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Government of Madras.

Revenue DEPARTMENT.

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Proceedings of the Madras Government, Revenue Department, from 6th to 12th August 1859.

Read the following papers.

INÁM COMMISSIONER'S OFFICE,
No. 71. *6th July* 1859.

No. 28. FROM G. N. TAYLOR, ESQ.,
Inám Commissioner,

To J. D. BOURDILLON, ESQ.,
Secretary to Government, Revenue Department.

SIR,

I have the honor to submit for the consideration and approval of the Government a draft of Rules and practical directions for the guidance of the Officers to be employed in the adjudication of the Ináms of this Presidency.

2. The Rules are framed in accordance with the general principles laid down in the Minute of the Honorable the Governor. They embrace all classes of Ináms which are known to exist in the several Districts, and they provide for every variety of case and circumstance likely to come under consideration, so far as it is possible to foresee them. Should particular questions hereafter arise which may appear difficult or doubtful of disposal under these Rules, the orders of Government will be obtained regarding such cases as they occur.

3. Before proceeding to offer explanatory remarks on such points in the Rules as seem to require elucidation, I will devote a few observations to the existing state of the Inám question in this Presidency; and in contrasting the present position of the Inámdárs with that which they will hereafter occupy, I will endeavour to place in a clear light the real objects to be effected by the Commission, in respect to which I am led to believe that considerable misapprehension still prevails. A brief review of the subject will not be without its use to the officers who are to be associated with me in the approaching investigations; for it is very desirable that they should proceed to the work before them with a clear knowledge of its importance, and with a thorough conviction of the benefits that the measure is intended to confer on the country.

4. Although the existing Rules for the treatment of Ináms appear on the whole to be liberal in principle, they have not been so in practice. They have been modified and supplemented by many subsidiary orders, which have proved a source of vexation, annoyance, and uncertainty to the Inámdárs. The term *hereditary* has been interpreted and applied in a restricted sense, excluding collaterals though actual heirs according to Hindu Law, and admitting only direct lineal descendants and undivided brothers:—each insignificant share of an Inám held by divided members of the family of the original grantee is liable to revert to Government on the death of the present incumbent; the right of females to succeed to an Inám, though recently conceded, is not extended to all degrees of relationship; the claims of adopted sons are only recognized within certain limits; and the irregular transmission of an Inám through a collateral branch by an illegal adoption, or by an alienation of any kind, weakens the claim of the heir of the present holder and renders the Inám more or less liable to resumption.

5. The Honorable the Governor's Minute on Ináms leaves little to be said regarding the state of precariousness and depression of this description of property. The injurious tendency of the various, and sometimes conflicting interpretations which have been put upon the Rules, has been aggravated by their unequal operation in the different Districts. Cases are disposed of according to the personal views of the Officers who investigate them; and instances are not wanting —witness the case of the two Subadars recently published by the Government—in which Ináms granted under precisely similar circumstances have met with a totally different treatment. In illustration of this part of the subject, I append to this report an alphabetical abstract of numerous decisions passed by the Government on reports of Inám lapses in the several Districts. The abstract is taken from a paper carefully prepared by Mr. Norman, late Deputy Secretary to Government in the Revenue Department. How much depends upon the zeal and individual exertions of the authorities of a District may be seen, however, by referring to the Statement given in para. 8 of the Governor's Minute. During the four years embraced by that statement, the value of the resumptions in the District of Guntoor, where the Ináms are far less numerous

than in many other Districts, amounted to one-half of the value of the entire resumptions throughout the Presidency.

6. The necessity for enquiry on every occurrence of lapse forms indeed the worst feature of the system hitherto in force. It occasions endless annoyance and vexation to the Inámdárs, and increases very considerably the work of the Táluq establishments. These inquisitions into the title of the surviving claimants, owing to the time and labor which they necessarily involve, are viewed with as much disfavor by the officials as by the Inámdárs. In few Districts are the Táluq accounts of so complete a nature as to afford sufficient information without reference to the Collector's Office. An incomplete investigation by the Tahsildars is the result—a mass of useless papers are forwarded to the Collector's Office,—the Huzùr Records are searched for entries respecting the Inám,—the case is sent back to the Talúq for further enquiry,—it returns in the course of months or years,—has again to be gone through from beginning to end, other witnessess have to be examined and if the Collector is at length satisfied, the Inám is either continued to the heir of the last holder, or in cases of doubt reported to the Board of Revenue, and eventually to the Government for final orders. Subject to an ordeal such as this, it is not surprising that the holders of Inám land are dissatisfied and discontented with their present position—and that land absolutely tax free, but exposed to the uncertain conditions above described, should, even in the District of Tanjore, be actually less valuable to the owner than Government land paying a high Assessment.

7. In view of these circumstances, the organisation of a special Commission was recommended by the Madras Government, and sanctioned by the late Court of Directors. The object of this Commission is to substantially improve the position of the Inámdárs throughout the Presidency; to give security to landed property; to confirm and not to disturb titles; and to enhance the value of land hitherto greatly depreciated by the conditions attached to its tenure. In pursuance of these objects, undisputed succession for a certain period of years will be respected, and undisturbed possession for a given term, whatever may have been the origin of the Inám, will be held to confer a valid title; and even where the title is invalid, if the Inám was not acquired by fraud of the actual holder, a good title will be given on condition of the payment, either of an annual quit-rent or of a fixed sum once for all. And the advantage to be expected from the final settlement of the Inàm tenures upon these principles is the future general contentment of the people, producing a favorable reaction on the prosperity of the country and on the resources of the State.

8. It is proposed to effect these objects and to secure these advantages by the following means. The adjudication and final settlement of all existing Inàms will proceed upon one uniform plan, based on the principles of justice and liberality which have been laid down for the guidance of the Commissioner. The inquiry will be conducted by an agency, which under the direction of one responsible head, will give its undivided attention to the work; and by this agency a complete Register of the Ináms of the Presidency will be prepared in a given form, which will not only serve the purposes of the present inquiry, but will prove a useful record for reference in all matters connected with Ináms which are likely to arise at a future time. The several Districts will be taken up in turn, and each case disposed of in the shortest time compatible with a careful and intelligent inquiry. The entire strength of the Commission being concentrated for the time in one locality under the immediate eye of the head of the Department, the disturbing effect which is inseparable from an investigation into tenures will be confined within the narrowest limits,—the open wound will be speedily closed,—the time of the Commissioner will not be wasted in the constant interchange of written correspondence with subordinates scattered over the country, and with the authorities of the various Districts; and the settlement may be expected to proceed with a rapidity that would be impossible if any other plan were pursued.

9. The course of procedure which will be adopted for the adjudication of Ináms, is laid down at length in the paper of instructions which I have prepared for the guidance of the Subordinate Agency selected for this important duty, and which follow the Draft Rules. It has been my endeavour to make these instructions plain and practical, and they seem to require no further explanation here. I will only add in closing this portion of my report that with the aid of the special Assistants and the Deputy Collectors whom I have been permitted to select from the whole Uncovenanted Service, supported as they will be by the authority and co-operation of Collectors, I anticipate a speedy and satisfactory termination of the enquiry in each District. As the entries in the Public Accounts will in most cases establish the validity of the Inám, a tedious enquiry by examination of witnesses and scrutiny of documentary evidence will

seldom be necessary. The probable rate of progress cannot be estimated at the out-set—the first step is always the most arduous,—but information already gained will assist the acquisition of more; each subordinate will arrange and methodise his work as he proceeds, and there will be a gradual increase in the daily number of cases adjudicated,

10. I now pass to a consideration of the Rules according to which the principles laid down for my guidance are to be practically applied. The first point which claims attention, is the length of possession which is to be held to constitute a good title to an Inám. As regards original title or origin of possession, Ináms may be said to be of the following Classes. First.—Those held with or without grants from Pádshás and Officers of former Governments on the date of the British assumption. Secondly.—Those acquired immediately after the assumption and continued to the holders on real or fictitious claims of past enjoyment; and thirdly—Ináms more recently acquired, whether under the express authority of the British Government or by irregular grants of subordinate District authorities and of Zemindars, Poligars, Renters and others.

