M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1213 Press / Mis.

176.

Dated 18th June 1861.

Not to be folded or roughly handled

Vide

Proceedings of the Madras Government, Revenue Department, 18*th June* 1861.

No. 175. Read the following Proceedings of the Board of Revenue, dated 2nd May 1861, No. 2,248 :—

Read letter from the Acting Collector of the Kistna District, dated 28th March 1861, No. 74.

(In Cons. 6th April 1861, No. 2,120.)

1. The Collector here forwards for favorable consideration, the claim to succeed to the allowance of Rupees 50 per mensem enjoyed by his deceased mother, preferred by Manikyarao Jangana Raú, late Zamíndár of Repalle.

2. The grounds on which the claim is recommended are that in the case of the late Sattenapalli Zamíndári, which is similarly situated, the claim of the ex-Zamíndár to succeed to his mother's pension on her demise is undisputed; that the Proceedings of Government granting the pension to the Zamíndár and his mother, do not state that on her death her portion of it was to be resumed by Government, and that the "Savaram" or home-farm lands as well as the garden or tope lands were granted rent free during the life of the mother only, so that the means of the ex-Zamíndár will be considerably reduced.

3. The Collector adds that the former lands have been lately enfranchised by the Inám Commissioner at a quit-rent of Rupees 58, and presumes that the tope land should be dealt with by that Officer under the rules laid down in paragraph 5 of his letter to Government, dated 19th December 1859, and on this point the Board quite concur with Mr. Thornhill.

Enclosure in from Government, Revenue Department, No. 4, 3rd, in Cons. 7th January 1860, No. 90.

4. The Zamíndári of Repalle was one of the five Zamíndáris forming the ancient "Circars" of Guntoor, and was with the others sold for arrears of Peshkash and brought in by Government, a maintenance allowance being at the same time granted to their proprietors.

5. The allowance for the proprietors of this Estate, as well as of the other properties noticed by the Collector was fixed by Government in their Proceedings, dated 8th November 1845, No. 1,295, as per margin.

	Rs.
Zamíndár of Sattenapalli, per mensem.....	300
Zamíndár of Repalle, per mensem.. Rs. 250	
His mother..... 50	
	300
	600

In Cons. 10th November 1845.

6. The Collector states, that when Rupees 50 of the allowance of Rupees 300 granted to the Sattenapalli Zamíndár was ordered to be paid to his mother, "there was an express under-"standing that on her decease the pension enjoyed by her should revert to her son," but the Government Order quoted by him* merely declares that on her death the altered circumstances of the family may be re-considered.

* No. 389, 3rd, in Cons. 6th April 1846, No. 1,054.

7. The Board, however, consider that it would only be an act of justice to give back the 50 Rupees to the Zamíndár in the event of his mother's death, as this sum was included in the original grant made to him, but afterwards in consequence of family quarrels paid to the mother separately.

8. A perusal of Mr. Stokes' letter to the Board† in which the maintenance-grants to the two ex-Zamíndárs were recommended, will show that in recommending the allotment of the Repalle allowance in the manner in which he did, he was influenced by the request of the Zamíndár's mother, made in this case *before* the sanction of Government was obtained, as in the case of the Sattenapalli allowance it was made after.

† Dated 29th, in Cons. 25th July 1844, No. 1,648.

9. The Board are, therefore, of opinion that the grants in both cases are on precisely the same terms, and that if it was the intention of Government to permit the Sattenapalli Zamíndár to succeed to his mother's quota of the pension, the Repalle Zamíndár should be granted the same indulgence.

10. The Board, therefore, resolve to submit the matter for the favorable consideration and orders of Government.

(A true Extract.)

(Signed) R. A. DALYELL, *Sub-Secretary.*

Proceedings of the Madras Government, Revenue Department, 18th June 1861.

No. 176. ORDER THEREON, 18th June 1861, No. 1,213.

1. In paragraph 2 of these Proceedings the Board state the reasons which have influenced the Collector in recommending to the favorable notice of Government the claim of the ex-Zamíndár of Repalle to succeed to the allowance of 50 Rupees, enjoyed by his recently deceased mother, Raugamma.

