Revenue Department

Minutes of Consultations

14th September 1858

Back N° 5 and 6

Order N° 1281 dy 8th September 1858.

No. 5. Read the following Remarks of the Board of Revenue, dated 19th August 1858, on the following Report on lapsed Enams, No. 3165.

* *In Consultation 30th June* 1858. From the Collector of North Arcot, dated 25th* May and 10th July† 1858.
† *In Consultation 19th August* 1858.

No. 1. The three enams in this case, comprize 12⅝ Cawnies of Nunjah and Poonjah land assessed at Rupees 63-4-5, situated in nine villages The first of these grants, consisting of 11 Cawnies, appear from a deed of gift dated 1753, to have been conferred on the grand-father of the deceased for his maintenance, by a person, who, in that document styles himself Mamlut-dar (a Head Revenue Officer) and who had no authority to alienate lands in perpetuity. Adverting however, to the ambiguity of the grant, the Board concur with the Collector, that it should be continued to the widow of the last holder who has been in possession of it since 1848, but as the grant was made by an incompetent authority, and the Sunnud evidently did not contemplate its perpetual continuance, they would restrict its enjoyment to her life.

C. O. B. 1st Vol. p. 405. 2. The claim of the adopted son is inadmissible from the circumstance of the adoption not having been registered under the orders of Government, dated 16th March 1846.

3. The second enam, viz. C. 11 A. 13 C. 4 granted by the same Officer, as appears from a Sunnud dated 1753, to a Byraghe for the erection of a Muttum for travellers and for the supply of refreshment. On the death of the grantee, the enam according to the custom of his fraternity in respect to succession, devolved on his disciple, who in 1806, alienated it by gift to the father of the deceased. As the enam has never been appropriated to the purpose for which it was given, and the incumbents have long resided in the Mysore country, the Board recommend its being resumed and incorporated with the Government lands.

4. The third enam, viz. C. 0-8-8 has been held without any document. In the talook Register, it is entered in the name of a person of whom nothing is known. In the absence of any documentary evidence in support of the grant, or of long possession, the Board propose that it be assessed to the revenue.

No. 2. 5. This case comprises three enams held by the same party. The first consists of half a Swasthyam‡ or share of C. 2-3-3 in the Agraharum village of Cherlanoor. The deed of gift dated 1763, assuming it to be genuine, shews that this village was originally obtained on Shotrium tenure at a quit-rent of 60 Caveripak Pagodas for the restoration of works of irrigation and re-establishment of a village from certain parties whose competency to make the grant is not apparent, and that with the view of founding an Agraharum, it was subsequently divided into 26 shares by the grantee, who assigned to one Shenevasa Iyengar half a share or C. 2-3-3 in perpetuity, subject to a quit-rent of Rupees 7-8-4.
‡ *Enclosure* 10.

6. The two Butwurthy Enams are not supported by any documents, nor do they appear in any accounts until 1809. The grantees and the object of the grants are alike unknown.

7. The three Enams have been repeatedly alienated; after having passed through several hands they were purchased in 1830 by the person, whose death is now reported, from her brother and sold by her for 130 Pagodas in October 1849, to her nephew, who is now in possession. Although the last sale occurred subsequently to the issue of the notification, dated 27th July 1848, yet as the three Enams have been held by the family by a bonâ-fide purchase since 1824, the Board recommend that they be continued to Kristnamacharry, nephew of the deceased, for life.

8. The lapses now reported occurred in 1848 and 1849, and no explanation is afforded by the Collector of the very great delay in disposing of the cases.

9. The Board request that in future the Enclosures of Enam Statements may be numbered with reference to the order of the cases.

(A true Extract.)

(Signed) J. D. SIM, *Secretary.*

Fort Saint George, Revenue Consultation of 14th September 1858.

No. 6. ORDER THEREON, No. 1221; dated 8th September 1858.

The recommendations of the Board of Revenue in the several cases reported on in these Proceedings, are approved; instructions should be issued to the Collector, accordingly.

2. The disposal of these cases by Government, has been much facilitated by the full and clear way in which they have been laid before them by the Board. In addition to the remarks contained in paras. 8 and 9, (in which Government concur,) the Board might have observed, that the orthography of Native names in the Statement is so defective, as to be almost unintelligible.

(Signed) T. PYCROFT,
Chief Secretary.

No. 3165.

Remarks of the Board of Revenue, dated 19th August 1858, on the following Report on lapsed Enams.