11. Now the prescribed period of undisturbed possession without the payment of land tax, viz., 50 years, embraces all Ináms except those of the last class, which are comparatively few in number and inconsiderable in extent and value. It includes not only all Ináms which existed in each Province on the introduction of British Rule, but also those acquired by whatever means in the confusion which immediately ensued, and those entered in the survey and other early accounts which have hitherto been open to question and interference, and the origin of which is doubtful or suspicious. To the mass of Inámdárs, therefore, whether holding their Ináms with or without sanad, unconditionally or on condition of Service, the term of 50 years possession, secures an immediate recognition of title. This term includes, as already stated, all the various accounts of the earliest years of our administration, to one or other of which every Inámdár is able to refer in support of his claim. A definite line could not have been so appropriately drawn at any other period—and as will be seen in the sequel, indulgence is most liberally shown to all Ináms of more recent origin.

Rule I. 12. The first Section of the Rules provides in 3 Clauses for the treatment of Ináms proved to be of 50 years standing. Uninterrupted possession for that period is declared to constitute a valid title to the land, as Inám; proof of the existence of the Inám for 50 years will be accepted from the public accounts; and proof for the full term will be dispensed with where there is a reasonable presumption that the failure of such proof is owing only to lapse of time.

Rules II & III 13. Then follows the mode of disposal of the four grand classes of Ináms after the validity of title has been once established. The treatment of the first class, which consists of grants or endowments to religious and charitable Institutions and for services therein, is laid down in Section III. These Ináms will be continued to the holders and their successors without interference, so long as the conditions of the grant are fulfilled.

Rule IV. 14. The provisions relating to personal or subsistence grants, which form the second grand Class and comprise as regards extent and value about one-half of the entire Ináms of the Presidency, are contained in Sections IV to XVII inclusive. These Ináms, when proved to be of 50 years standing, will be confirmed to the holders according to their actual tenure. The conditions upon which this tenure will be commuted into a freehold, if the present incumbent is a descendant of the original grantee or of the original Registered holder, are set forth in Section V. The first Clause states distinctly the nature of the limited tenure upon which hereditary Ináms are now held,—the second Clause declares the option to be given to the holder of an hereditary Inám to convert his present tenure into a freehold,—and clauses 3 to 5 provide for three distinct rates of quit-rent to be charged to the Inàmdàrs according to the value of the reversionary claim of the Government in each case.

Rule V.

15. The application of the principle prescribed by the Honorable the Governor's Minute for the conversion of hereditary and other personal tenures into absolute Freeholds, being a a very important feature of the present rules, has been most carefully considered and requires particular explanation.

16. The annual quit rent to be imposed under these rules is not, in the case of the lineal descendant of the original Inámdár, a penalty for defect of title; but is a payment or consideration demanded in return for an extension of rights; a compromise, in fact, of the reversionary claims of the Government which may or may not be desired by the holder, and which must therefore in justice be left optional with him to accept or not as he pleases. I entertain little

doubt that the option will be embraced to a very considerable extent, provided the alternative is clearly and honestly presented to the Inámdárs ; for though it may be questioned whether, a a body, they seek or desire the power of alienation, this advantage as shown in a preceding paragraph, is by no means the sole benefit to be gained by the compromise. The certainty of being in a position to provide for any member of the family however remotely connected ; the relief from the vexation and anxiety attending the occurrence of a lapse ; and the removal of all interference, which has been a constant source of irritation ; will, it is hoped, prove sufficient inducement to enfranchise on the conditions proposed to them.

Rule VII. 17. But in the case of an alienee, or one who has acquired the Inám through an alienation from the original family contrary to existing regulations, the conditions are very different. Here the title is defective ; the Inám has hitherto been liable to resumption ; and in converting the present tenure into a Freehold, something more than an extension of rights is conceded : all defect is cured, and the holder acquires henceforward an indefeasible title to the Inám. In this case the Government waives its right to the full Assessment of the Inám, and confers a benefit for which an equivalent is demanded in the shape of a moderate money payment.

18. The value of the reversionary claim of the Government which is thus to be commuted for a money payment, varies therefore in two ways : first, with the position of the Inámdàr in respect of the original holder, that is to say, whether he is a member of the family to whom the Inám was granted, or a stranger who acquired it through an alienation ; and, secondly, according to his position in respect of heirs, and the probability of the succession being continued in the family.

19. I do not propose to make the alienation of an Inám a ground of distinction in the *rates* of quit-rent to be imposed ; it constitutes rather, as explained above, a ground of disability on the part of the Inámdár to demand the option. The Government in this case may fairly dictate its own terms, and it will therefore be obligatory on the holder of an alienated Inám to enfranchise it, by the payment of the same rates of quit-rent offered to the incumbent of an hereditary Inám. The holders of alienated Ináms are few in number compared with the hereditary Inámdárs, and will, I have no doubt, consider the recognition of their title, and the acquisition of the right of freehold, an ample equivalent for the moderate payment required from them.

20. I have provided, therefore, for three different rates of quit-rent, to be fixed solely with reference to the Inámdárs position in respect of heirs. The lowest rate is one-eighth ($\frac{1}{8}$) of the Assessment, or estimated annual value of the Inám land, which will be applicable to those Inámdárs who have male or female heirs in existence competent to continue the family succession ; and to those in regard to whom by reason of their youth it may be presumed that they will acquire such heirs. The second rate, or one-fourth of the Assessment, will be applied to those who, from advanced age or other causes, have no prospect of having issue, and whose family will be extinct on the death of the heirs now living : and the third rate, or one-half ($\frac{1}{2}$) of the Assessment, will be demanded of present incumbents who are entirely without heirs and whose Ináms would inevitably revert to Government on their death.

21. I have not attempted a minute scale of commutation rates fixed with reference to age or other circumstances, because no correct tables of mortality or other data for calculation can be obtained in this country. It appears to me desirable to have the rates as few and simple as possible, and those which I propose are easy of application, intelligible to the Inámdárs and dependent upon circumstances which cannot be falsified or concealed. My object has been, on the one hand, to fix them so low that all Inámdárs may be encouraged to embrace the alternative presented to them ; and, on the other, not to compromise the rights of Government for a money payment which would be clearly an insufficient equivalent for the chance of reversion.

22. That the interests of all parties are sufficiently met by the different rates proposed, will, I think, be apparent on reference to the calculations given at length in the Appendix. An annual quit-rent to be continued in perpetuity, or the payment of a sum, once for all, equal to 20 times its amount, is assumed to be the present value of the reversionary claim of the Government in each Inám. In other words the present charge is estimated to be equal to the claim to the full assessment of the Inám land after a certain period of exemption from land tax. If, therefore, we can find the number of years within which the purchase money now paid, would with compound interest, accumulate to a sum sufficient to give interest at 5 per cent equal to the full annual Assessment of the land, we are in a position to determine, on the one

hand, whether the rates of quit-rent are lower than the Government chance of reversion in each case, and, on the other, whether, having in view existing disabilities and restrictions, they are no t low enough to make it an object with all incumbents to enfranchise their Ináms.