2. The principal one appears to be the analogous case of the Sattenapalli Zamíndár, to whom an allowance of 300 Rupees per mensem was granted at the same time that a grant of Rupees 250 per mensem was made to the Zamíndár of Repalle, and 50 Rupees to his mother.

3. The Sattenapalli allowance was afterwards divided in a similar manner, that is to say, on the complaint of the Zamíndár's mother, 50 Rupees a month were apportioned to her, and the remaining 250 Rupees continued to the ex-Zamíndár.

4. The Board consider that there is no difference between the two grants, *i. e.*, the terms on which they were made are the same; and that if it was the intention of Government that the Sattenapalli Zamíndár should, on the demise of his mother, succeed to that portion of the original pension which was subsequently made over to her, a similar indulgence should be allowed to the Repalle Zamíndár.

5. The Board point out (paragraph 6) that the Collector is in error in supposing that there was an express understanding that on his mother's death the ex-Zamíndár of Sattenapalli should succeed to her allowance, but they take the opportunity of expressing their opinion that such restoration of the allowance in question would simply be an act of justice.

6. They therefore, in fact, propose that the Repalle Zamíndár should be treated in the same way.

7. There is good reason however for apprehending that in granting a pension of 250 Rupees to the Repalle Zamíndár, while the Sattenapalli Zamíndár received Rupees 300, an intentional difference was made; for the Collector in reporting* on the complaint made by the Sattenapalli Zamíndár, in regard to the division of *his* pension, proposed that the sum of 50 Rupees which had been withdrawn, should, on the decease of the Zamíndár's mother, be restored, because the original allotment of Rupees 300 per mensem to this Zamíndár had been made "to place him on a par with the proprietors of the *equal* estate of Chilkaloorpad" (who received 300 Rupees between them), "and in a relative position with the proprietor of the *smaller* estate of Repalle."† This shows that it was not intended to treat the two ex-proprietors, as the Board would have it, "on precisely the same terms," and the conclusion to which the Board have come is hardly warranted by the facts of the case.

* 21st February 1846.

† Who received Rupees 250.

8. The other reasons adduced by the Collector are of no very cogent nature. In the one an admission of right is sought to be based on the omission of a positive declaration that such and such a course would be carried out on the mother's death; a negative species of argument at the best, and not strengthened by the view which Government took of the Sattenapalli claim in 1846; and in the other, the reduced circumstances of the Zamíndár in consequence of the cessation of his interest in certain Inám lands is brought forward as a ground for compassion, when in reality the operation of the Inám rules has given the Inám a stability, and the Zamíndár an interest therein, which neither the one nor the other possessed before.

9. Under these circumstances, and as the ex-Zamíndár still has the 250 Rupees which he has all along enjoyed, the Government do not see any necessity for continuing to him the charitable allowance of Rupees 50 lately drawn by his mother now deceased.

(Signed) C. G. MASTER,
Deputy Secretary to Government.

IN CONS. 6TH APRIL 1861, No. 2,120.

From G. THORNHILL, Esq., Acting Collector of the KISTNA DISTRICT,
dated Masulipatam, 28th March 1861, No. 74.

I do myself the honor to bring to the notice of the Board a claim advanced by Manikyarao Janganarao, ex-Zemindar of Repalli estate, in the Guntoor portion, to the pension enjoyed by his mother Raugamma. Her death, which happened on 14th July last, was reported to the Civil Auditor on the 24th idem; the portion of the pension drawn by her was stopped from the date of her death.

2. From the Extract Minutes of Consultation, dated 8th November 1845, No. 1,295, it appears doubtful whether it was the intention of the Government to make the mother's pension a separate grant, or to assign to her a portion of her son's allowance.

3. In the case of Sattenapalli Zemindar, referred to in the same Minutes of Consultation, Rupees 300 was originally granted to him; but subsequently on dissensions arising in the family, 50 Rupees was deducted from the total allowance and given to the mother, with the express understanding that on her demise the portion enjoyed by her would revert to the son.

Approved by the Board in their letter to Government, dated 12th March 1846, and sanctioned by Government, E. M. C., 3rd April 1846, No. 389.

