Sectt. II-27—45,00 —13-11-35.

Judicial (1880 ~~193~~) Department.

Ordy SERIES.

G.O. No. 1390 – 1391

DATED 12 - 6 - 1880

Confidential

[Despatch Abstract.]

Rampa Country—

Expropriation of the ex-Mansabdar of Rampa—

BACK PAPERS.

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

FURTHER PAPERS.

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

CONFIDENTIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

12th June 1880, No. 1390.

Rampa Country.

Read the following papers :—

No. 78. *From* C. BERNARD, *Esq.*, C.S.I., *Officiating Secretary to the Government of India, Home, Revenue, and Agricultural Department (Police), to the Secretary to the Government of Madras, dated Fort William, 25th March* 1880, *No.* 117.

I am directed to acknowledge your letter, No. 259, dated the 10th ultimo, forwarding Proceedings of the Madras Government, which contain Mr. Sullivan's report on the Rampa outbreak of 1879 with the orders passed by the local Government thereon.

a Covering letter

2. The causes of the insurrection are clearly explained in this report. It is evident that the ex-Mansubdar had long alienated the feelings of his feudatories, the hill muttadars, by systematic encroachment upon their rights. Of late years he has been openly annexing muttas and enhancing their quit-rents, till in 1879 he had appropriated nine out of the twenty-three muttas which find a place in the agreement of 1847-48. The discontent thus engendered was aggravated by the imposition of the tax on toddy trees in 1875 ; and the proximate cause of the outbreak was the Mansubdar's attempt to share in the profits of the new taxation by levying a similar cess on his own account. The remedial measures adopted on the suppression of the outbreak have been the reduction of the toddy tax to a nominal figure, the deportation of the Mansubdar and his sons, and the resettlement of the country, by direct engagement with the muttadars, on the basis of the agreement of 1847-48.

3. Pending receipt of a further report concerning the shortcomings of the district officers and the notice taken thereof, the Governor-General in Council approves the action of the local Government and the orders issued as to future administrative arrangements. But there are two points which require further consideration. In the first place, it has to be decided whether the police in Rampa should be the ordinary civil constabulary or a semi-military force. I am to request that the Government of India may be favored with the views of the Madras Government upon this point, accompanied by a copy of any report which may be, or may have been, made by the Inspector-General on the subject.

4. The second question is the legality of the expropriation of the Mansubdar. In the papers submitted there is nothing to show whether the Government has the power to confiscate the Mansubdar's rights, or resume the tenures on which he holds either in the hills or in the plains. It appears to the Governor-General in Council that the legal position of the measure adopted in the case of the Mansubdar

should be ascertained, so as to prevent difficulty arising hereafter. If it is not within the legal power of the Government to expropriate the Mansubdar, the aid of the legislature must be sought; as it is clearly desirable that he should not have it in his power to regain his position by instituting suits in the Courts. I am accordingly to suggest that His Grace the Governor in Council may be moved to examine this matter carefully, in consultation with the law officers of the Madras Government, and to favor the Government of India with the result of the investigation.

No. 79. No. 1205.

The Government of India, in acknowledging the letter of this Government of the 10th February last, forwarding G.O., 16th January, No. 109, which disposed of Mr. Sullivan's report on the result of his investigation into the causes of the outbreak in the Rampa country, observe (paragraph 4) that "in the papers submitted there is nothing to show whether the Government has the power to confiscate the Mansubdar's rights, or resume the tenures on which he holds either in the hills or in the plains." They suggest that the matter may be carefully examined in consultation with the law officers of this Government, and the result communicated in due course to the Government of India.

2. His Grace the Governor in Council remarks that the matter has already been fully considered by this Government at an early stage of the disturbances; paragraph 16* of the order on Mr. Sullivan's report merely giving formal effect to the judgment which His Grace had long felt must be ultimately passed. The case on which the Government proceeded will now be stated for the opinion of the Advocate-General; it being noted that the Mansubdar has been made a State prisoner, and is now under detention, though not in close custody, at Berhampore; a sum of Rs. 200 a month being assigned for his maintenance.

