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Revenue (1899) Department.

MISCELLANEOUS SERIES.

G.O., No. 438

DATED 30th January 1899

[Despatch Abstract.]

Passing orders on certain points
brought forward by the people of
Munbharan is a memorial presented
to His Excellency the Governor

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Cus.	1028/99	Lodged					
Cus.	6378/99						
Go.	723	Rev 25-10-99					

Extract from the Memorial of the Residents of Kumbakonam to H.E. the Governor:-

We crave your Excellency's attention to the many inconveniences arising from an absence of definite and uniform rules on several questions connected with the revenue administration of the district and also from the long delays in the disposal of petitions &c. by the Revenue Department.

"Our" 300, in the sense of "private" but "in the" sense of "private"?

nothing definite 11/31/99

But they would not forward to consider the evil of the settlement caused!

2. We believe that the Govt. is aware that the land tax as fixed by the recent settlement is at least as much as the land-owner can afford to pay; and we submit that it is in consequence due to them to be left as free as possible from anxiety in other respects by the officers of Revenue. We regret however to have to state that (1) in the levy of water-cess (2) in the disposal of ⁿ ~~our~~ topos (3) in the varying -- rules in regard to our manakats (4) and in the several ways in which the penal assessment is levied from the landowners much consideration is not shown either to their long enjoyed rights or to the recent additions to the ordinary taxation of their lands. We submit that a careful scrutiny into the rates and amounts of the water-cess, of the penal assessment, into the occasions for the levying of the same in recent years as also into the several decisions by the Revenue officers in regard to tope lands will disclose a change of policy in recent years highly detrimental to the interests of the mirasidars of the district.

3. The next point we beg to advert to is even of greater importance to the cultivators of Tanjore. In the final order of the Govt. in the recent settlement of Tanjore, it was pleased to direct that allowance must be made for varying degrees of efficiency in the supply of water in individual villages or groups of villages, and that attention should also be paid to variations in the productive power of the fields due to their getting their supply of water in some cases from the chief branches of the Cauveri and in others from mere drainage channels. But we are not in a position to say what the actual result was of these directions and so far as our knowledge goes we regret to have to say that little or no benefit has occurred to us from these benevolent instructions. One result of the hasty methods adopted at the recent settlement of Tanjore is the enormous number of joint pattas indulged in by that department to the great annoyance of the parties concerned. We know that the Government is aware of the evil and beg that your Excellency will be pleased

to order an early investigation into it so that it may be at least reduced to the narrowest limit.

X X X X
Extract from His Excellency's reply to the residents of Kumbakonam:-

In paras 4, 5 and 6 of your address you deal with questions of which I am sorry to say I am unable at the present moment to give an explanation or really to give a satisfactory answer. The matters that you there bring to my notice will have to be submitted to the Collector who will give his report upon them in due course and the answer will reach you by and by.

*The above extract is, if I remember
right, a copy of one of the
paras in the letter related to
P. S. D. & J. P. D. matters.
The question has not yet been decided.*

Extract from the address presented to His Excellency by the residents of Kumbakonam and

Extract from His Excellency's reply thereto.

To Secy.

The extract is flagged A. The allegations in the extract are vague and indefinite. No specific instances have been given, and as the address abounds with many obvious assumptions it seems difficult to say ^{to what} ~~to what~~ matters Enquiry should be directed. ~~to take the~~ To take the complaints serial:-

"the
(1) The address draws attention to many
inconveniences arising from ^{an} ~~the~~ absence
of definite and uniform rules, 20
several questions connected with the
revenue administration of the district.

No matters have come before Govt. which indicate the want of definite and uniform rules on any ^{such} subject in the Tanjore District.
(2) The address refers to the long de-

ays in the disposal of petitions etc.

" by the Revenue Dept. No such delay has

come to the notice of Govt. except in one

particular case and that is where an ir-

rigation dispute could not be decided

owing to the delay of the D.P.W. in re-

plying to a reference made to it by the

Collector. Many of the most important

petitions in Tanjore being with regard

to irrigation and being therefore with

regard to matters upon which a reference

to the P.W.D. is ^{advisable} ~~necessary~~, prompt action

on the part of this Dept. is always ne-

cessary. Besides the one case ^{above} referred to

no others have come before Govt. ^{quite at all levels} It

is possible ^{however} that the case may represent

^a ~~class~~ ~~of cases~~

~~to be considered~~

~~by the Govt.~~

~~and the Govt. should be able~~

~~to~~

(3) The memorialists premise that the

"Govt. is aware that the land-tax as fixed by

by the recent settlement is at least as

Encl No 4763 & 3 Dec 98

B

3 " much as the land-owner can afford to

" pay": and then go on to state that

consideration is not shown to the long

enjoyed rights of the ryots, or to the

recent additions to the ordinary taxa-

tion on their land in respect to the

following matters:-

(a) in the levy of water-cess,

(b) in the disposal of our topos,

(c) in the varying rules in regard to

our manakats, and

(d) ^{the} in several ways in which the pe-

nal assessment is levied.

