to the proposal except in the case
of grants nos 48 and 51.

Since the decision ^{was arrived at} in 1890 to con-
vert these terminable leaseholds into
permanent properties, this Govt has

"properly he made a condition of the
confirmation of the permanent title,
and ~~in~~ ^{if} in these latter cases the
owners consent to the condition"
(vide C. & 1981
18-5-95). And in ~~1891~~ ¹⁸⁹¹
on certain correspondence between the Board
and the collector which was submitted
to it for information, the Govt laid
down that "the liability of any lands
to water-rate should be decided
with reference to the terms of the
old grants. If the ~~the~~ grant distinctly
conveyed a right to water as by re-
ferring to the lands as wet no charge
should now be made. Otherwise
a water-rate may legitimately
be levied" (vide C. & 733
18-12-96).
3. There are 53 grants in the
district held on terminable leases
(some of which have already expired),
and the statement appended to the
current, and the ~~statement~~ ^{statement}
~~one printed in the R.P. in C. & 1981~~ ^{one printed in the R.P. in C. & 1981} ~~18-5-95~~ ¹⁸⁻⁵⁻⁹⁵ ~~shows the~~ ^{shows the}
lands, the use to which they are put,
the present quitrent, the proposed
quitrent, whether it is proposed to
levy water-rate in addition to this
quit-rent, and the settlement
assessment. The collector states that in
most cases the grant deeds are not forth-
coming, and that even ^(in the one case in which) the old grant deed

been in correspondence with the Govt of India on the question of allowing lands to be occupied or sold subject to fixed rates of assessment, and it has been decided that all rules allowing such sales or disposals should be modified so as to allow of a periodical revision of the assessment; in B.P. $\frac{45}{25-2-98}$ reporting on this subject the Board has suggested ~~that in the case of~~ ^{in the case of} terminable leaseholds which have not yet been converted into permanent properties, only ryotwari pattas should be granted in place of the permanent pattas. Agreeably to this suggestion the Board recommends ^{in the current} that in all cases in which "the periods of the leases have expired" ryotwari pattas be issued ~~xx~~ and ^{water rate} that ~~water~~ be charged on dry lands when Govt water is taken for irrigation. If the lease holders so elect, the same course may be adopted also in the case of lands in which "the leases are still in force"; ~~the~~ Board, however, does not say whether the assessment to be charged in such pattas is to be the settlement

In G.O's $\frac{2871}{18-7-95}$ $\frac{459-460}{11-9-96}$
 $\frac{5238}{7-10-97}$

para 4 of B.P. $\frac{45}{25-2-98}$ C.N. 1869
 T. in the ...

para 4 of the B.P. in C.N. 3118

No in list	Date of grant	Period	Date of expiry	Acreage	Rent reserved		Settlement assessment		Remarks
					R. A	P	R. A	P	
1	1881	99 years	1915	3.49	13-12-6		6-2-0		Little to ryotwari rule.
29	1824	99 years	1923	18.95	85-15-6		45-10-0		Dry & wet. Water rate for dry & land crop charges
31	1824	99 years	1918	6.56	39-2-0		11-8-0		Amalgamated - unirrigable
34	1820	99	1919	9.72	41-14-4		17-0-0		Amalgamated & garden - unirrigable
41	1812	99	1911	25.6	51-13-7		45-15-0		Dry & wet & unirrigable. Water rate for dry & wet
44	1812	99	1911	0.24	0-7-5		0-4-0		Current
47	1814	99	1913	23.71	26-4-0		23-12-0		Many to slope. Little to water rate.
49	1814	99	1913	5.91	35-12-3		8-1-0		Many to slope. Little to water rate.
50	1814	99	1913	8.69	28-1-0		8-1-0		Many to slope. Little to water rate.
51	1825	50	1875	1.91	14-14-11		8-10-0		Amalgamated & garden. Little to water rate.
52	1833	50	1883	2.24	7-0-0		7-10-0		Amalgamated & garden. Little to water rate.
53	1834	50	1884	2.49	5-8-6		13-9-0		Amalgamated & garden. Little to water rate.
54	1831	50	1881	1.36	3-8-0		8-3-0		Amalgamated & garden. Little to water rate.
55	1834	50	1884	2.7	3-8-0		3-10-0		Amalgamated & garden. Little to water rate.
56	1835	50	1885	3.34	3-8-0		13-6-0		Amalgamated & garden. Little to water rate.
57	1836	50	1886	2.97	3-8-0		5-3-0		Amalgamated & garden. Little to water rate.