4. The case under report differs from the other in the mother's portion having been set apart from the first by Government, instead of by subsequent orders, and in the absence of any direct assurance that it should revert on the mother's death; and the petitioner's request is therefore submitted for the favorable consideration of the Board.

5. I would at the same time bring to their notice, as indirectly bearing on the claim, that petitioner's mother possessed 5* cuchels of savaram or "home farm" lands and ¾ths of a cuchel of garden or tope land. The savaram lands were granted to her free of tax for her life, (Extract Minutes of Consultation, 15th May 1850). The Inam Commissioner assessed the land with quit-rent at 58 Rupees and granted her a Freehold putta; but before the putta was issued the mother Rangamma Rao died. The title deed was then called back to the Commissioner's office, and retransmitted to the Tahsildar for delivery to her son. The value of this land is stated to be Rupees 152-5-8 by the Tahsildar, according to the rates of adjacent lands, as per accounts of Fasli 1262.

* Acres 116-20.

6. The value of the land* under tope is stated to be 19 Rupees 4 Annas; this tope was, with others, left in the possession of the holder for life free of tax, E. M. C. 15th May 1850, No. 493, but it has not come under the enquiry of the Inam Commissioner; it should, however, I conclude be treated under the rules laid down in the Inam Commissioner's letter to Government, dated 19th December 1859, No. 312, paragraph 5.

* 15 Acres, 14 Goontas.

7. A copy of the title deed and translations of the ex-Zemindar's petition, and of his kaifeyet regarding the savaram lands, are herewith submitted.

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ENC. 1.

ABSTRACT.—Copy of Title Deed.

—

ENC. 2.

ABSTRACT—Translation of an Arzi.

—

ENC. 3.

ABSTRACT.—Translation of Kaifeyet.

Exd. J. Tulloch.

Näiseyet or Malement given by Pajah a Ramiah
Räo Jungama Räo Surdasa mook Mannavar
Cheara Mootuja nagar Zemindar of Vesiallu
Tálug -

Dated 9th August 1860.

In the Village of Vachoor, 5
Koochels of Savaram land and a
Garden consisting of 3/4 Koochel
of land were held in my mothers
name. - There are documents for the
former land only - The Garden was
dedicated from the Zemindar -
1,210 a Doombala (permit) was given
by the then Zemindar named Pajah
Ramiah Räo Shavanarayana Räo
to the effect that the 5 Koochels of
Savaram land usually enjoyed
from former times by Chendamma
and Venkamma elder sisters of
Nangamma, was granted to them
After the Tálug had come under
a Malsaju Venkatagoonda Räo he
granted

Enclosure No 1 in the Proceedings of the Board of Revenue to the Secretary to Government Revenue Department dated 2nd May 1861 No 2248.

Encl 3. ofs

Letter from the Acting Collector of the Kistna Division to the Secretary to the Board of Revenue dated 28th March 1861 No 744 regarding the claim preferred by Pajah Zemindar.

granted Jaghirs, Doombalas, &c. for the Sarvaram lands in question, as in the case of the Inám lands situated in his Talug-ems, since it has been enjoyed by Chinnamma and Venkammas. The former having died, it was enjoyed by the latter from Fasli 1773 — Venkammas executed a Will to her younger Sister Rangamma on Saturday the 7th of Jeja Tiyeavar Khalu. Cor. year Khara. The Sarvaram Land was afterwards enjoyed by Rangamma from Fasli 1780, when the then Zemindar Rajah Malrajew Lakemayah granted Doombalas to the said Rangamma. On her representation made on the 5th July 1831 When I was under minority, that the said Sarvaram Land as well as the Gardens, premises & real property as also the allowance might be included

under the minors estate, the then Collector ifsued an Enquiry and under date the 13th June 1831, that "the allowance having been granted "by another Zemindar, could not be "Continued, that as the entire estate "referred to above was made over "to you, it is proper to keep it "in your Inspection."

Amarawaty Seshaya the Deputy Collector of the Inam Commission received the Documents &c. connected with the said Sarvaram Land & Statement as in the received a Statement as in the case of all the Inám Lands granted in the Talug of Nalgajeram and gave a Receipt for the Patta.