23. The calculations in the Appendix show that the payment of a quit-rent equal to one-eighth ($\frac{1}{8}$) of the full Assessment is equivalent to an exemption from land tax for 45 years, or nearly the average period of two generations ; that a quit-rent of one-fourth ($\frac{1}{4}$th) of the Assessment is equal to an exemption for 29 years, or little more than one generation ; and the annual payment of one-half ($\frac{1}{2}$) of the Assessment is equal to a total exemption for 15 years.

24. The chance of lapse on account of failure of lineal heirs, which considerably reduces the value of the Inám to the holder, is not included as an element in this calculation, and the terms therefore appear less favorable to the Inámdár charged with $\frac{1}{8}$th of the Assessment than they really are. But the quit-rent could scarcely be fixed at a lower rate than $\frac{1}{8}$th ; for, taking the average full Assessment of dry land at (1) one Rupee per acre, the charge would be only 2 Annas an acre, redeemable by a payment, once for all, of $2\frac{1}{3}$ Rupees or $2\frac{1}{2}$ years' full Assessment. In the case of Inámdárs possessing only terminable heirs, the rate of $\frac{1}{4}$th of the Assessment is also sufficiently favorable ; and with respect to those Ináms which would lapse at the death of the present incumbent, an annuity of $\frac{1}{2}$ of the Assessment is not too high an equivalent for the chance of reversion after the average period of 15 years.

Rule VIII. 25. Although the quit-rent is to be fixed, as a general rule, at a proportion of the annual value or full Assessment of the Inám, Section VIII provides that, in Districts where there is no fixed Assessment, one general rate per acre may be charged for dry and wet land respectively, wherever, in communication with the Revenue authorities, it may be found practicable and desirable to adopt this course. It is an important object to fix a quit-rent unalterable at any future survey or revision, and it will depend upon local circumstances whether a general rate can be applied without bearing too unequally upon different classes of land.

Rule IX. 26. Section IX leaves it open to all Inámdárs to redeem the quit-rent outright by the payment, once for all, of a sum equal to 20 times its amount, the purchase money being calculated at the ordinary rate of interest, viz. 5 per cent per annum.

Rules X to XIII. 27. Sections X to XIII treat of lapsed Ináms which are now pending for decision. These Ináms are to be dealt with on precisely the same principles as have been applied by anticipation to Ináms which have not lapsed. An option will not be allowed to the claimant of a vacant Inám, to whom, under existing Rules, it would not be continued as a matter of course ; but it will be confirmed to him as a free-hold subject to the payment of a quit rent ; and when there are no heirs forthcoming the Inám will be fully assessed.

Rule XI Clause 3. 28. Where an Inám of the nature under notice and of 50 years standing, has, upon any former report of lapse, been continued expressly for the present life, it will be admitted to enfranchisement at the rates of quit-rent provided for existing Inámdárs without heirs. This course seems but fair and reasonable, considering the more liberal treatment to be now extended to the same class of Ináms which have not yet lapsed ; but as I consider my enquiry to be confined to Ináms still in existence, whether in possession of the holder or temporarily under attachment, I do not propose to re-open the question respecting those Ináms which have been resumed and fully assessed under former orders.

Rules XII and XIII. 29. Rule XII declares the quit-rent to be an addition to existing Jodi, and prescribes the mode of its calculation ; and Rule XIII repeats the option of redemption at 20 years purchase provided by Rule IX. This Section completes the Rules relating to Ináms of more than 50 years' standing.

Rule VI. 30. I have provided, it will be observed, in Section VI that the rates of compromise now offered shall only apply to an immediate settlement. To leave the matter open indefinitely is neither necessary nor desirable ; few would come forward at once in anticipation of future contingencies to embrace terms which are open to their acceptance at any time. It may not be desirable to impose higher rates in all cases, but Inámdárs now holding back will understand that they will not, as a Rule, be admitted at a future time to the same terms of compromise. This Section, though necessarily following Section V, is applicable to all Inámdárs.

Rules XIV to XVII. 31. Sections XIV to XVII prescribe the treatment of Ináms acquired more recently than 50 years. Those granted by the express authority of the British Government will be dealt with in strict accordance with the terms of the grant, allowing, however, to the holders the benefits of enfranchisement under the preceding Rules. Ináms irregularly granted by Subordinate Dis-

trict authorities, or by Zemindárs and Poligárs who are prohibited by Regulation XXV of 1802 from alienating lands, when they were not founded on fraud, will be continued to the present incumbents as free-holds subject to a quit-rent equal to one half ($\frac{1}{2}$) of the full assessment. When they were acquired by fraud of the actual holder they will be fully assessed; but if he was not a party to the fraud, the Inám will be charged with ($\frac{2}{3}$ds.) two-thirds of the full assessment and confirmed to the holder as free-hold in perpetuity.

32. It will thus be seen that, in conformity with the principle laid down by the Honorable the Governor, all Iná‌ms, though of more recent date than 50 years, and provided the period of enjoyment entitles them to consideration, will be admitted to an indulgent compromise, except when they were acquired by fraud of the actual holder.

Rules XVIII. to XX.

33. The next class comprises those Iná‌ms which were granted by former Governments in remuneration for Revenue or Police services either wholly or partially discontinued since the British assumption. A very large proportion of the Iná‌ms now enjoyed under this head were granted after the introduction of British rule in lieu of offices and privileges then resumed. A commutation of the service has, therefore, been already effected in the case of these Iná‌ms, which will now be dealt with as personal grants and admitted to similar benefits. The second division of Iná‌ms of this class comprises cases in which no such commutation was made, and where the lands originally attached to the office are still enjoyed tax free or subject to the original quit-rent,—although the service for which they were granted has either entirely ceased to be rendered or required, or, if occasionally rendered, is of so useless a nature for public purposes as to make its commutation desirable.

34. The Government in this country has always exercised the right of remodelling and commuting Revenue and Police services, and the emoluments attached to them, in such manner as from time to time has been found necessary; due consideration being invariably shown to the claims and interests involved in the arrangement. I do not think that it would be desirable to deviate from this system on the present occasion. It is an essential condition of this commutation that each class of service in the same District should be treated as a whole. To give individual option in these cases would produce anomalies and confusion in every village; but the principle may be applied to this extent—that the terms offered to one class of servants, to Kattubadies of the Ceded Districts for example, shall be so moderate as to command their general consent. The alternative which will be clearly presented to them will be;—the strict requisition of the services inherent in the office, and the liability to forfeiture of the Inám in case of incapacity.

35. I have therefore provided in general terms in Section XX for the enfranchisement of these tenures by the imposition of a quit-rent not exceeding the highest rate charged on personal Iná‌ms. It is not possible to prescribe definite Rules in regard to each particular class of service to be thus commuted, or as to the rate and mode of commutation. These must depend upon local circumstances, and will require consultation with the District authorities, the Board of Revenue or the Commissioner of Police. Doubtful points will be submitted for the instructions of the Government as I proceed from District to District.

Rules XXI and XXII.

36. The remarks in the two last paras. apply with equal force to village service Iná‌ms. The revision of these Iná‌ms in the several Districts will require great care and discrimination, and will proceed on the general principles laid down in Section XXI.

Rule XXIII adfinem.