See note at end of ...

N.B. The figures in the statements in paras 5 & 6 are taken from the list in G.O. $\frac{1981}{18-5-95}$. The remarks are taken from the statement appended to the current.

assessments, or the rents now charged, this is an important point as the latter are in many cases higher than the settlement assessments, and it therefore becomes necessary to make a detailed analysis of the grants.

of the 53 grants mentioned in the Collector's statement, the periods and the conditions of the grant are known only in the marginally noted 16 cases. Of these the lease has not yet expired in the case of Nos 1, 29, 31, 34, 44, 46, 47, 49 & 50 in the case of all of which the rent reserved is higher than the settlement assessment. Nos 31 and 34 are unirrigable from any Govt source while the remaining seven consisting of dry or of dry and wet lands are liable to separate water rate when Govt water is taken to irrigate the dry lands. It is presumed that if ryotwari pattas are granted in any of these cases at the request of the lessees the present rents should continue to be charged till at least the present leases expire. In the case of numbers 5, 6, 7, 10, 32, 37 & 40 in which the

the leases have expired, and of the remaining 37 in which ~~no~~ no information is available as to the conditions of the grant, it has to be determined in what cases the present rents should be charged, in what cases the settlement assessment.

6. In the marginally noted 20 cases the rent reserved is higher than the settlement assessment; of these Nos 5, 9, 13, 20, 28, 30, 33, 35, 38, 39, 42, 43, 45, 51, 52 & 53 have been built on. In the subjoined cases the rent reserved is less than the settlement assessment and all of them appear to have been built on except items 4 and 36.

No.	Rent	ass.	Remarks
4	21-0-0	25-3-0	Cultivation. ~~not liable~~ ^{wet}
6	7-0-0	7-10-0	Bangalore & top. unirrigable.
7 & 8	5-8-6	13-9-0	Do. Do
10	3-8-0	8-3-0	Do. Do
11	3-8-0	23-4-0	Bangalore & cultivation. unirrigable
14	1-4-11	4-8-0	Bangalore. unirrigable
15	1-9-2	3-15-0	Do. Do
16	1-10-0	3-11-0	Do. Do
17	2-2-2	10-8-0	
18 & 19	4-11-7	11-12-0	
21	2-13-6	5-1-0	
22	2-1-4	3-13-0	Do. Do
23	0-10-7	1-6-0	
24	4-6-8	8-1-0	
25	2-6-2	6-13-0	
26	3-3-2	4-14-0	Do. Do
27	2-7-0	2-15-0	
28	3-7-0	3-10-0	
29	5-4-5	5-8-13-0	Do. Do
36	5-4-5	5-8-13-0	Do. Do
37	3-8-0	13-6-0	Buildings & trees unirrigable
40	3-8-0	5-3-0	Bangalore & trees unirrigable
52	14-4-13-5	15-1-12-0	Buildings & mango plantation ~~Not liable~~
279-9-11			377-14-0

No.	Rent	ass.	Remarks
2	8-7-5	2-7-0	Do. Do. 20 water rate
3	14-13-7	14-13-0	Double crop. wet.
5	14-14-11	8-10-0	Bangalore, top. unirrigable
9	3-8-0	3-1-0	Buildings
12	8-8-0	3-13-0	Do. unirrigable
13	2-9-6	2-2-0	House
20	4-6-8	4-4-0	Bangalore
24	0-2-0	0-0-3	Building
30	11-12-3	6-2-2-0	Bangalore, cultivation. unirrigable
33	7-0-0	1-13-0	Houses &c
35	2-0-3	1-2-0	Bangalore, top, unirrigable
38	3-10-0	3-0-0	Bangalore. unirrigable
39	3-1-0	2-6-0	Do. Do
41 & 42	19-2-0	9-7-0	Cultivation. Double to 10
43	7-8-5-2	2-9-4-0	Indigo value. unirrigable
44	10-6-6	9-7-0	Building & trees &c
45	3-4-5	0-4-2	Building unirrigable
48	55-3-6	15-15-0	Cultivation &c. liable
51	38-3-7	24-13-0	Building, cultivation. liable
53	22-13-9	15-6-0	Bangalore & garden unirrigable
410-7-6			214-18-5
413-1-3			215-14-3

