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MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1011 Press
Mis.

67-68

Dated 8. 5 — 1861.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 8th May 1861.

No. 67. Read the following letter from G. N. TAYLOR, Esq., Inám Commissioner, to J. D. BOURDILLON, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Palmanér, 25th April 1861, No. 30:—

SIR,

I have the honor to submit for the approval of Government a draft of the instructions which I propose to issue for the guidance of the Deputy Collectors employed in the investigation of Inám tenures in South Arcot, and solicit their orders especially on paragraphs 7 to 10, having reference to certain tenures peculiar to the Cuddalore Táluq forming one of the old possessions of the Company on this coast.

Proceedings of the Inám Commissioner, dated Palmanér, 25th April 1861, No. 213.

Read letters, dated 8th January and 9th March 1861, from Deputy Collector M. Sadasiva Pillai reporting on the Inám tenures of South Arcot.

1. This District forms the southern portion of the Arcot Subah, ceded by the Nawáb of Arcot to the British Government in the year 1801. It also comprises the chiefship of Cuddalore, one of the oldest possessions of the Company in Southern India, and the Táluqs of Chedambaram and Mannárgudi, which were transferred from Trichinopoly and annexed to this Collectorate in Fasli 1214.

2. The District having for the most part remained under the direct management of Government, the accounts available for the verification of Inám titles are numerous, and more than usually perfect. The chief accounts for reference are the Survey accounts of Fasli 1215, which are more than 50 years old, the Inám Register prepared between 1216 and 1224, and the Inám Statement of 1826-27, prepared after the termination of the Decennial lease. Annual accounts of Ináms are taken during the Jamabandi Settlement, which are of service only to prove the existence of the Inám in each particular year. In the Cuddalore Division there are three small Mutthás which were permanently settled in Fasli 1217. The Survey accounts of Fasli 1215 contain a complete record of the Ináms existing previous to the formation of the Mutthás, and those alone will fall under the present inquiry. There is also the Kolliamilli Jáhgír and a few other private estates, which reverted to Government about 1829, regarding the Ináms in which the Deputy Collector's report is silent.

3. Under a Ryotwári Settlement checked by a Survey, no opportunities have existed for the creation of new Ináms, nor is there reason to believe that any considerable encroachments have been made upon Government land. The old Survey Assessment having been recently revised, and reduced in all the Táluqs of the District, except Cuddalore, Chedambaram and Mannárgudi, the reduced Assessment will be adopted in those Táluqs for the Inám Settlement.

4. In Cuddalore a temporary reduction of 20 per cent. has been made in the Patta Beriz of the Ryots, pending a Survey and classification of the lands. The same reduction will be allowed in the recorded Assessment of the Inám lands. The Deputy Collector, however, reports that this will not sufficiently reduce the higher rates in some of the villages which are now so high as Rupees 28 and 32 a Cawny. The only remedy for this, it appears to the Commissioner, is to adopt a maximum wet Assessment of Rupees 12 per Cawny, the highest rate fixed by the new Survey in other Táluqs of South Arcot, and to reduce all Assessments which may still be above 12 Rupees a Cawny after the 20 per cent. reduction, to that standard.

5. The new Assessment fixed by the Survey being about to be introduced in Mannárgudi and Chedambaram, the same will be adopted for the Inám Settlement in those Táluqs. The new Survey areas will also be adopted for the Ináms, and any excess which may have been discovered will be treated according to the recent orders of the Secretary of State.

Order of Government, 16th November 1805.

6. There are few tenures in this District requiring special orders. The Kattubadi Ináms having been declared by Government to be life tenures will be

enfranchised on a quit-rent of one-half the Assessment in addition to the Jódi now borne by them. The few Kávali Ináms which occur in the Cuddalore Táluq will be subject to the same terms of enfranchisement unless it can be shown that the obligation to render service has been authoritatively removed. The Uru Mányams, corresponding with the Gráma Mányams in Chingleput, have in South Arcot been resumed with the office Mirási of the Village Headmen. A few Mányams of this class occur in the Cuddalore Táluq, where they do not appear to retain their original character. They will be now treated as personal Ináms, which is the light in which they have been hitherto regarded in the District.

