

Revenue Department

Minutes of consultation

14th September 1858

Bank No 37 + 38

Order 1237 of 11th September 1858

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

No. 37. Read the following Extract from the Proceedings of the Board of Revenue, dated 27th August 1858, No. 3266.

Read letter from the Collector of Salem, dated 27th May, recorded in Consultation 24th June 1858.

In Consultation 27th August 1858. July 1858.
Read also letter from the same Officer, dated 29th

(Here enter No. 102.)

In Consultation 15th May 1858.

Resolved that the above letters be laid before Government, with reference to Extract Minutes Consultation 4th May 1858, No. 571, R. D.

In Consultation 19th April 1858.

From the Collector's Tabular Report, dated 18th March last, it appears that the Enam in question consists partly of a ready money allowance, and partly of lands situated in three different villages. On the supposition that the Sunnuds related to the whole of the lands, and that the professed object of the grant was "for offering up prayers for the prosperity of the State," the Collector recommended its resumption, with reference to Extract Minutes Consultation 24th August 1850, No. 799, in which such grants were considered to confer only a life interest in the lands. The grant was accordingly directed to be resumed in Extract Minutes Consultation 4th May 1858. In reply however to para. 2 of that Extract, the Collector stated that the Sunnuds referred to above, relate only to the land in the village of Mulchamungalum. Finding that the original recommendation of the Collector, was based on apparently erroneous grounds, the Board called on that Officer to state, whether there were any other reasons for resuming the lands situated in the two other villages. In his reply, Mr. Brett mentions that, though no separate Sunnuds are forthcoming in regard to these Enam lands, the Enamdar has himself stated, that, they were granted on the same terms as the land in the Mulchamungalum village, and that he has nothing to shew that any of the lands were granted on an hereditary tenure. Besides this, all three lands are registered in the Survey accounts of 1793 in the name of the great grand-father of the last incumbent, and their extent given therein, is the same as that entered in the Tabular Report. Under these circumstances, the Collector adheres to his recommendation for reserving the lands in the other two villages.

In Consultation 15th May 1858.

E. M. C. 4th in Con. 15th May 1858. 2. No further order seems necessary as the Enam has already been resumed.

3. With regard to the remark of Government, that the land in excess of the grant was apparently obtained by fraudulent encroachment, the Collector explains that the Sunnuds refer only to the land in the Mulchamungalum village; and that according to the Survey accounts, it comprises Acres 9-6-10 or nearly double the area specified in the grant. In this instance, the excess might have been obtained by encroachment; but in respect to the lands in the other two villages which are not included in the Sunnuds, the fact that they are situated in different localities, precludes the presumption that they were obtained by encroachment. In the absence of any Sunnud, it is impossible to determine, what the original extent of the grant was, or whether any encroachment was made.

4. The half share of the Enam in Govindapuram, though not registered in the name of the present holder, seems to have been acquired by him from his grand-mother (grand-daughter of the original grantee) to whom it was allotted on a private partition made among the shareholders. The Board are of opinion, that as there is no proof of any fraud in regard to this part of the original Enam, the half share should be continued to the present holder for life.

(A true Extract.)

(Signed) J. D. SIM, Secretary.

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

No. 38.

ORDER THEREON, No. 1237; dated 11th September 1858.

No. 571.

The only point on which the orders of Government are required, is, that referred to in the latter part of para. 2 of the Minutes Consultation dated 4th May last; where the Government requested the Board to give their opinion on the propriety of resuming the half share of the *Govindapuram* Inam in the enjoyment of one *Ahmad Sahib*. In accordance with the recommendation of the Board, it will be continued under the circumstances set forth, to that individual for his life.

(Signed) T. PYCROFT,
Chief Secretary.

No. 3266.

Extract from the Proceedings of the Board of Revenue, dated 27th August 1858.

Read letter from the Collector of Salem, dated 27th May, recorded in Consultation 24th June 1858

In Con. 27th August 1858.