3. The military forces of the great Zemindars of the Northern Circars—who, from the cession of the Circars by the Mogul in 1765 down to the date of the permanent settlement early in the present century, were treated by the East India Company as feudal chiefs and not merely as hereditary collectors of the revenue—principally consisted, as is shown by the Fifth Report and other authoritative documents, of powerful tenants, styled Mokhasadars, Manovartidars or Mansubdars, holding their lands either totally or partially free of assessment on the condition of turning out with their adherents, whenever summoned to repel invasion or to maintain internal order.

XXV, 1802.

4. This was the position of the Mansubdar of Rampa under the Zemindar of Peddapore,—a landholder whose vast estate (paying nine lakhs peishcush) was sold for arrears of revenue and purchased by the Collector for the Government in 1847. At the permanent settlement—as the Mansubdar paid no quit-rent to the Zemindar, and as by Section 5 of the Regulation under which the settlement was formed, "all lands heretofore applied to the support of police establishments shall be disposed of in such manner as the Government may think fit"—the connection between the Mansubdar and the Zemindari of Peddapore was severed; and owing to the attention of the officers of Government being directed to other matters, the Mansubdar was for some years left without proper control or supervision, and he became practically independent. His turbulent and rebellious proceedings led at length to the resumption of the six villages which he held at the base of the Rampa hills,—a punishment which led him shortly after (1813) to make his submission to the Government, binding himself and his heirs, among other stipulations, "to seize and send in all suspicious persons, thieves, and malefactors; enjoying the taluk and the protection of the Company's laws, so long as these conditions are fulfilled, but in case of failure to be dealt with as rebels."

5. The Mansubdar, just mentioned, died in 1835; his son, the present Mansubdar, being a minor and illegitimate, and there being some special causes of discontent arising out of the rapacious system established by his father in his dealings with the chief people of the taluk—was forced to fly the country; and it was only in 1848, through the influence of the Collector, that matters were adjusted.

6. On this occasion the Mansubdar acknowledging the ancient police tenure of his estate, further bound himself to abide by the terms of the new agreement then entered into with the subordinate muttadars under the auspices of the Collector, viz., that no more than 1,000 rupees should thereafter be paid or exacted from them in respect of the hill country; and that no sums whatever should be levied beyond the said shist under any name or pretext whatsoever. Then follows the penalty to which he admits his liability in breach of either covenant, viz., "should I levy more shist than the 1,000 rupees or make irregular collections, or, secondly, become unable to prevent disturbances in the taluk, the Sarkar may, for the first offence, resume two of my mukhasa villages, for the second offence, two more of the said villages; while for the third offence, the Sarkar may resume my whole estate, and I will then receive for my subsistence such allowance as the Sarkar may determine." That he has systematically, continuously, and repeatedly broken every pledge, year by year, since his re-investiture, and has by consequence been the prime author of the recent disturbances, there is notorious and overwhelming proof. In eight muttas he ousted the lawful incumbents or their heirs; in others the quit-rent had been doubled, while a considerable revenue has been annually exacted by fuel rents, grazing taxes, and other unauthorised cesses.

7. It may be mentioned, *ob iter*, that owing to the Mansubdar's misconduct in 1862, the Collector and the Board of Revenue strongly recommended the total resumption of his tenure, accompanied by the grant of a small pension for his maintenance. The Government, however, contented themselves with imposing a quit-rent on the Inam, or a sum estimated to cover one-third the annual cost of the two police thánas which they deemed it expedient to establish in the Rampa country.

(Signed) R. DAVIDSON,
Chief Secretary.

20th May 1880.

---

* 16. His Grace the Governor in Council considers this a fitting opportunity of formally declaring that for gross misconduct and oppression the Government have cancelled absolutely and for ever the Mansubdari tenure of Rampa and the mukhasa tenure of the villages in the plains hitherto held by Ram Bhupati Deo. The Government Agent will issue a Notification accordingly.