Afterwards Rangamma executed to me a Will on the 13th July 1830. making over to me the entire real & personal property and died the next day — 4th Mr Holker stated in the Enquiry issued

ceived on the 21st June 1850 that the Savarayan Land and Garden referred to above, were to be enjoyed by Ningammma during her life; nevertheless as the said Savarayan Land is situated in another Estate, the Zemindar of which granted Proclamation &c. as in the case of all the Indian Lands granted by him, as the Deputy Collector of the Indian Commissioner considered that it should be treated as in the case of the said Indian Lands; and as it will be perceived by the Order that the said Savarayan Land &c. are to be enjoyed from generation to generation, & being the sons and sole heir of the said Ningamma, pray that the said Savarayan Garden may be ordered to be continued to me agreeably to the Will executed by my mother - Shri Shrifigal signed with my consent.

(Signed) Sabbarayen
Poroovellam Vythil
on behalf of Rajah
Mandeya Vaio Jungam
na Vaio Sundara Row
yer Samayar Ciboar
& Maarlajamagan &c.

(True Translation)

J Thomhill
(Acting Collector)

Copy
J Thomhill
H.C.

Translation of an Urzee submitted to the Collector of the Nilwa District by Rajah. C. Narsihiya Rao Jungamma Rao Zemindar of Vopalle Taluq Sir Dasaramoolu Manager Cheeya Moosteja managers &c.

Dated 30th August 1860.

The Government was pleased to fix a monthly allowance of 300 Rupees from my Estate, promising that they will increase and restore it to me and make suitable maintenance will be allowed until that time. My mother received a sum of 1000 Rs. 50 per month and of the said allowance. She having died on the 11th July of this year the 50 Rs received by her should be paid to me. In the same manner an allowance of 300 Rs was fixed to Rajah. Narsimha Venkatagopala Rao the Zemindar of Vallanapalli of which

sum

1861 Dept.

No. 2 Letter from the Collector of Nellore Dated 28th March 1861

Received

Translation of Petition

sum' her mother received Rs 50
on a separate receipt, but the said
Gopala Rao thinking that the said
sum would not be paid to
him after her demise petitioned
on the subject to Government -
Whereupon Mr Stokes the then
Collector informed him in the
month of April 1846 that the
Government had communicated
to him thro the Board of Revenue
that as it [illegible] was so fixed
with the view of preventing disputes
it would certainly be paid to
him after her demise - Copy
of that sum yet remains in hereunto
sent - Considering that Govern-
ment will be pleased to act
in the same manner in respect
to all others, I did not therefore
make any written representation
on the subject - I therefore respectfully
pray

pray you will be pleased to bring
the said circumstance also in to
your consideration and obtain
sanction to pay me the allowance
including the Rs 50 received by
my mother - Please take this
into your consideration -

30th August 1850. (Signed) Rajah
Mambeya Rao
Jungama Rao
Srinivasa -

(True translation)

Rammell
Acting Collector

Compd
J B Lumsden
HC

1861 Dep.t
In a Letter from the
Offg Collector of
Kistna District
dated 28th March 1861
No 76

Recd

Rs 1129/67

Translation of an
Orgie -

Rs 2120 of 1865

arising from your defective title.
The Inam is confirmed to you
in Fee & Col. In other words, the
Land will be your own absolute
property to hold or dispose of as
you think proper, subject only
to the payment of the above
mentioned Quit Rent.

3. If you should desire
to commute the Quit Rent for the
payment of a sum of money,
once for all equal to 20 years
purchase of the Quit Rent, you
will be at liberty to do so.

Dated Palmanair (Signed) G. J. Taylor
18th September 1860 & Inam Commissioner

True Copy

Asstt
H Blenkha.
HC

Acting Caine Dr

Rev. 1129.

In Para 2 of their Proceedings the Board state the reasons which have influenced the Collector in recommending to the favorable notice of Govt the claim of the ex-Zamindar of Repalle to succeed to the allowance of 50 Rs. enjoyed by his recently deceased Mother Rangamma.