Para 4 of 259
3-4-89

~~affirmative~~
~~1/1/1900~~
~~1/1/1900~~
~~1/1/1900~~
~~1/1/1900~~
RS
15-8-98

See
there seems to be no objection to accepting the Bd's proposal "that in all cases in which the periods of the leases have expired ryotwari pattas be issued & that water rate be charged on dry lands when got water is taken for irrigation. If the leaseholder so elect the same course may be adopted also in the case of lands in which the leases are still in force." All the lands will of course be treated as dry unless the grant specially gives the right customarily irrigated in which case they may be treated as wet.

As regards the assessment
~~this may be the settlement~~
assessment (wet or dry
according as the land
is customarily irrigated
or not) or the ~~old~~ quitrent
whichever is greater
provided that where
the quitrent is greater
it does not exceed
the highest assessment
"payable on the most
"highly assessed lands
"in the district cultivated xx
"with agricultural
"produce."

In the case of
time expired leases, the
houses, trees and other
furniture on the land
have presumably
become the property
of the Govt.

As suggested
on another file, the
opportunity might be
taken to make it a
condition of the renewal
of the leases, that the holders

In the linked file I
have noted against
this suggestion

should give certain specific
Govt officers the refusal
of these buildings at
certain rates of rent
to be fixed from time
to time. This would
probably save Govt
the trouble of building
houses for its officers
in many places &
as things go, also save
its officers the trouble
annoyance & expense
of having Govt as
their landlord.

~~has given~~
~~and further officers~~
~~has to be~~

Many of the
best houses in Bellary
& Chittoor seem to
be built on lands held
on these terminable
leases.

Ullas
11.9.88

H.H.
The Govt. of India having
distinctly ruled against the
alienation of the land revenue

the proposals of this
for converting 99 years
lease into permanent puttees
fall to the ground. Of course
where a permanent putta
has actually issued in any
case it must stand: but
where this has not
taken place these leases will
be dealt with as proposed
by the Board, following its
recommendations in the O.P.
of 25 Feb. 98 - vide the
linked file.

Where the lease has actually
expired & the land has legally
reverted to Govt., ryotwari
puttas will be issued in the
ordinary way, the lands being
classed as dry or wet in ac-
cordance with ordinary set-
tlement principles.

Where the lease is still
running, the leaseholder will
be given the option of taking
the ordinary ryotwar putta, which is
subject to the usual periodical
revision. If however the

MA

x disposed of by

60-630
1110-98

C

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the rent reserved under the
lease is higher than the
assess rates, the higher amount
must be paid the lease holder
better run to its term, a
ryotwar settl. being run
on its expiry, unless the
leaseholder prefers to acc.
a putta reserving for the un-
expired term an assess. equal
to the rent reserved under
the lease.

In most of the cases in
wh. the lease amount is material
higher than the assess. rate
it will, I think, be generally
found that the sites or lands
leased are in towns or possess
other exceptional advantages.

The proviso should therefore
be made that where the leased
lands are in towns, the rules
for the assess. of town sites
shall apply. These rules were
recently considered by Govt.
& are now before the Board
for final criticism of the Govt.

MA

for Board's suggestion in para 4
 of B.P. 25.2.98 no 45 in
 linked file.
 in Govt need not examine
 cases in detail. It is found
 cases general principles. Any
 other require special consideration
 take. It is represented individually

NA 25.9.98

8.7.189/8

to us.
 please see draft on current
 RS 2 Asst
 5-10-98 How about para 5
 of the SP?
 Ull
 8/11/98.

No specific orders are required
 as the lands occupied by a muni-
 cipal building is exempt from as-
 sessment. The Board's recommenda-
 tion is apparently with reference
 to the grant of a permanent path
 fee.

RS 10-10-98 If specific order are reqd
 then are they asked for
 Special. Please see
 attached

Given for copying _____
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 Signed _____

189

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

SENT No. _____

NOBARS TO C. No. _____

MEMORANDUM OF GOVERNMENT

A A A A A A A

MEMORANDUM OF GOVERNMENT.

STATEMENT WITH DITTO.

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