No. 80. *From the Hon. P. O'SULLIVAN, Advocate-General, to the Chief Secretary to Government, dated Ootacamund, 24th May 1880, forwarding the following:—*

OPINION.

With reference to the Proceedings of Government, Judicial Department, dated the 20th May 1880, No. 1205, I think, upon a consideration of the facts stated therein, the Government was legally justified in resuming the villages held by the Mansubdar. Prior to the permanent settlement the Mansubdar held the estate upon the condition of aiding, by himself and his adherents, the Zemindar of Peddapore in repelling invasion and maintaining internal order. The estate of the Zemindar of Peddapore was purchased by the Government in 1847. It is not probable that the Mansubdar was required to render any service to the Zemindar after the permanent settlement, the Government having, as I assume, taken upon itself the duty of repelling invasion and maintaining order. It would, therefore, seem that the Zemindar, if so minded and the Government acquiesced, might have resumed the estate of the Mansubdar either by entry or by suit in the Civil Court, by reason of the non-performance of the services, and in that case a new tenure would probably have been created whereby the Mansubdar would be bound to pay a quit or other rent to the Zemindar. It is not stated whether any connection existed between the Zemindar and the Mansubdar after the permanent settlement, nor do I know whether the villages held by the Mansubdar were mentioned or included in the Sanad given to the Zemindar in pursuance of Regulation XXV of 1802. The inference I draw from the facts stated is that the estate of the Mansubdar was not included in the Sanad. In that case it would be a question whether the lands held by the Mansubdar were "lands heretofore applied to the support of police establishments" within the meaning of Section 5 of the above Regulation, so as to be at the disposal of the Government; I think they were, judging by the transactions of 1813 and 1848 hereafter referred to.

The terms of the submissions made by the Mansubdars in 1813 and 1848 set forth in paragraphs 4 and 6 of the Proceedings of Government, show that they acknowledged that they held the estate from the Government, and were liable to be ejected if they failed to perform the conditions therein stated. In considering the effect of these documents, it would be necessary to ascertain the state of education and intelligence of the persons who signed them; for I believe the inhabitants of that district were not at the time regarded as wholly reclaimed from barbarism; but, in the absence of documentary evidence, in the shape of grants, showing the nature of their tenure, these acknowledgments are cogent evidence against the persons who signed them and their successors in estate. At all events, I think a *primâ facie* case is made out warranting the course adopted by the Government. The Mansubdar, if minded to resort to litigation, must show title in himself. He cannot claim a title by adverse possession as against the Government in the face of the acknowledgments already referred to and probably other evidence which might be forthcoming, nor can he claim to be put back into possession under Section 9 of the Specific Relief Act, 1877, for no suit can be brought under that section against the Government.

OOTACAMUND,
24*th May* 1880.

(Signed) P. O'SULLIVAN,
Advocate-General.

No. 81. ORDER THEREON, 12th June 1880, No. 1390.

Ordered that the following letter be despatched to the Government of India, (confidential):—

(Here enter 12th June 1880, No. 1391.)

(True Extract.)

R. DAVIDSON,
Chief Secretary.

To the Honorable the Advocate-General.

Govt. of 1880 Madras.

JUDICIAL.

To

The Hon. the ADVOCATE-GENERAL.

Dated June, 12th.

Issued

Recd.

Encl.

G.O., 12th June 1880, *No.* 1390.

JUNE.

Nos. 78—82.

Rampa Country.—The Government of India informed that, in the opinion of the Advocate-General, this Government was legally justified in directing the expropriation of the ex-Mansabdar of Rampa, and that therefore resort to legislation is unnecessary.

CONFIDENTIAL.

JUDICIAL DEPARTMENT.

Rampa Country.

No. 1391.

From

R. DAVIDSON, Esq., C.S.I.,
Chief Secretary to the Government of Fort St. George,

To

The SECRETARY to the GOVERNMENT of INDIA,
Home Department.