37. The remaining Sections of the Rules speak for themselves: Section XXIII declares that Iná‌ms in Zemindáries and Proprietary Estates, the reversionary right to which is reserved to the Government, are subject to the present inquiry and settlement; Section XXVI prescribes the necessary penalty for abandonment and non-appearance of the Inámdár; Section XXVII provides for the liberal treatment of encroachment or excess over the recorded extent of Inám; and the closing Sections define the position of the Inámdár, and his absolute title to the land after enfranchisement.

38. In conclusion I have only to invite the attention of Government to the forms of Title Deeds, Proclamation, Notices, &c., which will be found in the appendix.

MADRAS,
INÁM COMMISSIONER'S OFFICE,
6th July 1859.

I have the honor to be,
Sir,
Your most obedient Servant,
(Signed) G. N. TAYLOR,
Inám Commissioner.

RULES FOR THE ADJUDICATION AND SETTLEMENT OF THE INAM LANDS OF THE MADRAS PRESIDENCY.

Proved possession as Inam for 50 years constitutes a valid title.

I. Land which is proved to have been held uninterruptedly *as Inám* for a period of 50 years with or without Sanad, will be treated as Inám possessed under a valid title, whatever may have been its origin.

Proof to be obtained from the Public accounts.

2. In the absence of a valid grant or other title deed, entries in the village accounts of the earliest years of the British Administration, in the permanent settlement accounts, in the Registers prepared under Regulation XXXI of 1802, in the accounts of the earlier surveys, and in other authentic accounts of older date than 50 years, will be accepted as proof of the existence of the Inám for that period.

Under what circumstances proof of possession for the full term of 50 years will be dispensed with.

3. But where such proof may be wanting owing to the Inám being situated in ancient Zamindáries, Polliums, or Jághirs, which may have reverted to Government within a period of 50 years, and for which there are no permanent settlement or other old authentic accounts in existence, if the Inám is shown to have been held ever since the date of the reversion of such Zamindáry, &c., to Government, and if circumstances are adduced which afford a reasonable presumption that the failure of proof of longer possession is owing only to lapse of time, and the absence of accounts, the Inám will be held to possess a valid title. The same rule will apply to every case in which valid proof of possession for the full term of 50 years is not produced.

Mode of disposal of the several classes of Ináms after validity of title is established.

II. After the validity of the Inám has been thus established, each case will be disposed of as hereinafter explained, according as it belongs to one of the following general classes.

1st. Grants or endowments to religious and charitable institutions, and for service therein.

2nd. Personal or subsistence grants.

3rd. Grants by former Governments in remuneration for services in the Revenue or Police departments which are no longer rendered or required.

4th. Village Service Iná‌ms.

1st. Those enjoyed by Village officers, for Revenue or Police services still performed.

2nd. Those enjoyed by artisans and others for services rendered to the village communities.

I. Grants or Endowments to Religious and charitable Institutions and for service therein.

III. If the Inám was given for religious or charitable objects, such as for the support of Temples, Mosques, Colleges, Choultries and other public Buildings or Institutions; or for services therein, whether held in the names of the Institutions or of the persons rendering the services;—it will be continued to the present holders and their successors, and will not be subject to further interference, so long as the buildings or institutions are maintained in an efficient state, and the services continue to be performed according to the conditions of the grant.

2. Iná‌ms granted for the construction and repair of tanks and channels, will not be interfered with so long as the terms of the grant are fulfilled, and the works are kept in good order.

II. Personal or Subsistence Grants.

IV. If the Inám is a personal or subsistence grant, it will be confirmed to the holder according to its actual tenure. The conditions upon which this tenure will be commuted into a freehold, according as the Inámdár is a descendant of the original grantee and of the registered holder, or has acquired the Inám through an alienation, are set forth below.

If the Inámdár is a descendant of the original grantee.

V. If the present incumbent is a descendant of the original grantee or of the original registered holder, the Inám will be continued to him hereditarily, subject to the existing conditions of the tenure as they have been interpreted by the Government. That is to say :—

First. Succession is limited to direct lineal heirs and undivided brothers.

Secondly. The Inám escheats to Government on failure of such heirs.

Thirdly. Alienation of the Inám is prohibited and, Fourthly. Adoption, except out of the family of an undivided brother or cousin, is not recognized.

Alternative to be presented to him to convert his tenure into a Freehold.

2. But an option will be given to the Inámdár to convert this restricted tenure into a freehold with the full powers of alienation by gift, sale, adoption, or otherwise, by consenting to the payment of an annual quit rent, calculated according to the following rates fixed with reference to the value of the reversionary claim of the Government in each case.

Rate of conversion if the Inámdár has competent heirs.

3. If the present holder of an Inám has, or if, as in the case of youth, there is a reasonable presumption that he will hereafter have competent heirs,—that is to say, heirs, male or female, who are capable of continuing the family, and by whom the Inám will be inheritable; the prospect of its reversion to Government being in this case remote—an annual quit-rent amounting to one-eighth ($\frac{1}{8}$) of the existing or estimated assessment of the land or of similar land in the same village, will be considered a sufficient compromise for the right of reversion possessed by Government over the Inám.

Do. If the Inámdár has no heirs competent to continue the family.

4. If the Inámdar has no heirs such as are described above, and from his advanced age or otherwise there can be no reasonable presumption that he can ever acquire such heirs,—but if nevertheless he has what may be called terminable heirs, such as a wife without issue, or a childless widowed daughter,—in this case the reversionary claim of the Government is of higher value than in the last, and a quit-rent equal to one-fourth ($\frac{1}{4}$) of the assessment will be demanded.

If without heirs altogether.

5. If the holder of an Inám is not possessed of heirs of any kind, and is without the possibility of having issue,—as in the case of a childless widow,—whereas the Inám will be liable to be fully assessed to the Revenue at the death of the present incumbent, a quit-rent equal to one-half ($\frac{1}{2}$) of the assessment will be demanded.

These rates if not at once accepted, will not necessarily be offered à second time.

VI. The above rates of compromise will only apply to an immediate settlement, but will not be *necessarily* held out to the Inámdâr at any future time when he may choose to desire them; a widow now demurring to the offer, will not be permitted to avail herself of it just before her death for the sole purpose of defeating the right of Government to a reversion; or a party to whom in the prospect of heirs, the compromise is offered at a lower rate will not be permitted to avail himself of these terms at a future time when such prospect exists no longer. It may also be found necessary to raise the rates of compromise with reference to the time and labor entailed by a separate enquiry into each such unsettled case at a future time.

The claims of Government over an alienated Inám to be commuted for a moderate quit-rent without the option of the holder.

VII. If the present incumbent is not a descendant of the original grantee or of the registered holder, but either in his own person, or in succession to those through whom he claims, acquired the Inám fairly by adoption, or in alienation by gift, purchase, or otherwise, from the members of the original family, and has ever since possessed the Inám in virtue of such alienation; such Inámdâr, although his title is legally defective and the Inám justly liable to resumption will be allowed the benefits of Rule V, but without the option of refusal; and in commutation of the rights of Government, a quit rent will be imposed on the Inám the rate of which will vary from one-eighth ($\frac{1}{8}$) to one-half ($\frac{1}{2}$) of the assessment of the land according to his position in respect of heirs as laid down in clauses 2 to 5 of that rule. He will thus acquire an indefeasible right of property in the Inám which will at once be confirmed, as freehold, to him and his heirs for ever, subject to the payment of the quit rent.

The quit rent may at the discretion of the Commissioner be fixed at one general rate per acre instead of a proportion of the assessment.