7. Another tenure peculiar to the Cuddalore Táluq is that of the Dufter Inám Gardens. A list of these tax free gardens situated in the Farm of Fort Saint David was submitted to Government in a letter from the Chief in Council, dated 22nd October 1775, in which he observed that these gardens could be sold, whilst Ináms could not; and he finally requested the instructions of Government as to "whether the Mányamdárs and possessors of gardens shall have confirmed to them the lands they "now hold." No orders appear to have been passed by Government. In 1847 the Board of Revenue, in reporting upon the conflicting claims advanced to one of these gardens, referred* to the above view of their tenure; and the Supreme Government in finally referring the claims to the Civil Courts observed that the "garden lands being essentially a description of private property, come scarcely "within the scope of Regulation IV of 1831 of the Madras Code, like the Srotriyams referred to." In 1848, the Madras Government adopted† the same view in disposing of the claims to another of these gardens; and in 1850 the Board of Revenue, on a reference from the Collector, restricted‡ the above orders to those cases in which the lands "were of the description mentioned, and situated within the Farm of Fort Saint David."

* From Board to Government, 4th January 1847.

† 8th August 1848.

‡ Proceedings of the Board, 12th August 1850.

8. So far these gardens appear to have been treated as already free-hold in their nature; and if they are still held to be so, no settlement will remain to be made by this Commission, though a separate register of them might be prepared for purposes of future reference. But there are other gardens of a precisely similar nature in the Farm of Tiruvendrapuram of the Cuddalore Táluq, and not included in the report of the Chief in Council, which have been also permitted to be sold or alienated by the holders. So likewise have the Ináms which were expressly declared to be inalienable in the report of the Chief in Council. The right to sell, unless warranted by the terms of the grant, or the express declaration of Government, cannot be treated as a recognized feature of the tenure. Permanency was unknown to the grants made under the Mahomedan rulers of the country; but it is possible that in Cuddalore which was an early English settlement, English ideas of freehold regulated the rights of private property. On the other hand many of the gardens have no grants to support them, and many others were given by the subordinate officials of the Chief in Council, who had no right to alienate the land revenue in permanency.

9. The Commissioner is not aware of any peculiarities in these tenures which ought to place them in a different position from the Asalminha gardens of Rajahmundry; unless the Government are of opinion, in reference to the views hitherto expressed in regard to them, that the gardens entered in the statement submitted by the Chief in Council should be respected as free-holds to which no additional rights can be conferred by this Commission. In this case, those of the similar gardens situated in the Farm of Tiruvendrapuram, which, though not included in the above report, were granted as free-holds by the early English Governors of the Presidency, ought to be treated with the same indulgence. In regard to the other gardens not so supported, the Commissioner is of opinion that the rules§ sanctioned by Government for the Asalminhas of Rajahmundry will properly apply to them, that is, gardens which have been cultivated and enjoyed rent free for fifty years will be treated as valid Ináms, and enfranchised on ¾ths quit-rent, and gardens, which, though enjoyed rent free, are considered liable to Assessment when cultivated, as well as those which are less than fifty years old, will be enfranchised on a quit-rent of one-half of their Assessment. Those gardens for which no Assessment is entered in the accounts are to be assessed at the same rates as are charged

§ 3rd January 1860.

for adjoining Government lands of similar quality, but without reference to improvements made by the holders.

10. The Pudu Tóttams in the same Táluq, which originated subsequent to the Dufter gardens, but are entered in the Survey accounts now fifty years old, will be treated on the same principles; but no gardens within the village site are to be brought under the present settlement.

11. The Deputy Collectors will not act upon the instructions regarding the special tenures in this District, till they have received the sanction of the Government.

No. 68. ORDER THEREON, 8th May 1861, No. 1,011.

