M.R.O. 1—32,000—18-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Political **DEPARTMENT.**

G.O. No. 304 Press Mis.

Dated 21-4-1857

Not to be folded or roughly handled

No. 7. of G. A

Government Agent's Office
9th January 1857.

From
Surgeon E. G. Balfour
Government Agent at Chepauk

To
J. Lycroft Esquire
Chief Secretary to Government
Fort Saint George

Sir,

The Right Honorable The Governor in Council in Extract Minutes of Consultation No. 17 of 1857 directs to be furnished with a list showing the several Leases referred to in my communication of the 27th December No. 159 of 1856, the dates when they were respectively executed; the Quit Rent payable Annually when any; the fines payable when and to what amount; and what have been and have not been duly paid according to the terms of the Lease. I have the honor to report that my former letter had reference to every original Grant or Indenture of Land leased by

Mr. O. Flew
on the old
form of
lease which
was not then
in use for the last 20
years

by this Government for building purposes to parties. The terms in the few Grants found amongst the records of the Carnatic Durbar, having attracted my attention, the facts as they subsequently were mentioned to me appear to be as follows:

2. The Lands are Granted for 99 Years for building purposes to be professed so long as a tenantable building remains thereon, at an Annual Quit Rent, with a fine every 30 Years of 30 Pagodas and renewable or not at the pleasure of Government at the end of 99 Years by payment of another fine of 100 Pagodas and if so renewed the Lease stands good for another 99 Years.

3. I have the honor to mention that copies of all the Leases in the Chepauk Palace can be furnished. But my letter had reference to the whole building Grants given by the Government, for which the annual Quit Rents are regularly demanded and paid but neither the 30 Years fine nor the 99 Years fine have ever, in any case, so far as I can understand, been even asked for; and however inadvertently the 30 Years fines may have been neglected the 99 Years fines or resumption need not in my opinion be so, and it was with this reason that I addressed Government. But the minute information required by Government can only be furnished by the Board of Revenue.

I have the honor to be,

Sir,

Your most obedient Servant,

Govt. Agents Office
9th January 1854.

Edward Balfour
Government Agent.

To.

J. Pycroft Esquire
Chief Secretary to Government
Fort St George

Ed BC

Political Departt.

No 304.

Extract from the Minutes of Consultation.

Dated 21st April 1857.

Read again

— letter from the Govt Agent at Chepauk dated 29th Decr 56 No 159

Read also the following Papers.

Letter from the Govt Agent at Chepauk (Hereunder 9th January 1857.)

Memo by the Dy Secy to Govt (" — 26th March 1857.)

1. Shortly after assuming charge of the Office of his Highness the late Nabob of the Carnatic, Dr Balfour brought to the notice of Government the existence of certain Deeds whereby Government had conveyed to the Nabobs their heirs, administrators and assigns certain lands within the Presidency limits on certain terms.

Here

2. These grants were Dr Balfour said, "merely 99 years leases on "a ghut rent, resumable "or not at the expiration "of that term... Fines are "payable every thirty years; "houses must be built on "the land and kept in "repair" - the lessee is not to sublet the premises to persons not under the license of the Company or in any way hostile to them. And at the expiration of 99 years, on payment of a fine of 100 Pagodas, then, "this Lease shall "and may be renewed "for a further term of "99 years upon such "terms and conditions as "may be deemed reasona- "ble."

Dr

7" Jany/57.

3 Dr Balfour believes that these periodical fines and their rights in reversion have been heretofore neglected by Govt. the first advisedly, and the second unwittingly and he recommends a scrutiny.

4 In reply he was requested to submit a list of the leases with full particulars and he explains that his letter had referred, not only to the Chepauk grants (copies of which can be had, if desired) but "to the whole of the "Building Grants given "by Govt" for which the "annual Quitrents are "regularly demanded and "paid, but neither the "30 years' fines nor the "99 years' fines have ever

4" idem.

in

"in any case, so far as I
"can understand, been
"ever asked for."

5. It appears from the Records of the Govt. office that these leases, the terms of which have been correctly described above, were first granted in the year 1774 tempore Governor Alexr. Wynch. The number on the roll is 1366. Some are for land in the Mofussil Cantonments and stations but the major part are for building sites in Madras itself. The Governor took a lease, as did Sir Hector Munro and many others.

6. The grants here alluded to were in the old form which has not been in use for the last 30 years. The more recent forms introduced in 1828 do not contain the stipulation for the 30 or 99 years fine. As regards the old grants the first of these conditions would seem newly to have been largely enforced and the 99 years fine if the grant is date only from the year 1774 has not yet become payable.

7. The Right Honble the Governor in Council would however wish to have some further information in respect to these grants. He resolves therefore to refer to the Government Agents letter and the Memo of correspondence drawn up by the Deputy Secretary to the Revenue Department

Department to view to
the Revenue Board
being called upon to
procure lists of the grants
of this description still
extant for lands either
at Madras or in the
Provinces with explana-
tion as to the nature
and extent of the pro-
perty held under each
of them, what Juries have
been paid and when
not paid, the circum-
stances under which
the demand was in-
termitted, with any other
particulars that may
be ascertainable. The
Government Agent will
also be requested to sub-
mit a list of these
grants held by the
Carnatic Sircar with
similar information
in

in respect to them as
far as he can afford
it.

Copy to the Revd Department
with a copy of above mentioned letters & Memo } Dispd. 21st
" Govt Agent at Chepauk Dispd 21st

19-5-94

Pol: Dr. to Eng of 22d July
No 11 of 1857 Paras 48 & 49.

Copy with copy of letter
and Memo sent to the
Hon'ble Coy's Solicitor
14th May 1858 No. 311

46 & 48

Give list of grants of
the description referred to
Bill extant for lands situ-
at Madras or in the Provinces
& to submit certain pro-
positions connected with
the conditions on which
these grants were made

25/11/58

In Dft to cons 21st April
Political 1857 Depart.

No. 304

Extract Mins: of Cons

of 21st April 57.

Forwarding the Govt
Agents letter on the sub-
ject of the grants of Lands
to the Ryotwarrs of the Pro-
vinces as well as the Dft
Secy's Memo: on the subject
to the Revenue Depart. in
view to the Revenue Board
being called upon to pro-

C 15 Dec
1216