Sir,

Referring to paragraph 4 of your letter, No. 117, on the question of the legality of the expropriation of the ex-Mansabdar of Rampa, I am directed by His Grace the Governor in Council to transmit copy of the marginally-noted papers for the information of His Excellency the Governor-General in Council.

Pro. of Govt., Judl., No. 1205, dated 20th May 1880.
From Advocate-General, dated 24th idem.

2. It will be seen that, in the opinion of the Honorable the Advocate-General, the Government are legally justified in the measures they have adopted. Resort to legislation is therefore unnecessary.

3. The question of the future police arrangements in the disturbed tracts, noticed in paragraph 3 of your letter, is under consideration.

I have the honor to be,
Sir,
Your most obedient servant,

(Signed) R. DAVIDSON,
Chief Secretary.

Ootacamund,
12th June 1880.

Regr. No.

HOME 1880 DEPT

[ ]

From the Government of
Fort St. George.

Dated 12th June 1880. | No.
Issued | Enclosures
Recd. | Spare copies

D. No. Progs.
L. No. 1391. No.

Rampa Country.—Informing the Governm
of India that, in the opinion of the Advoca
General, this Government was legally justified
directing the expropriation of the ex-Mansub
of Rampa, and that therefore resort to legislat
is unnecessary.

No. 117

R. D.
1 APL 80

From

C. Bernard Esquire, C.S.I.,
Offg: Secy. to the Govt. of India,

To

The Secretary to the Government
of Madras.

Fort William, the 13 March 1880.

R. V. A. Deptt.
Police

Sir,

I am directed to acknowledge your letter No. 259, dated the 14th ultimo, forwarding proceedings of the Madras Government which contain Mr. Sullivan's report on the Rampa outbreak of 1879, with the orders paſsed by the Local Government thereon.

2. The causes of the insurrection are clearly explained in this report. It is evident that the ex-Munsubdar had long alienated the feelings of his feudatories, the hill muttadars, by systematic encroachment upon their rights. Of late years he has been openly annexing muttas and enhancing their quit rents, till in 1879 he had appropriated nine out of the 23 muttas which find a place in the agreement

of 1847/48. The discontent thus engendered was aggravated by the imposition of the tax on toddy trees in 1875, and the proximate cause of the outbreak was the Munsubdar's attempt to share in the profits of the new taxation by levying a similar cess on his own account. The remedial measures adopted on the suppression of the outbreak have been the reduction of the toddy tax to a nominal figure, the deportation of the Munsubdar and his sons, and the resettlement of the country, by direct engagement with the muttadars, on the basis of the agreement of 1847/48.

3. Pending receipt of a further report concerning the shortcomings of the District Officers and the notice taken thereof, the Governor General in Council approves the action of the Local Government and the orders issued as to future administrative arrangements. But there are two points which require further consideration. In the first place it has to be decided whether the Police

in

in Rampa should be the ordinary civil constabulary or a semi-military force. I am to request that the Government of India may be favoured with the views of the Madras Government upon this point, accompanied by a copy of any report which may be or may have been, made by the Inspector General on the subject.

4. The second question is the legality of the expropriation of the Munsubdar. In the papers submitted there is nothing to show whether the Government has the power to confiscate the Munsubdar's rights or resume the tenures on which he holds either in the hills or in the plains. It appears to the Governor General in Council that the legal position of the measures adopted in the case of the Munsubdar should be ascertained, so as to prevent difficulty arising hereafter. If it is not within the legal power of the Government to expropriate the Munsubdar, the aid of the legislature must be sought; as it is clearly desirable that he should

not have it in his power to regain his position by instituting suits in the Courts. I am accordingly to suggest that His Grace the Governor in Council may be moved to examine this matter carefully, in consultation with the Law Officers of the Madras Government, and to favour the Government of India with the result of the investigation.

I have the honor to be
Sir
Your most obdt. Servant.

C. Bernard
Offg Secy to the Govt. of India

Confidential
From the Government of India
Home Department
Dated 25th March
Recd 1st April /80
No. 117.