In the first place it is to be no-

ticed that Govt., so far from being

aware that the land-tax as fixed by

the recent settlement is at least as

much as the land-owner can afford to

pay, has definitely arrived at the

decision that these rates are much be-

low ^{the} "half-net" and cannot be taken as

the basis of any resettlement. In the

second place, it is not clear what the

specific complaint is. ^{with regard to the mala} ^{mentioned} The address goes

G.O. 263 D 11. May 95
C.

states that "a careful scrutiny into the rates and amount of the water-cess, of the penal assessment, into the occasions for levying of the same in recent years, as also into the several decisions by the Revenue officers in regard to tope lands, will disclose a change of policy in recent years highly detrimental to the interests of the mirasidars of the district."

These remarks are probably to be explained by reference to the following facts.

(1) At the settlement the charge for water to dry lands was raised from the special low rate of Rs 1.14-3 per acre to the ordinary rate of Rs 4 per acre prevailing elsewhere in the Presy.

(2) At the settlement a strong effort was made by the more wealthy ryots to get a patta for the land

I have not time to look up the points, but I was under the impression that this special rate was suggested some years ago. It was not a permanent rate - it was a special rate.

(Para 17 of G.O. No 697 Rev & 31.7.93)
D

The double tax is not now levied.
W

F

5

for the trees on which they already held special tree patta according to the District Custom.

The claim was opposed & rejected (vide R.P. 256 & 5 Oct 1896 in G.O. 5159 & 14 Dec 1896.)

(3) After the systematic survey & demarcation which preceded the settlement & with the progressive advance in survey knowledge & plan drawing made by the Revenue & village Officer, the well known tendency of the ryot to encroach is probably being much more effectually resisted than in the past. There is, it is submitted no evil in this. A rich ryot or a few rich ryots in a village soon manage to enclose all vacant village site

no W

The persons who suffer are the poorer ryots & the cultivators who are deprived of communal land by the capacity of their wealthy neighbours.

all vacant village site & the funds of the community have to be spent to acquiring

land for these purposes
under the Act. The
amount of penal
assessment for the
cultivation of foramboke
from fasli 1300 (1890-1)
to fasli 1306 (1896-7)
is shown under Fasli
1303 was the year of settlement.

Fasli	Amount of Penal assessment. Rs.
1300	14,204
1301	14,248
1302	23,980
1303	27,047
1304	31,884
1305	41,371
1306	49,093.

Taken from the collector's
Jamaabandi reports.

The steady rise in the amount
As imposed shows the tenacity
with which the ryots cling
to his encroachment, and
is also no doubt due
to the improvement in
the ^{maintenance of} land record.

The so called 'penal assessment'
is not assessment at all, but
a penal rent charged for the
surreptitious usurpation of
unassessed communal
lands. O.K.

The above instructions are
simply a commentary on
the Standing Orders of the Sett-
D.P. in the matter of the
grouping & classification of irrig-
sources & wet fields. D

O.K.

(4) The next point brought to notice is
with regard to the grouping of irriga-
tion sources. The address states that
"in the final order of the Govt. in the
"recent settlement of Tanjore, it was
"pleased to direct that allowance must be
"made for varying degrees of efficiency
"in the supply of water in individual
"villages or groups of villages, and that
"attention should also be paid to variations
"in the productive power of the fields
"due to their getting their supply of
"water in some cases from the chief
"branches of the Cauveri and in others
"from mere drainage channels." But the
presenters of the address say they are
not in a position to say what the actual
result was of these directions and that
so far as their knowledge goes they regret
to have to say ^{that} little or no benefit has
occurred to them from these benevolent
instructions.

The instructions
referred to are probably the
one given in Para 5 of G.O.
No 697 & 31 July '93. These
instructions were duly
attended to at the carrying
out of the settlement. Vide

paras 11 to 13 of the Common
Final Report & para 9
of B.P. No 377 & 23 Nov 95
in G.O. 201 Rev & 18 May 96.

(5) The last complaint
is thus worded:-

"One result of the
"last method adopted
"at the recent settlement
"of Tanjore is the enormous
"number of joint patta
"indulged in by that
"Dept to the great
"annoyance of the
"parties concerned. We
"know that the Govt
"is aware of the evil
"and that your Enly.
"will be pleased to order
"an early investigation
"into it so that it
"may be at least
"reduced to the narrowest
"limit."