* In Con. 30th June 1858. From the Collector of North Arcot, dated 25th† May and 10th July* 1858.

† In Con. 19th August 1858.

No. 1. The three Enams in this case comprize 12§ Cawnies of Nunjah and Poonjah land assessed at Rupees 63-4-5 situated in nine villages. The first of these grants consisting of 11 Cawnies appear from a deed of gift dated 1753, to have been conferred on the grand-father of the deceased for his maintenance, by a person, who, in that document styles himself Mamlut-dar (a head Revenue Officer) and who had no authority to alienate lands in perpetuity. Adverting, however, to the ambiguity of the grant, the Board concur with the Collector that it should be continued to the widow of the last holder who has been in possession of it since 1848, but as the grant was made by an incompetent authority, and the Sunnud evidently did not contemplate its perpetual continuance, they would restrict its enjoyment to her life.

2. The claim of the adopted son is inadmissible from the circumstance of the adoption not having C. O. B. 1st. Vol. p. 405. been registered under the Orders of Government, dated 16th March 1846.

3. The second Enam, viz. C. 11 A. 13 C. 4 granted by the same Officer, as appears from a sunnud dated 1753, to a Byraghe for the erection of a Muttum for travellers and for the supply of refreshment. On the death of the grantee, the Enam, according to the custom of his fraternity in respect to succession devolved on his disciple who, in 1806, alienated it by gift to the father of the deceased. As the Enam has never been appropriated to the purpose for which it was given, and the incumbents have long resided in the Mysore country, the Board recommend its being resumed and incorporated with the Government lands.

4. The third Enam, viz. C. 0-8-8 has been held without any document. In the talook Register, it is entered in the name of a person of whom nothing is known. In the absence of any documentary evidence in support of the grant, or of long possession, the Board propose that it be assessed to the revenue.

No. 2. 5. This case comprises three Enams held by the same party. The 1st consists of half a Enclo. 10. Swasthyam* or share of C. 2-3-3 in the Agraharum village of Cherlanoor. The deed of gift dated 1763 assuming it to be genuine, shews that this village was originally obtained on Snotrium tenure at a quit-rent of 60 Caveripak Pagodas for the restoration of works of irrigation and re-establishment of a village from certain parties whose competency to make the grant is not apparent, and that with the view of founding an Agraharum, it was subsequently divided into 26 shares by the grantee who assigned to one Shenevasa Iyengar half a share or C. 2-3-3 in perpetuity, subject to a quit rent of Rupees 7-8-4.

6. The two Butwurthy Enams are not supported by any documents, nor do they appear in any accounts until 1809. The grantees and the object of the grants are alike unknown.

7. The three Enams have been repeatedly alienated; after having passed through several hands they were purchased in 1830 by the person, whose death is now reported, from her brother and sold by her for 130 Pagodas in October 1849, to her nephew, who is now in possession. Although the last sale occurred subsequently to the issue of the notification, dated 27th July 1848, yet as the three Enams have been held by the family by a bonâ-fide purchase since 1824, the Board recommend that they be continued to Kristnamacharry nephew of the deceased for life.

8. The lapses now reported occurred in 1848 and 1849, and no explanation is afforded by the Collector of the very great delay in disposing of the cases.

9. The Board request that in future the Enclosures of Enam Statement may be numbered with reference to the order of the cases.

(A true Extract.)

Secretary.

To

T. PYCROFT, Esq., *Chief Secretary to Government.*
Copy to Collector of North Arcot.

Enms 17th March /46 No 1718

26-12-11

145-69 pas

No 646

C 31 Aug 87 Sep

Revenue 1858 Report
Dft to Com 4th & 8th Sept
No 13103

Remarks of the Board of Revenue.

Dated 19th Aug 1858
Rec'd 26th
13 Encls.

No 3165

Recommending the continuance and resumption of certain lapsed Enams in North Arcot.

Withdrawn Board
No 1221. 8th September 1858.

No 1221.

The recommendations of the B. of R. in the several cases reported on in these proceedings are approved; instructions shd be issued to the Collector accordingly.

The disposal of these cases by Govt has been much facilitated by the full and clear way in which they have been laid before them by the Board.

In addition to the remarks contained in P. 8 and 9 in which Govt concurs, the Board might have observed that the orthography of names in the Hajeevenee is so defective as to be almost unintelligible.

Sir H. St. George
21 Aug 58
8 Sept 1858

To the Bd of Rev. Dated 9th with 15 Encls