No 1114

Requesting to be favored with the views of the Madras Govt. on the point whether the Police in Rampa should be the ordinary Civil Constabulary or a semi-military force, and with the results of the investigation in consultation with the Law Officers into the question of the legality of the deposition of the Mansabdar.

Confidential

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

READ ~~the following~~ letter from Govt. of India dated 25th March 1880, No 117 - Home Deptt. Police

Order dated 20th May 1880. No 1205.

The Govt. of India, in acknowledging the letter of this Govt. of the 10th February last, forwarding G.O. 16th January No 109, which disposed of Mr. Sullivan's Report on the result of his investigation into the causes of the outbreak in the Rampá country - observe (para 4) that "in the "papers submitted there "is nothing to show whe-"ther the Govt. has the "power to confiscate "the Mansubdar's rights "or resume the tenures "on which he holds either "in the hills or in the "plains". They suggest that the matter may be carefully examined in consultation with the Law Officers of this Govt., and the result communicated in due course to the Govt. of India.

2. His Grace the Governor in Council remarks that the matter has already been fully considered by his Govt. at an early stage of the disturbances — para 16 of the Order on Mr. Sullivan's report merely giving formal effect to the judgment which His Grace had long felt must be ultimately passed. The case on which the Govt. proceeded will now be stated for the opinion of the Advocate General; it being noted that the Mansabdar has been made a State Prisoner and is now under detention, though not in close custody, at Berhampore — a sum of Rs. 200 a month being assigned for

His Grace the Governor in
ouncil considers this a
tting opportunity of formally
eclaring that for gross
isconduct and oppression,
he Govt. have cancelled abso-
lutely and for ever the Man-
abdari tenure of Rampa
nd the Mukhasa tenure
the villages in the plains
itherto held by Ram Bhu-
pati Deo. The Govt. Agent
vill issue a Notification
ccordingly. —

for his maintenance

3. The military forces of the great Zamindars of the Northern Circars — who, from the cession of the Circars by the Mogul in 1765 down to the date of the Permanent Settlement early in the present century, were treated by the East India Company as feudal chiefs and not merely as hereditary collectors of the revenue — principally consisted, as is shown by the Fifth Report and other authoritative documents, of powerful tenants, styled Mokkasadars, Manovartidars or Mansabdars, holding their lands either totally or partially free of assessment on the condition of turning out with their adherents, whenever summoned to repel invasion or to maintain internal order.

4. This was the position of the Mansabdar of Rampa under the Zamindar of Peddapore — a landholder whose vast estate (paying 9 lacs peskhash) was sold for arrears of revenue and purchased by the Collector for the Govt. in 1847. At the Permanent Settlement — as the Mansabdar

paid no quit rent to the Zamindar, and as by Section V of the Regulation under which the Settlement was formed, "all lands heretofore "applied to the support "of Police establishments "shall be disposed of "in such manner as "the Govt. may think "fit" – the connection between the Mansabdar and the Zamindari of Peddapore was severed; and owing to the attention of the officers of Govt. being directed to other matters, the Mansabdar was for some years left without proper control

XXV. 1802

or

or supervision, and he became practically independent. His turbulent and rebellious proceedings led at length to the resumption of the six villages which he held at the base of the Rampa hills – a punishment which led him shortly after (1813) to make his submission to the Govt., binding himself and his heirs, among other stipulations, "to seize "and send in all suspicious persons, thieves "and malefactors; enjoying the taluk and "the protection of the "Company's laws, so

"long as these conditions
"are fulfilled, but in
"case of failure to be
"dealt with as rebels."

5. The Mansabdar, just mentioned, died in 1835; his son, the present Mansabdar, being a minor and illegitimate, and there being some special causes of discontent arising out of the rapacious system established by his father in his dealings with the chief people of the taluk – was forced to fly the country; and it was only in 1848, through the influence

of

of the Collector, that matters were adjusted.