That the settlement
caused a great increase
in the number of
joint patta is no
doubt true, but that
this was the result of
"last method" is pure

assumption is shown
by the following extract
from the Jamabandi
Reports.

Report for fasli 1303:-

"... The number of
"single and joint pattadars at
"the beginning and end of fasli
"1303 are given below:-

	single Pattadars.	joint Pattadars.	Total
at the beginning of fasli 1303...	159,665	19,413	179,078
.... Close	149,607	65,856	215,463
	- 10,058	+46,443	+36,386

"... The large increase
"under joint patta and the larger
"increase under joint pattadars
"is due to the Settlement Dept
"having registered jointly possessed
"lands in the joint names of all the
"owners, because the owners did
"not either show the Settlement
"officers their different shares or
"agree among themselves as to
"how they should be registered."

Report for fasli 1304:-

"The following statement
shows the number of single and
joint patta at the beginning
& close of the fasli:-

	Number of single pattas.	No. of joint pattas.	Total.
At the beginning of fasli 1304	149,607	65,856	215,463
At the Close of fasli 1304 ..	148,772	66,933	215,705
Increase	..	1,077	242
Decrease	835	..	..

"The number of joint pattas has increased by 1077, while the number of single pattas has decreased by 835. During the year under report, much progress was not made in the direction of the reduction of joint pattas. It is reported that, although it was widely published that Govt. was prepared to allow every facility in the matter of sub-division of joint pattas, only a few applications were received, that even in these cases, either all the joint patta-dars did not consent to the transfer or were unable to point out their respective shares and durably demarcate them, and that, in a number of cases, there are large number of patta-dars. Consequence of which sub-division cannot be made without the assistance of the survey

If joint patta-dars object to the entry of their names, the remedy is entirely in their own hands. ~~The fact is~~ It is merely a matter for the consent of the parties, & the M^r is bound to act accordingly. So far as the complaint is ~~concerned with~~ ^{concerned with} the subdivision of holdings, this is also a matter for the parties themselves, to agree upon the

boundaries of their respective shares. How far subdivisions agreed upon have not been carried out by the rev. estate, owing to inadequacy of staff we don't know, but it is not likely to be more than a fraction of the cases due to disagreement among the parties. If ~~necessary~~ desired, the M^r can be asked if report has far behind hand he is in this respect

[Signature]

P. 115 of G.O. No. 474 of
25-8-98.

P

and settlement records and a special establishment. The matter is engaging attention. A copy of my proceedings, no. 1763-Ver., dated 31st August 1895, deciding that, for the present, no separate establishment for the sub-division of pattas need be entertained is enclosed for information. At present I propose deputing the district surveyor for the duty of sub-dividing joint pattas wherever the ordinary revenue staff finds it impossible to cope with the work."

The total number of joint pattas in the Tanjore Dt. in fasli 1306 was 67,642 or an increase of 709 as compared with that in fasli 1304.

The subject is not reported in detail in the Jaimabandi Reports subsequent to fasli 1304. But it is obvious that the remedy for the evil of joint pattas lies in the hand of the ryots

themselves. If they are
not willing to indicate
their shares, ~~and~~ they
~~regard their~~ ~~role~~
must take the consequences,
to be held responsible
for the outcome on the
entire holding.

It will be seen
that a good deal of
information on the
matter touched on in
the memorial is
available to the Govt
in its office.

His Excellency
has however ^{in a sense} ~~stated~~ promised the memorialists that
the Collector would be
asked to report & so the
question for orders is
whether a general
report is to be called
for ~~or not~~ (in
which case the Collector
will probably cite much
the same facts as are
set forth in this note)
or whether reports on

H.M.
I have indicated one definite
point on the preceding page. The
other may report on that
J.P. 18/8

As I was Collector of
Lanjore from July 1891
to Augt 1894, while of
the settlement was
being introduced,
I ought to be able to
understand and
comment on the
petitioners' alleged
grievances -

Submitted with
the main portions
refer to P.W.D.
& find no mention
of

The Memorial as a whole
is not before me, but
I presume the Extract
receives no light from
other portions -

Paras 4, 5 & 6 alluded
to in H.E.'s reply are
not numbered in the
Extract -

I think the following
reply may be submitted
to His Excellency for
approval: -

Paras of the Memorial have now been considered by H.E. The Governor in Council and it is found that the ~~complaints~~ alleged grievances are so vaguely stated as to be quite unintelligible -

2. As regards the charge of water rate the Tanjore ryots are merely subject to the general rules in force throughout the Presidency -

3. The reference to the disposal of Topas is not understood, but the Memorialists must be well aware that Govt. has refrained from levying the large revenue from fruit-trees which

If the Hon. Mr. Winterbottom has with regard, I would prefer to the words underlined, the following words: -
 "as to render them difficult to deal with in other respects; I am in accord with the proposed reply."