VIII. Whereas the Inám lands in some Districts have not been regularly assessed,—and it is desirable that the quit rent should be permanent and not subject to alteration at any future general revision of the assessment, it shall be competent to the Inám Commissioner, in communication with the Collector, and the Board of Revenue, to adopt one fixed rate of quit rent per acre for dry land, and another for wet, instead of a proportion of the annual value of each Inám; this rate to be applied universally to dry and wet lands respectively in each district or division of a district, and calculated according to the average prevailing rates for similar Government lands.

2. The minimum rate of quit rent to be charged on dry land, will be 2 Annas, and on wet lands 4 Annas, and in future sub-divisions of the Inám, the quit rent for dry and wet land respectively, will not be allowed to fall below these standards for each sub-division.

3. If the quit rent be fixed at a proportion of the full assessment of the Inám, it will not be calculated in terms lower than 2 Annas when the amount is less than one Rupee; it will be charged in terms of 4 Annas for sums between one and five Rupees; in terms of 8 Annas for sums between five and ten Rupees; and in terms of one Rupee when the amount exceeds 10 Rupees.

And may be redeemed at the option of the holder by the present payment of a sum equal to 20 years purchase.

IX. After the amount of annual quit rent has been once fixed for the enfranchisement of each individual Inám, it will be open to the holder to redeem it outright by the payment, at once or at any future time, of a single fixed sum equal to twenty (20) years purchase of the quit rent.

Lapsed Ináms now pending, how to be dealt with.

X. Ináms the holders of which have deceased, and which are now pending for decision as cases of lapse, will be disposed of as follows.

If the claimant is a direct or undivided collateral heir of deceased incumbent.

1. If the last incumbent left direct lineal heirs, or undivided brothers or cousins who under existing orders would be entitled to the Inám, it will be confirmed to such heirs, and arrangements will be made with them for its conversion into a freehold under the provisions of rule V clauses 2 to 5, or of rule VII clauses I and 2, according as the Inámdâr is a descendant of the original grantee, or acquired the Inám through an alienation.

If the claimant is a divided cousin or other relative of last incumbent.

2. If the last incumbent left no direct lineal heirs, but cousins or nephews of a divided family within that degree of relationship which will constitute them heirs according to Hindu law, but to whom under existing orders the Ináms have not invariably been continued; the Ináms will nevertheless be confirmed to such heirs in perpetuity as freeholds, subject to the rates of quit rent provided for in rule VII, which will be imposed upon the Inám without their option in commutation of the claims of Government.

If the last incumbent left no heirs whatever,

3. If the last incumbent left no heirs of any kind, the Inám will be fully assessed.

Lapsed Ináms continued by order of Government to present holders.

1 *For life.*

XI. Persons to whom a lapsed Inám has upon report, been continued by Government for life, will be permitted at their option to convert their limited tenure into a freehold, at the rate of quit rent provided for Inàmdârs without heirs in Rule V Clause 5 *viz.*, one half ($\frac{1}{2}$) of the assessment of the land.

2. *Without express limitation, and subject to further report.*

2. Ináms which have been continued by Government without such express restriction for life, whether requiring a report after the death of the present incumbent or not, will be disposed of under the provisions of rules V and VII as the case may be.

XII. The quit rent to be imposed under these rules, being a consideration required in return for an extension of rights, will be exclusive of, and in addition to, any Bediga or Jodi, with which the land may be already charged; but the additional quit rent will vary according to the

The quit rent is to be in addition to existing Bediga or Jodi.

value of the holders' rights, and will be calculated, not on the full assessment of the land, but on the *difference* between the full assessment and the Jodi already charged, which presents the net value of the land to the Inámdâr.

And redeemable at 20 years purchase of the quit rent.

XIII. The quit rent together with the Bediga charged on the land, will be redeemable by the present payment of twenty (20) times its amount as provided above in rule IX.

Ináms of more recent date than 50 years how to be dealt with.

XIV. Ináms acquired more recently than 50 years, are generally of the following classes *viz.*: 1st Ináms granted under the express authority of the British Government.

2nd. Ináms irregularly granted by Subordinate Revenue authorities, renters, &c., without sanction.

3rd. Ináms granted by Zemindárs, Poligárs, &c., which are liable to immediate resumption on the reversion of the Estates to Government.

Each class will be dealt with as hereinafter provided.

1st. Ináms granted under the express authority of the British Government.

XV. Ináms granted under the express authority of the British Government, will be disposed of according to the terms of the grant as expressed in the Sanads or the official correspondence relating to them.

1. *Limited to one or more lives.*

2. If they are limited to one or more lives, they will be fully assessed on the expiration of the limited period unless the holder commutes his present tenure into a freehold, at such rate of quit rent provided by the preceding rules as may be applicable to his case.

3. If they are hereditary and permanent, they will be disposed of under Rules III, IV, V, and VII, according as they are for religious and charitable objects, or personal grants, in the same manner as Ináms of an older date than 50 years.

2. *Without limitation.*

2nd. Ináms irregularly granted by Subordinate Revenue authorities without sanction.

XVI. Ináms granted by the Subordinate Revenue authorities or renters, &c., without the sanction of Government, which are irregular in their nature, will be disposed of according to circumstances as described below

When fraudulently acquired.

2. If the Inám was founded on fraud, it will be charged with the full assessment. But if the present incumbent was not a party to the fraud, indulgence will be shown by continuing the Inâm in perpetuity as freehold charged with a quit rent not exceeding two-thirds ($\frac{2}{3}$) of its assessment.

When not founded on fraud.

3. If it was not founded on fraud, and from length of possession appears entitled to consideration, it will be charged with the highest rate of quit rent above provided for in Rule V, being one-half ($\frac{1}{2}$) of the assessment, and confirmed to the holder in perpetuity as Freehold.

4. It will rest with the Inám Commissioner to determine, subject to the authority of Government, what should be construed as a fraudulent Inám, and what as deserving of consideration.

3rd. Ináms irregularly granted by Zemindárs Poligars, &c.

XVII. Inàm granted by Zemindàrs, Poligárs and other land holders, are strictly invalid, being opposed to the provisions of Section XII Regulation XXV of 1802, and have been generally resumed by the Government when they came under its notice. These Inàms will be disposed of according to circumstances, under the general principles laid down in Rule XVI, for Ináms granted without the sanction of Government by its officers.

III. Grants by former Governments in remuneration for services in the Revenue and Police Departments which are no longer rendered or required.

XVIII. Grants by former Governments in remuneration for services wholly or partially discontinued in the Revenue and Police Departments, are of two classes. First, those which being no longer required after the introduction of British rule have since been commuted into personal allowances in land or money, and Secondly, Inàms still continued on condition of performing certain services which are either seldom rendered, or cannot be made available for any useful public purpose—each class will be dealt with according to the following rules.

Of 2 classes.

Treatment of those of 1st class.

XIX. Ináms granted in lieu of lands and privileges resumed and offices entirely discontinued, such as the Deshmúk Deshpàndi and other offices, being no longer service, but subsistence grants, will be disposed of according to Rule V, if they are hereditary in their terms, either by express declaration of Government, or by recognized usage. If however they were expressly limited for life, they will be treated accordingly.

Treatment of those of 2nd class.

XX. Ináms enjoyed for services in the Revenue or Police Departments which are seldom rendered, or which it is desirable to discontinue, will be confirmed to the holders as Freeholds subject to the payment of a quit rent not exceeding the highest rate above provided for personal Ináms. This quit rent will be charged in commutation both, of the service thus discontinued, and of the reversionary interest possessed by Government in the Inám. The rate and mode of commutation will be determined on a consideration of the nature of the service and the circumstances attending it in each district.