6. On this occasion the Mansabdar, acknowledging the ancient Police tenure of his estate, further bound himself to abide by the terms of the new agreement then entered into with the subordinate Muttadars under the auspices of the Collector, viz. that no more than 1000 Rs. should thereafter be paid or exacted from them in respect of the Hill country; and that no sums whatever should be levied beyond the said Shist

under any name or pretext whatsoever. Then follows the penalty to which he admits his liability in breach of either covenant - viz, "Should I levy more "Shist than the 1,000 "Rs or make irregular "collections, or, secondly, "become unable to "prevent disturbances "in the taluk, the Sarkar "may, for the first "offence, resume two "of my Mukhasa villages, for the second "offence, two more of "the said villages; while "for the third offence, "the Sarkar may resume my whole estate

"estate, and I will then "receive for my subsistence such allowance "as the Sarkar may "determine". That he has systematically, continuously and repeatedly broken every pledge, year by year, since his re-investiture, and has by consequence been the prime author of the recent disturbances, there is notorious and overwhelming proof. In eight muttas he ousted the lawful incumbents or their heirs; in others the quitrent had been doubled, while a considerable revenue has been annually exacted by Fuel rents, grazing taxes and other unauthorized cesses. -

7. It may be mentioned, obiter, that owing to the Mansabdar's misconduct in 1862, the Collector and the Board of Revenue strongly recommended the total resumption of his tenure, accompanied by the grant of a small pension for his maintenance. The Govt. however contented themselves with imposing a quit-rent on the Inam, or a

(for [illegible]
to be written
two words obiter

a sum estimated to cover one third the annual cost of the two Police thánas which they deemed it expedient to establish in the Rampá country.

To the Advocate General

Despd 20/5

Ex Mansab
Ramp

Pro 20 May

To

Dated
Recd.

Nos.

1880, No.

25/5
9/6

(2)

Confidential

R.D.
24 MAY 80

Opinion

With reference to the Proceedings of Government, Judicial Dept., dated the 20th May 1880, No 1205, I think, upon a consideration of the facts stated therein, the Government was legally justified in resuming the villages held by the Mansabdar — Prior to the permanent settlement the Mansabdar held the Estate upon the condition of aiding, by himself and his adherents, the Zemindar of Peddapore in repelling invasion and maintaining internal order. The Estate of the Zemindar of Peddapore was purchased by the Government in 1847. It is not probable that the Mansabdar was required to render any service to the Zemindar after the permanent settlement.

the Government having, as I assume, taken upon itself the duty of repelling invasion and maintaining order. It would therefore seem that the Zemindar, if so minded and the Government acquiesced, might have resumed the Estate of the Mansabdar either by entry or by suit in the Civil Court, by reason of the non-performance of the services, and in that case a new tenure would probably have been created whereby the Mansabdar would be bound to pay a quit or other rent to the Zemindar. It is not ~~certain~~ stated whether any connection existed ~~before the~~ between the Zemindar and the Mansabdar after the permanent settlement ~~[illegible]~~ ~~permanent~~ ~~settlement~~, nor do I know whether the villages held by the Mansabdar were mentioned or included in the Sunnud given to the Zemindar in pursuance of Regulation XXV of 1802. The inference I draw from the facts stated is that the Estate of the Mansabdar was not included in the Sunnud. In that case it would be a question whether the lands held by the Mansabdar were lands "heretofore applied to the support of "Police Establishments" within the meaning of Section 5 of the above Regulation so as to be at the disposal of the Government. I think they were, judging by the transactions of 1813 and 1848 hereafter referred to.

The terms of the submissions made by the Mansabdars in 1813 and 1848 set forth in paras 4 and 6 of the Proceedings of Government, shew that they acknowledged that they held the Estate from the Government and were liable to be Ejected if they failed to perform the Conditions therein stated. In considering the Effect of these documents it would be necessary to ascertain the state of Education and intelligence of the persons who signed them; for I believe the inhabitants of that district were not at the time regarded as wholly reclaimed from [illegible] barbarism; but, in the absence of documentary Evidence, in the shape of grants, shewing the nature of their tenure, these acknowledgments are cogent Evidence against the persons who signed them and their successors in Estate. At all events I think a prima facie case is made out warranting the course adopted by the Government – The Mansabdar, if minded to resort to litigation, must shew title in himself. He cannot claim a title by adverse possession as against the Government in the face of the acknowledgments already referred to and probably other Evidence which might be forthcoming; nor can he claim to be put back into possession under Section 9 of the Specific Relief Act 1877 for no suit can be brought under that Section against the Government.

