Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 4614

DATED 23rd November 98

10 6

[Despatch Abstract.]

Sanctioning with remark, the writing off of the sum of Rs 58-0-10 being irrecoverable arrears of loans granted to the Zamindar Dt.

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 (1898) Department.

CURRENT No. 5701

From

The Board of Revenue,
Revenue Settlement &
Land Records & Agriculture
Madras

No. 4882. Misc.

Dated 11 — 8 — 98.

Received 14 — "

Registered 15 — "

Enclosures 42.

Spare copies

Order mio

In the circumstances re-
ported, sanction is accorded
for writing off the accounts
the sum of Rs 58-8-10 re-
ported to be irrecoverable under
the Loans Acts in the Tanjore
district

RS
1-12-98

The Board (Settl)
Mem A.G.

11th
12/1898

8/12/1898

SUBJECT.

Loans. — Requesting the sanction of Government for writing off the accounts, the sum of Rs. 58.8.10 reported to be irrecoverable under the — Acts in the Tekkali Division of the Chicacole Taluk, Ganjam District.

Paper taken out of the Records

BACK PAPERS.

G.O.	No.	Department.	Date.
	338		18-5-1-
	2879		24-7-9[illegible]
			[illegible]

FURTHER PAPERS.

G.O.	No.	Department.	Date.

1878
REVENUE DEPT.
Encl. No. 12
Cur. No. 5761

R.C. No 173/1897.

Statement of irrecoverable arrears under the

No	Name of village	Name of applicant or defaulter.	Amount due		Amount realized		Amount to be	
			Principal	Interest	Principal	Interest	Principal	
1	2	3	4	5	6	7	8	
1.	Valtalagam Unda	Yedla Appigadu of Addandapalem	100 " "	11 5 5	41 7 2	11 5 5	58 8 10	

Date of instalment falling due.	The nature, description & value of security taken	The circumstances under which the amount became irrecoverable, the sufficiency or otherwise of the security taken, the measures adopted for the prompt collection of the instalments as the amount fell due, and explanation of the officer responsible for the recovery of the loan	Collector's remarks	Date.
9	10	11	12	13
Interest	The defaulter's lands were taken as security.	The Principal Assistant Collector reports that a sum of Rs.100 was advanced to the Inamdar named Yedla Appigadu of Addandapalem Valtalagam Unda, under ordinary rules. He paid only 3 instalments namely Rs.15 principal and interest Rs.8.12.7, and the rest (principal Rs.85 & interest Rs. 2.8.10) he could not pay. Hence the land offered as collateral security was sold and only Rs.29 were realized. Deducting this amount (Principal Rs.26.7.2 & interest Rs.2.8.10) the balance of Rs. 58.8.10 under principal is treated as irrecoverable as the defaulter has no other property.	Recommended	

Chittapur
8.2.98

(Signed.) D. Srinivasa Row.
For Acting Collector.

(True Copy.)

(Sett. 22—2,000—11-3 97.)

REVENUE BOARD OFFICE MADRAS.

Proceedings of the Board of Revenue

(Revenue Settlement, Land Records and Agriculture),

Dated 11th August 1898.

No. 4882. Mis.

READ again statement* of irrecoverable arrears under the Loans Act, submitted by the Collector of Ganjam, Ref. on C. No. 173/ver of 98, dated 8th February 98:—

Read again also the following reference thereon, dated 3-3-98 to the Collector of Ganjam:—

The information furnished in columns 11 & 12 of the Statement read above is not sufficient to enable the Board to submit the case for the orders of Government. The Collector is requested to report the Survey number,

* Copy attached.

extent and assessment of the lands accepted as security, their estimated value and the explanation of the officers responsible for their overvaluation, with his remarks thereon. The record connected with the case should also be submitted for the information of the Board.

Read also the following reply from A. D. Taylor Esq. Acting Collector of Ganjam, Dis. Rc. 136.D ver. of 98, dated 23rd July 98:—

I have the honor to reply to Board's reference on G.R.No 1134 of 98, dated 3rd March 1898:

2. Before submitting the statement of irrecoverable arrears to the Board, I had fully satisfied myself that the balance of the loan in question was irrecoverable from the party. The Revenue Inspector on whose report the loan was granted, or who was the person most to blame is now dead

3. I now submit the explanations of M.R.Ry. A. Rameswararow Naidu, Tahsildar of Berhampore, who was at that time Deputy Tahsildar of Tekkali, and of M.R.Ry. G. Lakshmayya Pantulu the present Deputy Tahsildar of Tekkali, (now under suspension) by whom the sale was conducted.