2. If a quit rent exist already in any form, the mode of calculating the additional charge will be the same provided for in Rule XII.

IV. Village service Ináms.

1st Those enjoyed by village officers for Revenue or Police services still performed.

XXI. Ináms held for village offices of Revenue or Police the duties of which still require to be performed, will be continued to the holders of the office. Where these Ináms are excessive in comparison with the duties required, the excess above a certain maximum—to be fixed in communication with the Collector of the District, the Board of Revenue, or the Commissioner of Mofussil Police, under the sanction of Government,—will be dealt with in accordance with Rule XX, that is to say will be charged with a quit rent in commutation both of the service tenure attached to it, and of the reversionary interest of the Government in the Inám.

2. Where the Inám attached to the office is wholly or partially in the enjoyment of members of the family who do not perform service, or of strangers who acquired the same by alienation, and are enjoying it without performing service, both of which are irregular, such portion of the alienated Inám as may be considered necessary for the efficient performance of the duties, will be reattached to the office holders, and the rest treated in the same manner as the excess referred to in the previous clause.

2. *Those enjoyed by artisans and others for services rendered to the village communities.*

XXII. Ináms enjoyed by artisans and others for services rendered to the village communities, will be treated as hereditary grants, and will be confirmed to the holders and their heirs subject to the continued performance of the particular service for which they were granted.

2. Cases in which service may be no longer required will be dealt with according to Rule XX, and excess in extent will be treated as provided for in Rule XXI.

Treatment of Ináms situated in Zamindáries or proprietary Estates.

XXIII. Such of the Ináms situated in Zamindáries, and other existing private estates, as were excluded from the assets on which the permanent Peishcush was fixed, and the reversionary claims to which are reserved to Government by Section IV Regulation XXV of 1802, will be included in the present adjudication and settlement, and will be disposed of by the Commissioner on the same principles as have been laid down for the treatment of similar Ináms in the Government Túluks:—but the inquiry will not be extended to those Ináms which may have been granted by proprietors subsequent to the permanent settlement, in contravention of the provisions of Section XII of the above Regulation, except in the event of the future reversion of the estates to Government.

The term Inám applies to whole villages as well as to small holdings exempt or partially exempt from land tax.

XXIV. The term Inám is to be understood to apply to shrotriams, agraháram and whole Inám villages, whether held entirely free of land tax, or on a favorable quit rent; and such villages will be dealt with upon the same principles as are above prescribed for minor Ináms.

The Inám settlement to be made with the Registered holders or with the head member of the family enjoying it.

XXV. The settlement will be made either with the registered holders of the Inám, or, where none are registered, with the head member of the family enjoying the Inám, who according to existing practice, is alone considered responsible to the Government. But this rule will not interfere with the enjoyment of subordinate shares in the Inám by other members of the family, subject to such quit rent or other conditions as may be imposed upon it by the new settlement in communication with the head of the family.

Abandonment and non-appearance of Inàmdârs how to be dealt with.

XXVI. When an Inám has to all intents and purposes been entirely abandoned, there being no acknowledged owner in existence, or if, being in existence, he omits to come forward to claim it; and when the recorded possessor of an Inám fails, after due notice, to appear to prove his title; such Inám will, in the first instance, be placed under attachment by the Collector of the District, and after the expiration of one year from the date of the notice, will be held to be liable to be fully assessed to the Public Revenue under the general powers conferred on Collectors by Regulation XXXI of 1802.

Encroachments or excess.

XXVII. Encroachments, or land in excess of the recorded extent, if proved to be of 50 years standing will be dealt with as if it formed part of the original Inám. When of less than 50 years standing the excess will be subjected to a quit rent to be fixed according to the circumstances, but not exceeding two thirds ($\frac{2}{3}$) of the assessment, except in the case of fraud of the actual holder, when the full assessment will be charged.

Ináms commuted into Freehold, to be exempt from future interference.

XXVIII. Ináms once converted into Freeholds in accordance with the foregoing rules will be subject to no further interference on the part of the Government, except such as may be necessary for the punctual realisation of the quit rent charged thereon; and even this degree of interference may be avoided, at the discretion of the Inámdár, by the purchase, once for all, of the fee simple of the land by paying a sum equal to twenty (20) times the amount of the annual quit rent.

Enfranchised Ináms to be placed under the protection of the ordinary Civil Courts.

XXIX. Ináms thus enfranchised, either by the payment of an annual quit rent, or of a single fixed sum equal to 20 years purchase of the quit rent, will, like every other description of property be subject to the jurisdiction of the ordinary Courts of Justice in all questions of disputed right, succession, &c., and they may be mortgaged, sold and transferred in any manner, at the will and discretion of the Inámdár subject to the payment of quit rent, if such is not redeemed.

Title deed to be presented to the Inámdár in acknowledgement of his Inám tenure.

XXX. On the validity of an Inàm being established by enquiry conducted in accordance with the foregoing rules, a Title Deed, will be at once furnished to the Inámdár,—acknowledging his title to the Inám on its present tenure, and specifying the terms upon which this tenure may be converted into a Freehold.

MADRAS, *July* 1859.

(Signed) G. N. TAYLOR.

Inám Commissioner.

Course of procedure to be observed by the Deputy Collectors in recording claims and in investigating titles to Ináms in the several districts of the Madras Presidency.

1. The investigation into the validity of all Ináms will be made by responsible officers of the rank of Deputy Collectors, who will be carefully selected for the purpose. It will be conducted from táluk to táluk in the presence of the assembled Inámdárs, and the village authorities, in the same manner as the annual settlements of Land Revenue are carried on by the Collector and his Assistants.

2. The officers deputed will enter the results of their enquiry in English, in a tabular form of Register. Printed forms will be furnished to them for this purpose, one for each village. A separate Register in the same form will be prepared of the Shrotriáms, Agraháram, and whole Inám villages in each táluk.

3. To facilitate the preparation of these Registers, printed Vernacular forms will be previously furnished to the village Karnams through the Tahsildars. The Karnams will prepare the statements under the immediate superintendence of a responsible tálûk officer, either the Sarishtadár or the head Gomastah who will be appointed for the purpose by the Collector, and will enter therein all the Ináms at present existing in the village, whether in the possession of the parties, or temporarily under attachment; exclusively of the village service Ináms, for which a separate form of Register will be prepared.

4. The Karnams will fill in all the columns of the Vernacular statement as far as the information at their disposal will enable them to do, and it is believed that very few columns will have to be left blank by the Karnams for want of information.

5. The superintending táluk officer will carefully scrutinise the extent and assessment of the several Ináms as entered by the Karnams, and will further satisfy himself that they correspond with the Jamabandi or other accounts of his táluk which show the extent of the existing Ináms in the several villages. Where the Inám land is unassessed, the assessment of similar Government land in the village shall be entered, and where the Government land also bears no fixed assessment, the assessment shall be entered with reference to the rent paid by the cultivators to the Inámdár, or in such other manner as the Commissioner in communication with the Collector of the District, may consider the best or most practicable mode of exhibiting the annual value of the land.

6. The conversion of the extent of the Ináms from the ordinary local measure, into acres, will be made in accordance with the rates of conversion adopted in the preparation of the revenue accounts of the village. Tables of conversion will, however, be prepared beforehand for each táluk, or division of a District, in communication with the Collector, and furnished to the officer who superintends the preparation of the Vernacular Register.