P. O'Sullivan
Advocate General

Ootacamund
24th May 1880.

Rd 25/11/80

D.
MAY 80

Ootacamund 24th May 1880

From the Hon'ble P. O'Sullivan,
Advocate General,

To R Davidson Esq C. S. I.
Chief Secretary to Government,
Ootacamund.

Sir

I have the honour to send you herewith my Opinion upon the Question referred to me by the Proceedings of Government, Judicial Dept., dated the 20th May 1880 No 1205.—

I have the honor to be
Sir
Your most obedient humble Servant
P O'Sullivan

From Mr. Advocate General

Dated 14
Recd 14 } May/80.
No.

Encl. 1

No. 1777

Submitting opinion on the question as to the legality of the action taken by Govt. in deposing the ex Mansabdar of Rampa.

(3)

Judicial DEPARTMENT.

No. 1114

From the Govt. of India, Home Dept.

Dated 25th March 1880

FOR ORDERS.

Refer Govt. to the Law Officer to report on the points raised 5 Ap

Yes but I think on review of the case it must be very clearly ~~[illegible]~~ to the Law Officer before his opinion is obtd. &

This paper has considerately been sent to me under the supposition that I was to leave Madras to day — but I do not do so until after Council on Tuesday. I beg that the ordinary course may be pursued & that I may see the case last.

U. 3/4

c 2/4

Rampa Countr

FOR ORDERS.

Do to A me

A. 10.11.80

please put up the C.A.S. [illegible] up the whole Rampa file [illegible] of India has been [illegible] — it has not any [illegible] Rampa and [illegible] — I will put it out with a draft to [illegible]

[illegible]

I think the particulars of the arrangement by which we accepted, or rather undertook the police of the Munsabdar's Villages security — & took a money payment therefor should be fully set out for G. Gen — as it may be held to justify or affect the original nature of the tenure

Fort. Dept.

the matter has already been full

Incl. desp.

and the several breaches of
his agreement which ar
duly — as justifying the tota
forfeiture — sd also be set for
for the Adv. Gen —

---

and the last sentence of draft I would
omit — it will be properly fra
in a draft Provisional after receipt of Adv. G
Opinion

7/5

to the Govt. at an earl

(3)

Attended to
L

Keep with Judicial letter to G. of I. No. 1

Judl. Dept.

Confidential

Prepare tel. I see no [illegible] in sending the [illegible] for Mr O'S. [illegible] our Prop. [illegible] facts & grounds [illegible] precedent being fully stated. [illegible]

See separate sheet

W.H.

E.B.
16/5/80

Read letter from Govt. India:
d/ 25th March /80

No 11 / Home Dept. Public.
Order. 20 May 1880. No. 1205.

The Govt. of India, in acknowledging the letter of this Govt. of the 10th Feby last, forwarding G.O. 16th Jany No 109, wh. disposed of Mr Sullivan's Report on the results of his investigation into the causes of the outbreak in the Rampa Country – observe (para 4) that "in the papers submitted there is "nothing to show whether the Govt. has "the power to confiscate the Mansabdar's rights or resume the tenures "on wh. he holds either in the hills "or in the plains". They suggest that the matter may be carefully examined in consultation with the Law Officers of this Govt., & the result communicated in due course to the G. of India.

2. His Grace the G. in C. remarks that the matter has already been fully considered by this Govt. at an earlier stage of the disturbances – para 16× of the Order on Mr Sullivan's report merely

---

16. × H. G. the G. in C. considers this a fitting opportunity of formally declaring that for gross misconduct & oppression, the Govt. have cancelled absolutely & for ever the Mansabdari tenure of Rampa & the Muttahdari tenure of the villages in the plains hitherto held by Ram Bhupati Deo. The Govt. agent will issue a notification accordingly.