4. From the explanation of the farmer, it will appear that in 1892 when the loan was granted there were a large number of applications for advances under the special well rules, and the Deputy Tahsildar was unable to inspect all the lands in person. The land and security offered was in this case inspected by the Revenue Inspector M.

Poornayya Pantulu, lately deceased, on whose recommendation the loan was granted. M.R.Ry. A. Kameswara Rao Naidu made only the first payment of Rs. 50, and the 2nd instalment was paid by his successor. So far as can be traced, the final orders were given by M.R.Ry S. V. Madalias Naidu, now on leave, and who was last year reduced for general incapacity.

5. M.R.Ry. G. Lakshmayya Pantulu, the permanent Deputy Tahsildar of Tekkali, by whom the land was sold, and whose explanation is enclosed, does not appear to be to blame. He collected 3 instalments, and as he found that it was not possible to collect more, the land and well offered as security was put up to auction. He appears to have obtained the best price available, and reported the fact. I would therefore exonerate him.

6. The last Deputy Tahsildar has, however, since receiving the order calling for his explanation, been guilty of a most peculiar and irregular action. He has recovered the amount of the arrear Rs. 58. 8. 10 from a neighbouring pattadar who applied for an assessed waste land in the vicinity of the defaulter Appigadu's land.

From the further explanation received from the Deputy Tahsildar, it appears that the sum was levied from the applicant in consideration of his darkhast being granted. It appears that no one objected to the grant of the land to the applicant, but in that case

Paper taken out of the Records

the application should have been given merely for assessment, and without the payment of any cash consideration. It was not a case in which there were rival claimants, and in which the land could be put up to auction under the rules. It appears to me that the action of M.R.Ry. G. Lakshmayya Pantulu, though he may have acted in good faith to save loss to Government, is most reprehensible and that the sum levied should be refunded to the party by whom it was paid.

7. As directed by the Board, I enclose herewith a statement (Vide Para 2) shewing the survey No., and extent of the land given by Yedla Appisadu as security for the loan.

8. I also forward three files of records in regard to grant of the loan, and remission of the balance.

(a) Original application and records on which the loan was granted in Deputy Tahsildar's office, Tekkali.

(b) Correspondence regarding the irrecoverable balance in the Principal Assistant Collector's office.

(c) File of collector's office regarding the irrecoverable balance.

From the above it will be seen that as full an enquiry as possible was made before the remission of the sum was recommended.

Resolution.

Submitted for the orders of Government.

2. A loan of Rs. 100 was granted in 1892 in two

instalments under the Special
an Well Rules of the Land Improve-
ment Loans Act to one Vedla
an Appisadu of Addanditoleru,
no Tekkali Division, for constructing
on a well on the security of the
the ayakat land, viz. S. No 55 mea-
a suring 1.08 acres, inam, bearing
ap a quit rent of Rs. 0.5.8. The
m grant of the loan under the
th Special Well rules on the security
of of enfranchised minor Inams
h having been subsequently
a found irregular, the conversion
t of the loan into one under the
ordinary rules at 3 percent,
the rate at which the loan
was granted under the Special
Well rules, was sanctioned by
Government in its order No.
2879. mis. dated 24th July 1894,
on the recommendation of
the Board. The borrower paid

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18-5-97
V

× 75R

only 3 instalments (Rs. 15 for principal, and Rs. 8.12.7 for interest) and it has been found that he could not pay the balance. The land offered as security has been sold, and although the auction was adjourned more than once for want of satisfactory bids, no more than Rs. 29 was realized. The balance remaining to be recovered, after crediting this amount to principal and interest, is Rs: 58.8.10, and there is no chance of realizing this amount, as the defaulter, who is now dead, possessed no other property.

3. From the records submitted by the Collector, it is evident that the land, on the security of which the loan was granted, was over valued

The Collector reports that the Revenue Inspector, who made the valuation, and on whose recommendation the loan was granted, is now dead; that the then deputy Tahsildar of Tekkali Division, who granted the loan, explains that, as he had to deal with a large number of applications for loans, he was unable to inspect all the land in person; and that the deputy Tahsildar who issued the final loan order was reduced last year for general incapacity. No inspection of the well appears to have been made either before the grant of the second instalment, or before the issue of the final loan order, with a view to see whether the work for which the loan was granted was being carried out. The explanation of the officers concerned on this point does not appear to have been taken. So far as the Board can make out from the records, there appears to have been an old well on the land prior to the grant of the loan; but no portion of the loan appears to have been spent upon it by the borrower.