1. The Governor in Council approves generally of the instructions issued by the Inám Commissioner for the guidance of the Deputy Collectors engaged in investigating the Inám tenures of South Arcot, and passes the following orders on the special points referred to in paragraphs 4 to 10 of the Commissioner's instructions.

2. As to the Inám lands in the Cuddalore Táluq, the twenty per cent. remission alone can be allowed in anticipation of the Survey. These lands are of peculiar value both from their situation and their alluvial soil, and they are very profitable notwithstanding their high Assessment.

Paragraph 4.

3. The few Uru Manyams referred to in paragraph 6 as occurring in the Cuddalore Táluq, will, as the Commissioner proposes, be treated as personal Ináms, which is said to be the light in which they have been hitherto regarded in the District.

4. The Dufter Inám gardens situated in the Farm of Fort Saint David, and the other gardens of a precisely similar nature in the Farm of Tiruvendrapuram of the Cuddalore Táluq, which, though not included in the report of the Chief of Council of October 1775, were granted as free-holds by the early English Governors of the Presidency, will be regarded as free-holds already, and free-hold Title Deeds may accordingly be granted for them. The other gardens not supported in the same manner will be treated as valid Ináms, or enfranchised, or assessed, on the terms mentioned in paragraph 9 of the Commissioner's instructions.

5. The Pudu Tóttams in the Cuddalore Táluq, referred to in paragraph 10, will be treated on the like principles, as proposed by Mr. Taylor.

(Signed) J. D. SIM,
Secretary to Government.

No 213.

Proceedings of the Inám Commissioner dated Palmanair 25th April 1861.

Read letter dated 8th January and 9th March 1861 from Deputy Collector Mr. Sadasiva Pillai reporting on the Inám tenures of South Arcot.

1. The District forms the Southern portion of the Arcot Subahship ceded by the Nabob of Arcot to the British Government in the year 1801. It also comprises the Chiefship of Cuddalore, one of the oldest Possessions of the Company in Southern India, and the Talugs of Chidambaram and Mannárgudi which were transferred from Trichinopoly and annexed to the Collectorate in Fusli 1214.

2. The District being for the most part ummined under the direct management of Government, the accounts ummanie for the verification of Inám titles are numerous and have always been regularly preser-

The

The chief accounts for reference are the Survey accounts of Fasli 1215 which are more than 50 years old, the Inám Register prepared between 1216 & 1224, and the Inám Statement of 1822-23 prepared after the termination of the Dravanti lease. Annual accounts of Ináms are taken during the Samudaváni settlement which are of service only to prove the existence of the Inám in each particular year. In the Cuddalore Division there are three small Mustáh which were permanently settled in Fasli 1217. The Survey accounts of 1215 contain a complete record of the Ináms existing previous to the formation of the Mustáhs, and these alone will fall under the present inquiry. There is also the Rottamilli Jaghir and a few other private Estates, which reverted to Government about 1829, regarding the Ináms in which the Deputy Collector's report is silent.

3. Under a Rayatwári settlement checked by a Survey, no opportunities have existed for the creation of new Ináms, nor is there reason to believe that any considerable encroachments have been made upon Government land. The old Survey assessment having been recently revised, and reduced in all the Taluqs of the District, except Cuddalore, Chidambaram and Mannárgudi, the reduced assessment will be adopted in those Taluqs for the Inám settlement.

4. In Cuddalore a temporary reduction of 20 per Cent has been made in the Patta Rates of the Rayats, pending a Survey and classification of the lands. The same reduction will be allowed in the recorded assessment of the Inám lands. The Deputy Collector, however, reports that this will not sufficiently reduce the higher rates in some of the Villages which are now subject as Rs 28 & 32 a Káni. The only remedy for this, it appears to the Commissioner, is to adopt a maximum Inám assessment of Rs 12 per Káni, the highest rate fixed by the new Survey

in

in other Taluqs of South Arcot, and to reduce all assessments which may still be above ——— 12 Rs a Rani after the 20 per Cent reduction, to that standard.