7. The táluk superintending officer will enter in the column of remarks in the Vernacular Register, the purport of any orders relative to the Inám which may have been passed upon reports of lapse; and these orders will be taken out and kept in readiness by him, for reference by the Deputy Collector. He will also afford the necessary explanations to the Karnams for filling in the several columns of the Register. Its preparation ought to occupy but a very short time, and on the arrival of the Deputy Collector at the táluk Cusbah, it will be delivered to him, attested by the Karnams and the táluk superintending officer.

8. Previously to the arrival of the Deputy Collector at the táluk Cusbah, a general invitation will have been issued, through the Collector of the district, calling upon all the Inámdars to be in attendance at the expected time, with their Sanads and title deeds, and with a written statement giving their name, age, place of residence, relationship to original holder, the particulars of their family or heirs, and the manner and date of their acquiring the Inám; and the Tahsildar will be instructed by the Collector to secure their attendance in the same manner as that of the ryots for the Jamabandi settlement.

9. After ascertaining that these necessary preparations are made, the Deputy Collector will proceed to the táluk Cusbah with his establishment, carrying with him all Registers and other standard accounts relating to the Ináms of the táluk, which may have been furnished to him, from the Collector's Huzúr records. The táluk officer who superintended the preparation of the Karnam statements will be in attendance upon him with all necessary tálûk records, and the Tahsildar, who will have been previously instructed to give his prompt assistance, will attend to all requisitions for records, &c., will procure the attendance of such persons and witnesses as may be requisite, and will generally act in subordination to the Deputy Collector as regards the Inám inquiry in the same manner as he would obey the orders of an officer deputed for the settlement of his táluk.

10. Being thus provided with every information in the táluk or Huzúr records, with a statement containing all required particulars ready prepared by the Karnam, and checked by a responsible táluk officer, having the village officers and Inámdárs in attendance, and the Tahsildár at hand to clear all doubts, an intelligent and resposible officer in the position of a Deputy Collector, whose undivided attention will be devoted to the work on the spot, may be expected to prepare these cases with a rapidity, a clearness, and exactness, quite unknown under the present system of reporting lapses.

11. He will prepare them from the Karnams' statements and the Huzúr records, checking and verifying the one by the other, and ascertaining by a verbal inquiry all points which are not to be found in the records—such as the relationship to predecessors, existing family, and actual title of the present incumbent. He will also examine and satisfy himself of the authenticity of the Sanad, and other title deeds which may be produced, and which in cases of doubt will be forwarded to the Commissioner with the reports of the cases. In the column of the Register set apart for remarks, he will enter succinctly the nature of, and circumstances relating to, the Inám and its present claimant, with the purport of any orders which may have been passed regarding it on the occurrence of any former lapse; and he will give his own recommendation clearly and briefly.

12. The Register when forwarded to the Commissioner's Office, should be complete in itself. The headings have been so prepared as to include all information of importance. None of the other columns need be here referred to; but if there be any other circumstances which the Deputy Collector may consider proper to be recorded, in order further to elucidate or explain his own recommendation,—he will of course enter such additional information, in the appropriate column, to enable the Commissioner to dispose of each case without further reference.

13. Should any of the Inámdárs neglect to appear either in person or by an authorised agent in compliance with the invitation issued under Rule 8, a list of such absentees shall be furnished by the Karnams to the Deputy Collector immediately upon his arrival in the táluk, who will thereupon issue individual notices through the Tahsildár to the absentees, calling upon them to appear in person or by an authorized agent with the required information within a period of 15 days, under the penalty provided by existing Regulations, *viz.*, the attachment by the Collector of their Inám lands for default, and the full assessment of the Inám after the expiration of one year if the default continue. The notice shall be served upon the Inámdárs or, if his place of residence be not known, upon his representative or the person in possession of the Inám, or it shall be posted in the village choultry or in any other public building or place in the village in which the Inám is situated.

14. If the Inámdár or his agent fail to appear in obedience to this notice, the Deputy Collector will note the same in the Register, entering in it all the information that can be obtained regarding the Inám to enable the Commissioner to dispose of the case. If the information is found to be insufficient for this purpose, the Commissioner will forward a list of such cases to the Collector calling upon him to attach the Inám lands in question pending the appearance of the Inámdár. The proceeds of the lands during the period of attachment will, as a general rule, be carried to the credit of Government and will not be repayable to the Inámdár.

15. After the Commissioner's departure from the District, should the Inámdár or the party claiming the Inám, appear before the Collector or his Assistant within the period of one year from the date of the notice, it will be the duty of the Collector to investigate the case and forward it with all the required information for the disposal of the Commissioner—and failing the appearance of any claimant within that period before the Government Officers, the fact should be reported by the Collector to the Commissioner in view to the full assessment of the Inám.

16. As the Deputy Collector during the progress of his inquiries will have both leisure and

them the liberal intentions of the Government on the subject of Ináms, and the principles upon which it is proposed to convert their tenure into an absolute Freehold; and he will note in the column of remarks those cases in which they may express a desire to avail themselves of the option allowed them for the purpose. This course, however, is only preliminary to the formal consent which will be ultimately accepted in each case by the Commissioner, on the occasion of conferring the title deed.

17. In the event of the production of false accounts, or fabricated documents of any kind, the Deputy Collectors will try the cases on the spot and punish the offenders under the provisions of Regulation IX. of 1822.

18. A brief progress report in the printed form provided, showing the class, number and value of cases inquired into and recorded, will be furnished by the Deputy Collector to the Commissioner at the close of every week.

19. Immediately on the completion of the Inám Register for each village, and after the recommendation of the Deputy Collector has been recorded in each case, it will be forwarded to the office of the Commissioner. The final decisions of the Commissioner or of his Special Assistants, will be entered in the last column; and in accordance with these decisions title deeds under the signature of the Commissioner, acknowledging the validity of their present tenure and specifying in each case the terms upon which it may be converted into a Freehold, will be presented to the Inámdárs assembled according to previous notice at the Commissioner's camp, which will be conveniently held at a central station in respect of two or more táluks.

20. After the title deeds have been given as above described, the consent of those Inámdárs who are desirous of availing themselves at once of the option of converting their tenure into a Freehold will be taken by the Commissioner and the alteration of the tenure will be entered, in the form printed on the Deed, under the seal of the Government and the signature of the Commissioner.

21. The results of the decisions of the Commission, so far as their enforcement may be necessary by the Revenue authorities, will be communicated from time to time by the Commissoner or his Assistants to the Collector who will carry them into effect accordingly.

(Signed) G. N. TAYLOR
Inám Commissioner.

MADRAS, *July* 1859.

LIST OF TITLE DEEDS.

1. For tax free hereditary personal Ináms, where option is given.
2. For jodi do. do. do. do.
3. For tax free Ináms for one or more lives, in other respects as above.
4. For jodi do. do. do. do.
5. For tax free or jodi Ináms which are alienated from the original Family, and where no option is allowed as regards the payment of Quit-rent. The sentence in italics will be retained or struck out according to the circumstances.
6. For Ináms held for the support of religious and charitable Institutions, buildings, &c., or services therein, where Quit-rent is already charged.
7. For Ináms held for the support of religious or charitable Institutions, &c., which are tax-free.
8. For Ináms held for services in the Revenue or Police Departments now discontinued.

Title Deeds for village service Ináms, or for other Ináms enjoyed in remuneration for services still rendered, are unnecessary.

TITLE DEED GRANTED TO

SYDAPOORAM ARNAGHERI MOODELLIAR.