4. In the circumstances of the case, the Board requests that sanction may be accorded for writing off the accounts the sum of Rs. 58.8.10 reported to be irrecoverable.

5. The refund proposed in para 6 of the Collector's letter should be made at once.

(True Copies & Extract.)

(Illegible)

for Director of R & Agri

To The Secretary to Govt. Rev: Dept with a file of papers in Origins & L. return

Collector & G

vide para 2 B the Principal Assistant's letter dy 21-1-98 (25 K)

25. P.

Read B.P. 4802 of 7/9/94 (Circ 5701)

Note

A loan of Rs 100 under the Special Well Rules was granted in 1892 to one G. Appigadu of Jettikalai Division, Vanjam DC, for constructing a well. The security offered was the ayakat land of the well, S.No 55 (extent) measuring 1.05 acres and bearing a Quit-rent of Rs -.5-.8. The grant of the loan under the Special Well Rules on the security of enfranchised minor inams having since subsequently found to be irregular with reference to the orders of Govt in G.O. 388 dt 15-5-38, the loan in question, was, with the previous sanction of Government, converted into one under the ordinary rules. (vide item 4 of statement in B.P. 3892/29.6.94 in C.C. 2879/24.7.94. The borrower made default after the payment of three instalments and the land offered as security was therefore put up to auction and sold, but fetched the

G.O. 2879/24.7.94 R

V

R

C.C. 9/9/98

loan
the balance of ~~account~~ still
e, after crediting the amount
realized by the sale of the land
to principal and interest, viz
Rs 58-8-0, and the defaulter
having died
~~having~~, possessed of no other
property, the Board of Revenue
requests the sanction of Govt
for writing off this amount
as irrecoverable.

2. The reason assigned
for the low price realized at
the auction sale is that the
Revenue Inspector who inspected
the land in the first instance
overestimated its value (Rs 125)
that the Dy Tahsildar[x] who
sanctioned the loan was, according to
~~to the large number~~
~~persons of loans~~ the explanation submitted by him
~~the cultivators to recover~~, unable
owing to pressure of work
to inspect the land in person
and consequently could not
correct the Rev: Inspector's estimate.
It is reported that the Rev: Inspr
in question is now dead and
that the Dy Tahsildar[x] who passed
the final loan order was reduced
year for General in Capacity.
I does not appear Rs
I was not suspected
een inspected according

+ Will show flagged C
MRR A. Kameswaraswamy Naidu

Jurneaypo

[x] MRR S.V. Mahalinga Naidu

Para 6 of Collector's letter
dy 23-7-98 flagged P.
MRR. Labour Part

to rules
~~by the Revenue Officer at~~
~~any stage of the loan~~; but
the Board of Revenue have
noticed this point, nothing
need yet is submitted, be-
said by Govt in the matter
So far as the balance of
loan (Rs 58-8-0) is concerned,
there is no ~~chance~~ means
of recovery and the Collector's
recommendation to write
off the amount may, as
recommended by the Board
of Revenue, be sanctioned.

2. The Collector reports
that the permanent Dy Tahsr
of Tekkali collected the amount
of arrears due from a neigh-
bouring pattadar in con-
sideration of granting
him certain land on darkhast.
No objection having been
raised to the assignment
of the land, the land should,
with reference to para 7 of S.O.
No 30 have been assigned
to the applicant on patta
without any further payment
than the assessment. The

The Collector has noticed the irregular action of the Dy Tahsildar and the Board of Revenue has ordered the immediate refund to the Amount Collected. No further action appears therefore necessary.

The draft order on the docket sheet is submitted for approval.

Secy
12/9/98

Para 6 of letter dy 23.7.98

Put up the rule which required inspection of the work &c. by the Dy. Tahsr. before the loan was granted. Was it clearly his duty or was it the Tahsr's.

AA 16.9.98

RS 9-9-98

Hm.

I am not sure that half the amount outstanding, at least, should not be recovered from the Dy Tahsr, whose gross neglect or incompetence are so manifest.

But if H.M. thinks otherwise the amt will be written off

S.K. 14/9/98

River Deptt.

5

Note for the 2nd Assistant:

Please look into this case again. How came a Dy Tahsildar to grant a loan under the Special Well Rules and another Dy Tahsildar to confirm it. I thought such loans could only be granted by Divisional officers and confirmed by the Collector?

Besides, Special Well Rules apply only in the Ceded districts.?