5. The new assessment fixed by the Survey being about to be introduced in Mannargudi & Chitambaram, the same will be adopted for the Inám settlement in those Taluqs. The new Survey areas will also be adopted for the Ináms, and any excess which may have been discovered will be treated according to the recent orders of the Secretary of State.

6. There are few tenures in this District requiring special orders. The Kattu-Cudi Inams having been declared by Government × order of Gov.t 16 Nov.r 1806. to be life tenures will be enfranchised on a quit rent of one half the assessment in addition to the Jodi now borne by them. The few Kávali Ináms which occur in the Cuddalore Taluq will be subject to the same terms of enfranchisement

this seems correct — W.M.

unless it can be shewn that the obligation to render service has been authoritatively removed. The Ulu Mániyams, corresponding with the Grama Mániyams in Chengalpat, have in South Arcot been assumed with the Office hereditary Village Headmen. A few Mániyams of this class occur in the Cuddalore Taluq, where they do not appear to retain their original character. They will be now treated as Personal Ináms, which is the light in which they have hitherto regarded in the District

yes W.M.

7. Another tenure peculiar to the Cuddalore Taluq is that of the Duffer Inám Gardens. A list of these tax-free gardens situated in the Farm of Fort St David was submitted to Government in a letter from the Chief in Council dated 22d October 1775, in which he observed that these Gardens could be sold, whilst Ináms could not, and he finally requested the instructions of

of Government as to "whether the Hindu and Mahomedan Proprietors of Gardens shall have confirmed to them the Lands they now hold." No order appears to have been passed by Government. In 1847 the Board of Revenue, in replying upon the Conflicting Claims advanced to one of these gardens, referred to the above view of their tenure, and the Supreme Government in finally rejecting the claim of the Civil Courts assumed that the garden lands being specifically a description of private property, came within the scope of Regulation IX of 1831 of the Madras Code like the Shrotriyams referred to. In 1848 the Madras Government adopted the same view in disposing of the claims to a number of these gardens, and in 1850 the Board of Revenue, on a reference from the Collector, restricted the above orders to those cases in which the Lands "were of the description mentioned, and situated within the Farm of Fatteh Durwaze"

× Board's Proc. 4 Jany 1847

× 8 August 1848

× Proc. of the 2/12 August 1850.

8. So far these gardens appear to have been treated as already free-hold in their nature; and if they are still held to be, no settlement will remain to be made by this Commission, though a separate Register of them might be prepared for purposes of future reference. But there are other gardens of a precisely similar nature in the Farm of Triwindipuram of the Cuddalore Taluq, and not included in the Report of the Chief in Council, which have been also permitted to be sold or alienated by the Collector of Cuddalore to different persons, the validity of which sales was expressly declared to be unalienable in the Report of the Chief in Council. The right to sell, unless warranted by the terms of the grant or the express declaration of Government, cannot be treated as a recognized feature of the tenure. Permanency was unknown to the grants made under the Mahomedan rulers of the Country; but it is possible that in Cuddalore which was one early

early English settlement, English ideas of freehold regulated the rights of private property. On the other hand many of the gardens have no grants to support them, and many others have been given by the subordinate Officials of the Chief in Council, who had no right to alienate the Land Revenue in perpetuity.

9. The Commissioner is not aware of any peculiarities in these tenures which ought to place them in a different position from the Malabar gardens of Rajamundry which the Government are of opinion, in reference to the views hitherto expressed in regard to them, that the gardens entered in the Statement submitted by the Chief in Council should be accepted as freeholds to which no additional rights can be conferred by this Commission. In this Case, those of the similar gardens situated in the Farm of Tiruvendrapuram, which, though not included in the above report, were granted as freeholds by the early English Governors of the Presidency

3 January 1860.

Wh

with the same indulgence
Regard to the other gardens not enumerated,
the Commissioner is of opinion that the
Rules sanctioned by Government for the
Malabar of Coimbatore will properly
apply to them, that is, gardens which have
been cultivated and enjoyed rent-free
for 50 years will be treated as entitled
Rāms, and enfranchised on 18 Pattah,
and gardens which though enjoyed rent-free
are considered liable to assessment when
cultivated, as well as those which are
less than 50 years old, will be enfranchised
on a Quit Rent of one half of their assessment
Three gardens for which no assessment
is entered in the accounts are to be inspected
at the same Rates as are charged for adjoining Government Lands of similar
quality, but without reference to improvements made by the holders.