A. S. H.
 25.1.99

In many places some ryots were enjoying per government plots of land outside the limits of village-sites on the plea that they had no back-garden. Such plots have been rightly assessed. Probably this is what the memorialists allude to.

the old custom of the District in respect to tree-tax would have warranted -

- 4. The reference to varying rules in regard to Manakats is unintelligible
- 5. The Memorialists must be aware of the impracticability of their suggestion that a careful scrutiny should be made into the occasions for the levying of penal assessment in recent years - Any person aggrieved by the imposition of penal assessment has the right of appeal & should exercise it - ^{may} In the absence of specific Govt. has no reason to think that the power of charging penal assessment has been improperly exercised -

otherwise than

6. As regards the ^{indefinite} general
Complaint in para
Govt is not prepared to
admit that the clarification
of migration sources was
not carried out with
due care and attention.

7. Govt. is alive to the
many inconveniences
~~attaching~~ arising from
the large number of
joint pattas. The
number is to be accounted
for partly by the prevalence
of samudāyams (or
communal) lands: partly
by quarrels & disputes
which prevent division:
partly by the neglect of
the pattadars to attend
before the Survey Office
& point out their boundaries.

It is understood that
even up to date very
few applications for
division have been
put in - The matter
is still, however, under
disposal by the Board
of Revenue, and

3 That Authority will be
requested to report
what progress has been
made in the sub-
division of joint
pattas, & when the
operation is likely
to be completed.

16-1-99

To H. Q. the Governor

Secy.

Please see draft below
which follows the note
above.

Should not something
be said about the allegation
of "long delays in the
disposal of petitions by
the Revenue Dept"? The
point is mentioned as it
may have escaped the H. Q.
when noting

M
28/1/88

~~It is~~ It is not worth while
saying anything. They do not
specify whether they refer to
settlement petitions or ordinary
petitions to the collector.

30/1/88

the draft

30/1

Read the following extract from a Memorial of the people of Kumbakonum to H. E. the Governor.

(Here enter extract.)

G. O. No. 438 of 30th Jan 1899.

~~The paras of the memorial read~~

~~above have now been considered by H.E.~~

has now fully
the Governor in Council ~~and it is found~~
considered the extract from the memorial
read above & finds that
~~the~~ the alleged grievances are so

vaguely stated as to render them difficult to deal with.

2. As regards the charge of water rate the Tanjore ryots are merely subject to the general rules in force throughout the Presidency.

3. The reference to the disposal of topes is not understood, but the memorialists must be well aware that Govt. has refrained from levying the large revenue from fruit trees which the old custom of the District in respect to tree-tax would have warranted.

4. The reference to varying rules in relation to manakats is unimportant.

30/1/99

*The full memorial
not being here
in original form
the same is printed
in*

ORDER

LETTER OF

STATEMENT

APPROVED
IN O.

Ref

The memorialists must be aware of the impracticability of their suggestion that

a careful scrutiny should be made into

the occasions for the levying of ~~the penal~~ ^{this charge}

~~assessments~~ in recent years. Any person

aggrieved by ~~the~~ ^{its} imposition of ~~penal~~

~~assessments~~ has the right of appeal and may

exercise it. ^{The} Govt. has no reason to think

that the power of ~~charging~~ ^{making a} penal ~~assessment~~ ^{charge}

~~has~~ has been otherwise than properly exercised.

6. As regards the indefinite complaint about ~~the classification of irrigation sources~~ ^{the}

~~the~~ Govt. is not prepared to admit

that ~~this classification of irrigation~~

~~sources~~ was not carried out with due care and attention.

7. ^{The} Govt. is alive to the many inconveniences arising from the large number

of joint pattas. The number is to be

accounted for partly by the prevalence

of samudayam for communal lands; partly

by quarrels and disputes which prevent

division; partly by the neglect of the

pattadars to attend before the survey

*Interposed to the
levy of "penal act,"*

ENCLOSURE

ORDER OF

LETTER OF

STATEMENT

PAPERS NOT FILED
IN ORIGINAL

It is understood that even up to date ~~very~~ few applications for division have been put in. The matter is still however, under disposal by the Board of Revenue, and that authority will be requested to report what progress has been made in the sub-division of joint pattas, and when the operation is likely to be completed.

*Mr
28/11/88
J.B.
30/1/89*

Rev. 2-2-89

*To the Bd of Rev (L.R).
(R.L.L. Bd A).*

*The Director of Training for
Communications & the Inc*