This loan appears subsequently to have been converted into one under the ordinary rules under C.C. 2315 Rw of 21.11.94. Better get this

(Initialled) N.E. 2/9

Under Secretary

With reference to queries (1) and (2) above, please see C.C. 1100 dt 12.11.91 and 701-701A Rw dt 1.8.91 It will be seen that the Special Well Rules have been extended to all the districts of the Presidency

(1)

(2)

(3)

C.C. 701-701A dt 1-8-91

9	Cocanada		41°

the Collector and that Tahsildar's discretion as in the case of the ordinary rules, are quite adequate have been empowered to grant Tahsildari loans up to Rs 250; and Government para 7 of C.O. No. 204-204A, 17.3.90 immediate will be issued that this power be exercised by also by Dy Tahsildars

C.O. 1100/18.11.91. C

E

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action in the disbursement of Takkavi loans. In independent charges but Takkavi is a proprietary estate in Cauvam and the Dy Tahsildar thereof is presumably in independent charge. there is no information in the Collectorate as to the Tahsildar's charge. the books.

for a

Mus 6.9.98 RS 9-9-98

2. The loan in question was originally granted under the special well Rules, but its grant that under the said rules being subsequently found to be irregular, it be treated converted into one the DP Takkavi ordinary rules, under a gross neglection conveyed in C.O. No. 2879/24.7.94 Rev.

3. With reference to the Hon'ble note of 16.9.98, as to the Officer whose duty it was to have made the inspection before the loan was granted, it is submitted that under Rule 16 of the Special Well Rules (page 181 of the B.S.O. Appendix)

it is competent for a Rev Inspector (as was done in the present case) to have made the inspection of the land before the loan was granted. From the subsequent portions of the said rule, it will be seen that only half the amount of the loan should be paid in the first instance, and that the second instalment should be paid on the application of the borrower and if work is found to have been done to the value of the first instalment. The Officer, however, whose duty it is to make this intermediate inspection, and measure and estimate the work done, is not specified; but it is presumed that he should be one not below the Rank of a Revenue Inspector.

Mus 4.11.98 RS 4-11-98

PTO

Secy

With reference to the
Hon Members ~~query~~ regd
above, it is submitted:-

(1) Dy Taly (now Taly)
MRA A. Kameswara Rao
Bahadur sanctioned the
loan on the report of
Rev Inspector Purneayya
Hemasundara Rao
Bahadur. The
Rev Inspector had
authority to inspect
& value (Vide Rule 16
of the old Special Well
Rules in G.O. $\frac{434}{7-6-86}$ & Rule
XIV of the new consolidated
Rules in G.O. $\frac{884}{22-10-97}$ - the
loan was 100 Rs 200 the Rl.
Cl have inspectn & values
~~stock~~ under the new Rules)

I do not under-
stand the Secy to refer
to this Dy Tahsildar
however:

(2) Dy Taly
MRR S.V. Madalliar
Bahadur issued the final
order vi. confirming the

the loan. But, as the Bd point out, no inspection appears to have been made to see whether the 1st instalment had been properly expended nor again to see whether the whole loan when had been properly utilised and the work properly completed. Dy Pahildar S.V. Madalli's said PWD has verified these points before confirming the loan Indents the Secy to refer to him. The Bd says that the explanation of the Officers concerned on this point do not appear to have been taken.

The Bd might it is suggested, be asked to see that the explanations are taken now & the misconduct

Secy. Please see Draft. Sir presumed that the amount Rs 5-8-10 is still not pucka recovery from

The sum of Rs 5-8-10 reported to be irrecoverable with a view to Recommended by the Bd of Revenue

G.O. may.

2. In observes in para 3 read above that no inspection of the well appears to have been made either before the grant of the second instalment of the loan or before the issue of the final loan order, and that the explanations of the Officers concerned on this point do not appear to have been taken. The Bd will be requested to see that these explanations are now taken and the misconduct if established of the officers at fault suitably dealt with. ~~The amount recommended for writing off as irrecoverable balance.~~

Mc 22.11.98

Sd 23/11/98

To the Board of Rev (Rev. Sett) with Enclosures in original returned.

Sd 19-11-98 copy to the Dy Accountant General

Sd 19-11-98

MS. 2-3.

23-11-98

...records from the charge of the Rec...

Regular

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When given for copying____
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READ AGAIN G.O., No. DATED 189 ,

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.
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...e loan. But, a
...ed points:'
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...em.

...e

...are taken now & the misconduct
of establishes similarly dealt with

also ... from the ... all parts ...