2. The principal one appears to be the analogous case of the Sattenapalli Zamindar to whom an allowance of 300 Rs per annum was granted at the same time that a grant of Rs. 250 per annum was made to the Zamindar of Repalle, 250 Rs to his Mother.

3. The Sattenapalli allowance was afterwards divided in a similar manner, that is to say, on the complaints of the Zamindar's mother, 50 Rs a month were apportioned to her and the remaining 250 Rs continued to the Zamindar.

4. The Board consider that

1811 Oct 4

In a Letter from the Collector of Masulipatam Dated 28th Augt 1811.

No 1129

Rec'd

Copy of Letter Recd.

Fort St George
Castle Office
4th Octr

there is no difference between the two grants, i.e. the terms on which they were made are the same; and that if it was the intention of Govt. that the Sattenapalli Zamindar should, on the demise of his Mother, succeed to that portion of the original pension which was subsequently made over to her, a similar indulgence should be allowed to the Repalle Zamindar.

5. The Board finish out (para 6) that the Collector is in error in supposing that there was an express understanding that on his Mother's death the ex-Zamindar of Sattenapalli should succeed to her allowance - but they take the opportunity of expressing their opinion that such restoration of the allowance in question would simply be an act of justice.

6. They therefore, in fact, propose that the Repalle Zamindar should be treated in the same way.

7. The Collector, Mr Stokes, in his letter of June 1844, (referred to by the Board in para 5 of their Proceedings)

in speaking of the allowances which he had already proposed for certain of the ex-Zamindars states that "Ranganayaka the Mother of the Repalle Zamindar pleads earnestly for a separate allowance," and begs on to recommend "that 50 Rs. a month, the sum heretofore fixed for her, may be paid separately"

8. There is some reason however for apprehending that [redacted] in granting a pension of 250 Rs. to the Repalle Zamindar while the Sattenapalli Zamindar will have Rs. 300, [redacted] an intentional difference was made. For when the Collector reported on the complaint made by the Sattenapalli Zamindar in regard to the division of his pension (Mr Stokes) proposed that the sum of 50 Rs which had been withdrawn, should, on his Mother's decease, be restored, the reason for the recommendation being that the original allotment of Rs. 300 per annum to this Zamindar had been made "to place him on a par with the Proprietors of the equal estates of Chikalooroopad" (who received 300 Rs. [illegible]) "and in a relative positio

21 Feb/46

Who rec'd Rs. 250-

"with the Proprietors of the smaller estate
"of Repalle". It is obvious from
this that it was not intended to
treat the two ex-Proprietors, as the
Board would have it "on precisely
"the same terms" - and there appears
no reason, with reference to
the Sattenapalli case, why the pre-
sent application should be complied
with; i.e. why the lapsed pension of
Rs 50 shd be granted to the Repalle
Zamindar.

9. The second reason for recommen-
ding such grant (Board's Proceedings
Para 2) is that the Govt order grant-
ing the pension to the Zamindar and
his Mother, provided that on
"her death her portion of it was to
"be resumed". This is a negative kind
of argument, and is not worth much.
in the Sattenapalli case even, though
the Collector knew all the reasons
for granting the original pen-
sion, the Govt never remarked that
their future decision would depend on
the circumstances of the family. It
is evident from this that the allow-
ance was merely complimentary,
and there is less to be said in favor of
the Repalle than the Sattenapalli case.

10. The third reason is that certain
Savaram garden lands were granted rent free
during the life of the Mother only,
so that the means of the ex-Zamin-
dar will be considerably reduced.
There may be some truth in this
but it is to be observed that just before
the late holder's death these lands
came under the operation of the Inam
Commission, and were made free
hold" with a moderate quitrent. The Zamin-
dar therefore has a firmer hold on
the land than he ever had before, and
in fact it is more valuable than
it ever was before.

The Zamindar then has no
claim as of right to the restoration
of the 50 Rupee pension. I see no
reason to continue it from motives
of compassion.