Causes of discontent arising out of the rapacious system established by his father in his dealings with the chief people of the taluk – was forced to fly the country and it was only in 1848, through the influence of the Coller, that matters were adjusted.

6 - ~~[illegible]~~ On this occasion the Mansabdar, acknowledging the ancient Police tenure of his estate, further bound himself to abide by the terms of the new agreement then entered into with the subordinate Muttadars under the auspices of the Coller, viz, that no more than 1000 Rs. shd thereafter be paid or exacted from them in respect of the Hill country and that no sums whatever shd be levied beyond the said Rust. under any name or pretext whatsoever. Then follows the penalty which he admits his liability in breach of either covenant, viz – "Shd I levy more Rust than the 1000 Rs "or make irregular collections, or, should I "become unable to prevent disturbances "in the taluk, the Sarkar may, for the first "offence, resume, two of my Muttahs "villages; for the second offence, two more "of the said villages; while for the third "offence, the Sarkar may resume my "whole estate, and I will then receive "for my subsistence such allowance as the "Sarkar may determine". That he has ~~broken~~ continuously & repeatedly systematically broken every pledge, year by year, since his re-investiture, and has ^ been the prime author of the recent disturbances – there is notorious & overwhelming proof & and His Excy. being as at present advised, considers that the proceedings of Govt. in the ^ ~~[illegible]~~ of the ex Mansabdar's, cannot be ^ challenged in any Municipal Ct.

^ treatment

successfully

^ by consequence

25/5 15/5/-

The eight muttahs [illegible] incumbent on their heirs; on these the quit rent had been doubled, while a considerable revenue [illegible] annually or [illegible] by [illegible] grazing Taxes & other [illegible] cesses.

7. It may be mentioned, ~~Mr Ritter~~, that owing to the Mansabdar's misconduct in 1862, the Coller & the Board of Rev. strongly recommended the ^ resumption of his tenure, accompanied by the grant of a small pension for his maintenance. The Govt however contented themselves with imposing a quitrent on the tenure, or a sum estimated to [illegible] one third the annual cost of the two ~~[illegible]~~ Police thanas it was deemed it expedient to establish in the Rampa country.

18/5/0

Rampa Country

Judl Dept

14

Confidential

Read the following papers.

✓ From G. I. Home Dept No 117 d/ 25th March /0.

✓ Proft Govt No 1205 d/ 20-5-0.

✓ - From Advgenl. d/ 24th May /0.

Order 12 - June 1880 No 1390.

ordered ~~that~~ the following letter be desp – to G. I. (Confidential)

No 1391 To Secy. G I. - Home Dept

Sir - Referring to para 4 of yr letter No 117, on the question of the legality of the expropriation of the ex Mansabdar of Rampa, I am directed by H. G. the Gov. in C. to transmit copy of the marginally noted papers for the information of His Excy the G. G. in C.

2. It will be seen that, in the opinion of the Advgenl, the Govt. ~~[illegible]~~ the measures they have adopted are legally justified - Resort to legislation is therefore unnecessary -

25/5/0.

Despt. of G. O. of letter to G. I. on 14/6.

Despatch with copy of papers 12/6.

Pro. Govt. Judl No 1205 d/ 20-5-0

From Advgenl d/ 24 [illegible]

26/5

2. The question of the future [illegible] the disturbed tracts, [illegible] in Para 3 of the letter [illegible] under consideration. [illegible] 11/6

Ootacamund 12th June 1880

Scott. II.37—4

Depart

Govt. of {1880} M

4299/80 Judicial

G. O. 7/12 June 1880, No. 1

Nos. 78 82

Rampa Country The
Govt of India infor
that in the opini
of the Advocate Ge
this Govt was lega
justified in direc
the expropriation
of the ex-Mansaba
of Rampa, and th
therefore recourse to legislation
is unnecessary.

Print 2 8 0 ...
20 copies
15 copies col

1876