Read also letter from the same Officer, dated 29th July 1858.

(Here enter No. 102.)

Resolved that the above letters be laid before Government, with reference to Extract Minutes Consultation 4th May 1858, No. 571, R. D.

In Con. 15th May 1858.

In Con. 19th April 1858.

From the Collector's Tabular Report, dated 18th March last, it appears that the Enam in question consists partly of a ready money allowance, and partly of lands situated in three different villages. On the supposition that the Sunnuds related to the whole of the lands, and that the professed object of the grant was "for offering up prayers for the prosperity of the State," the Collector

C. O. B. 2d Vol. para 4, Note 1. recommended its resumption, with reference to Extract Minutes Consultation 24th August 1850, No. 799 in which such grants were considered to confer only a life interest in the lands. The grant was accordingly directed to be resumed in Extract Minutes Consultation 4th May

1858. In reply however to para 2 of that Extract, the Collector stated that the Sunnuds referred to above relate only to the land in the village of *Mulchamungalum*. Finding that the original recommendation of the Collector was based on apparently erroneous grounds, the Board called on that Officer to state whether there were any other reasons for resuming the lands situated in the two other villages. In his reply, Mr. Brett mentions that, though no separate Sunnuds are forthcoming in regard to these Enam lands, the Enamdar has himself stated that they were granted on the same terms as the land in the *Mulchamungalum* village, and that he has nothing to shew that any of the lands were granted on an hereditary tenure. Besides this, all three lands are registered in the Survey accounts of 1793 in the name of the great grand-father of the last incumbent and their extent given therein is the same as that entered in the Tabular Report. Under these circumstances the Collector adheres to his recommendation for reserving the lands in the other two villages.

M. M. C. 4th in Con. 15th May 1858.

2. No further order seems necessary as the Enam has already been resumed.

3. With regard to the remark of Government, that the land in excess of the grant was apparently obtained by fraudulent encroachment, the Collector explains that the Sunnuds refer only to the land in the *Mulchamungalum* village; and that according to the Survey accounts, it comprises Acres 9-6-10 or nearly double the area specified in the grant. In this instance, the excess might have been obtained by encroachment; but in respect to the lands in the other two villages which are not included in the Sunnuds, the fact that they are situated in different localities precludes the presumption that they were obtained by encroachment. In the absence of any Sunnud, it is impossible to determine what the original extent of the grant was, or whether any encroachment was made.

4. The half share of the Enam in *Govindapuram*, though not registered in the name of the present holder, seems to have been acquired by him from his grand-mother (grand-daughter of the original grantee) to whom it was allotted on a private partition made among the shareholders. The Board are of opinion that as there is no proof of any fraud in regard to this part of the original Enam, the half share should be continued to the present holder for life.

(A true Extract.)

Secretary.

To

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

ind. 40th May 58. No 69468
 u-14th Aug 55 u-19629
 u-27th u-130-u-387

Revenue 1858. Recd.
 Do. 14th Sept 58.
 1373

Detach from the Force
 of the 3^d of Revenue

Date 27th August 1858
 Recd 28th
 2 Encls.

No 3200

Submitting, with
 the 3^d Remands, letters
 from the 1st of the same
 forwarding explanation
 with reference to the
 Encls. with this Distinct
 referred to in Encls. 8 on
 1st Aug 1858.

With an order
 10/12/37. 11th Sept 1858

12/37.
 No 1237.

We Herby point on which the
 orders of Govt are required is that
 referred to in para 2 of the

No 571 M.C. dated 4 May last, where

W^m the Govt requested the Board of
 Fore their opinion on the
 propriety of returning the
 half share of the Parish of
Down in the Surveyment of
one share value. In
 accordance with the Revenue
Regulation of the Board it
 will be continued under the
 circumstances set for the, &
 that individual public life.

First time
 11th Sept 1858

3rd Collected to the 13th of Sept 1858

1858. No 10

1837. 538