10. The Cudee Tottams in the same Taluq, which originated subsequent to the Duplex Grants, but are included in

in the Survey Accounts now 50 years old, will be treated on the same principles; but no gardens within the Village site are to be brought under the present settlement=

The Deputy Collector will not act upon the instructions regarding the special tenures in this District, till they have received the sanction of the Government

F. Liardet

Asst. Commissioner

Received ..... Revenue Dept.

No. 1011.

Proceedings of the Madras Government
Under date the 8th May 1805
Read the following letter
from the Board Commrs

Submits for the sanction
of Govt a draft of the instructions
which he proposes to issue for the
guidance of the Dy Collrs employ-
ed in settling Inam Estates of Circar

Here enter as per Consl of 30th Apl 1805.

To the Hon.ble in Council

approves generally of the instruc-
tions issued by the Board Com-
for the guidance of the Deputy
Collrs engaged in investigating
the Inam tenures of South Arcot
and passes the following orders
on the special points referred to
in paras 4 to 10 of the Comrs in-
structions.

Para 4.

2. As to the Inam lands
in the Cuddalore taluq, the two
per cent per annum alone may be allowed
in anticipation of
and the survey cancelled. These
lands are of peculiar value both
from their situation and their
alluvial soil, and

Inclosure

Copy of a letter from
the Board Commrs
dated 23d Septr 1805
with
Copy of Instructions
for Assistant
Collectors Duties

Received 10th Octr 1805

Public Department
Fort St George

To
The Hon.ble
The Board of Commissioners
for the Ceded Districts
Gentlemen

I am directed by the Right Hon.ble
the Governor in Council to transmit
to you the enclosed Copy of a Letter
from the Secretary to the Board of
Revenue dated the 23d Ultimo with
the Instructions which accompanied
it for the guidance of the Assistant
Collectors employed in settling the
Inam Estates of the Circars.

I have the honor to be
Gentlemen
Your most obedt Servt
Fort St George
Public Office
3d October 1805

Chief Secy to Govt

they are very profitable
~~three crops, and one of high~~
lace notwithstanding their ad-
vancement.

3. The five Maniyams
referred to in para 6 as occurring
in the Cuddalore taluq, will,
as the Govt proposes, be treated
as personal inams, which is said
to be the legals in which they
have been hitherto regarded in the
district.

The Eighteen Inam Gardens

Gardens situated in the Farm of
Fort St. David, and the other Gar-
dens of a precisely similar nature
in the Farm of Tiruvendrapuram
of the Cuddalore taluq which, tho'
not included in the report of
the Chief of Council of Feb. 1775,
were granted per freehold. by
the early English Govrs of the
Presidency, will be regarded as pri-
vileges already, and freehold title
deeds may accordingly be granted
for them. The other gardens not
excepted in the same manner
will be treated as valid Inams
or enfranchised, or assessed, on
the terms mentioned in para
9 of the Govrs instructions.

5. The Pandaram Tottams in the
Cuddalore taluq referred to in
para 10, will be treated on the
like principles, as proposed by
Mr. Taylor.

J. D.S

21 Copies. Inam Commissioners Copies
13 " Board of Revenue.

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Revenue 1861 Dept
Proc of Govt for May.

No 1011

Proc of the Madras Govt
Dated 8th May 1861.

Con^d investigations for re-
-settling Inam Lands
in S. Arcot.

29-4-12

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Approves with some
observations the Inam
Commissioners instruc-
tions to the Dt Collectors
for the settlement of Inams
in South Arcot

No 67 & 68