I think that the 50 Rs. were given for the maintenance of both & two
& see no reason why the demise of one should increase the
sum payable to the other. CGLee 1/6/67

This is a charitable allowance granted for
subsistence & may therefore I think cease with
the life of its recipient - the
ex Zamindar her son who still have the
Rs 250 on which he has hitherto subsisted -
the argument for giving him the Rs 50 hitherto
enjoyed by his mother are shewn in my opinion,
by the Collector to be untenable. JWL

Regd the Govt Sanction
of the Order

(7)

Memo for orders

Pension of the late Mother of the ex-Zamindar of Repalle in Guntoor

No. 12/13.

Proceedings of the Madras Government

Dated the 18th June 18[illegible]

Read the following Proceedings of the Board of Revenue

Forwarding with favorable [illegible] a letter from the Collector of the Kistna District [illegible] a pension [illegible] by the ex-Zamindar of Repalle [illegible] [illegible]

Revenue Department [illegible]

1. In Para 2 of these Proceedings the Board state the reasons which have influenced the Collector in recommending to the favorable notice of Gov't the claim of the ex-Zamindar of Repalle to succeed to the allowance of 200 Rupees enjoyed by his recently deceased Mother [illegible] Ranganamma.

2. The principal reason appears to be the inadequacy of the [illegible] Zamindar's allowance of 300 Rup[illegible]

Purpose for which person was
appointed to Committee that
account of expenses for meet-
ings was made to the Committee
of Purpose, and no expense to the
Colony.

2. The Committee
allowance was then examined
similarly in Minutes Paper
that it be sent on the completion
of the examined matter, for
Purpose was made unexpectedly
to hear that the remaining sum
Purpose obtained to the Colony
minutes.

3. The Committee
that there is a difference between
the two grants, i.e. the longer
which Engineer made out to
Jersey and that allowed the di-
rection of Govt that the Colony
Committee should on the
basis of between the amount
that portion of the original
grant which was subsequently
made over to the Jersey Co-
lonial Engineer should be

4. [illegible] 1846

5. The Committee
(Jersey) that the Committee
the amount expended
including that on his
shall be ex-Committee of
Settlement Act of 1846
to be allowed but that
the office shall be open
to inspection of the
public upon payment
of fees.

6. The Committee
propose that the Jersey
Committee should be
the

7. The Committee
recommend expenses
Purpose to the Colonial Committee
which the Settlement Committee
received Purpose upon which
Minute dispensed was made
on the Colonial Committee

etc

on the complaint made by the Sattenapalle Zemindar in regard to the division of his pension proposed that the sum of Rs 2½ which had been withdrawn, should, on the decease of the Zemindar's mother be restored, being the original allotment of Rupees 300 per annum made to that Zemindar and been made "to fluctuate in conformity with the Regulations of Government which at Chittoor and Guntoor have varied from Rupees 600 to Rupees 1200 per Annum)" and in accordance passed "with the Rupees of the Zemindary estate of Nopalle" This * who received Rs 2-50. shows that it was not intended by the Board that the Rupees the Board would have if "ever" "precisely the same terms" and the conclusion to which the Board have come is hardly warranted by the facts of the case.

5. The other reasons adduced by the Collector are of no very cogent nature.

See

Still the amount of right is sought to be based on the supposition of the positive declaration that such must subsequently would have arrived on the Mother's death; a negative Species of argument at the best and not strengthened by the views which Govt took of the Sattenapalle claim in 1846; and in the other two adduced circumstances of the Zemindar which Govt considered in consequence of the exposition of his interests and conduct towards Government brought forward as grounds for compassion, whereas in reality the operation of the Indian Rules has given the Zemindar Indian stability, and his interest therein, which would otherwise have been the other prospect before.

9. Under these circumstances, and as the Zemindar still has Rs 2-50

Rupees

Burpees which he had all along
enjoyed, the Govt do not see
any necessity for continuing
to him the hereditable allowance
of Burpees 30 Salt by Government by
his Mother now deceased.

Ejd

14 Copies
To the Board of Rev:
Ejd 3/8

Ejd

Revenue 1861 Departt.

Pro: of Govt. for June.

No. 1213.

Pro: of the Madras Government.

Dy 18th June 1861.

Declining to comply with the recommendation of the Board to permit the Ex. Zemindar of Pepalli to succeed to the allowance of 50 Rupees enjoyed by his deceased Mother Rungamma.

No. 175 to 176.