1. On behalf of the Governor in Council of Madras, I acknowledge your Title to a personal Inám situated in the village of *Narsapur*, in the Taluk of *Mogaltur*, *Rajahmundry* District, claimed to be of 5 (five) acres of dry and 4 (four) acres of wet land.

2. This Inám is tax-free and hereditary; but it is not otherwise transferable; and in the event of the failure of lineal heirs, it will lapse to the State.

3. On your agreeing to pay an annual Quit-rent of 5 (five) Rupees, your Inám tennre will be converted into a permanent freehold; in which case, 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.

4. If you should desire to commute the Quit-rent for the payment of a sum of money, once for all, equal to 20 (twenty) years' purchase of the Quit-rent, you will be at liberty to do so.

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inám Commissioner.

Government Seal.

Whereas, you have agreed to convert your tenure into a Freehold, on the terms offered you in Clause 3 (three) of this Deed—your Inám is hereby confirmed to you as Freehold in perpetuity, subject only to the payment of the annual Quit-rent therein mentioned, *viz.*, Rupees 5 (five).

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inám Commissioner.

Government Seal.

Whereas you have agreed to convert your Tenure into an absolute Freehold on the terms offered you in Clause four (4) of this Deed, and have paid into the Government Treasury of Rajahmundry, the sum of Rs. 100 (one hundred), in permanent redemption of the entire Quit Rent chargeable on the land, your Inám is hereby confirmed to you in perpetuity as an absolute Freehold—that is to say, free of all tax whatever to the Government.

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inám Commissioner.

TITLE DEED GRANTED TO

MOOTTOOPOLLUM RAMASAWMY MOODELLIAR.

1. On behalf of the Governor in Council of Madras I acknowledge your Title to a Khairáthí Inám situated in the village of *Ponnary*, Talook of *Nayer*, District of *Chingleput*, claimed to be of acres 4-30 of dry land, and acres 3-8 of wet land.

2. This Inám is subject to a Jodi or Quit Rent of Rs. 3 per annum, and is hereditary, but it is not otherwise transferable; and in the event of the failure of lineal heirs it will lapse to the State.

3. On your agreeing to pay an annual Quit Rent of Rs. (5) five, inclusive of the Jodi already charged on the land as above stated, your Inám tenure will be converted into a permanent *Freehold;* in which case 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.

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

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inám Commissioner.

Government Seal.

Whereas you have agreed to convert your tenure into a Freehold, on the terms offered you in Clause (3) three of this Deed, your Inám is hereby confirmed to you as Freehold in perpetuity, subject only to the payment of the annual Quit Rent therein mentioned, viz., Rs. (5) five.

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inám Commissioner.

Government Seal.

Whereas you have agreed to convert your tenure into an absolute Freehold, on the terms offered you in Clause four (4) of the Deed, and have paid into the Government Treasury of *Chingleput* the sum of Rs. (100) one hundred, in permanent redemption of the entire Quit Rent chargeable on the land, your Inám is hereby confirmed to you in perpetuity as an absolute Freehold. That is to say, free of all tax whatever to the Government.

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inám Commissioner.

TITLE DEED GRANTED TO

CHINNACAYANAM THAMOTHARA PILLAY.

1. On behalf of the Governor in Council of Madras, I acknowledge your title to a personal Inám situated in the village of *Caverypaukum*, Táluk of *Seruvaukum*, District of *North Arcot*, claimed to be acres 4-3, of dry land, and acres 2-5, of wet land.

2. This Inám is tax-free, and confirmed for two lives only, but it is not otherwise transferable; and on the expiration of the limited term abovementioned it will lapse to the State.

3. On your agreeing to pay an annual Quit Rent of Rupees, (5) five your Inám tenure will be converted into to a permanent *Freehold;* in which case 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.

4. If you should desire to commute the quit-rent for the payment of a sum of money once for all equal to (20) twenty years' purchase of the quit-rent you will be at liberty to do so.

(Signed) G. N. TAYLOR,
Inam Commissioner

Dated

Seal of Inám Commissioner.

Government Seal.

Whereas you have agreed to convert your tenure into a Freehold, on the terms offered you in Clause (3) three of this Deed, your Inám is hereby confirmed to you as Freehold in perpetuity, subject only to the payment of the annual quit-rent therein mentioned, viz., Rs. (5) five.

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inám Commissioner.

Government Seal.

Whereas you have agreed to convert your tenure into an absolute Freehold on the terms offered you in Clause (4) four of this Deed, and have paid into the Government Treasuary of North Arcot the sum of Rs. (100) one hundred, in permanent redemption of the entire quit rent chargeable on the land, your Inám is hereby confirmed to you in perpetuity as an absolute Freehold, that is to say, free of all tax whatever to the Government.

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inám Commissioner.

TITLE DEED GRANTED TO

PARIVAUKUM RAGAVOOLOO NAIDOO.

1 On behalf of the Governor in Council of Madras I acknowledge your Title to a *personal* Inám situated in the village of *Caroongooly*, Táluk of *Therúporúr* District of *Salem*, claimed to be of acres 5-7 of dry land and acres 4-2 of wet land.

2. This Inám is subject to a jodi or quit rent of Rupees (4) four per annum, and is confirmed for two lives only, but it is not otherwise transferable; and on the expiration of the limited term above mentioned it will lapse to the State.

3. On your agreeing to pay an annual quit rent of Rupees (6) six, inclusive of the jodi already charged on the land as above stated, your Inám tenure will be converted into freehold; in which case 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.

4. If you should desire to commute the quit rent for the payment of a sum of money, once for all, equal to (20) twenty years' purchase of the quit rent, you will be at liberty to do so

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inám Commissioner.

Government Seal.

Whereas you have agreed to convert your tenure into a Freehold, on the terms offered you in Clause (3) three of this Deed, your Inám is hereby confirmed to you as Freehold in perpetuity, subject only to the payment of the annual quit rent therein mentioned, viz., Rupees (6) six.

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inám Commissioner.

Government Seal.

Whereas you have agreed to convert your tenure into an absolute Freehold on the terms offered you in Clause (4) four of this Deed, and have paid into the Government Treasury of Salem Rupees (120) one hundred and twenty in permanent redemption of the entire quit rent chargeable on the land, your Inám is hereby confirmed to you in perpetuity as an absolute Freehold, that is to say, free of all tax whatever to the Government.

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inám Commissioner.

Government Seal.

TITLE DEED GRANTED TO

DHURMAPURI RAMASAWMY PILLAY.

1. On behalf of the Governor in Council of Madras, I acknowledge your title to a *personal* Inám situated in the village of *Velloday*, Táluk of *Periapollium*, District of *Trichinopoly*, claimed to be of acres 4-23 of dry land, and acres 2-5 of wet land.

2. This Inám being an alienation from the original family, will be subject to the payment of an annual Quit Rent of Rs. (7) seven, *(inclusive of the amount already charged thereon)* which is hereby imposed upon it in commutation of the claims of Government arising from your defective title. The Inám is confirmed to you in Freehold. 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 abovementioned 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.

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inám Commissioner.

Government Seal.

Whereas you have agreed to convert your tenure into an absolute Freehold on the terms offered you in Clause 3 (three) of this Deed, and have paid into the Government Treasury of Trichinopoly, the sum of Rs. (140) one hundred and forty in permanent redemption of the Quit Rent chargeable on the land, your Inàm is hereby confirmed to you in perpetuity as an absolute Freehold, that is to say, free of all tax whatever to the Government.

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inam Commissioner.

Government Seal.

TITLE DEED GRANTED TO

COVOOR RAGAVA CHARLOO, Manager for the time being of Theroovayerpady Pagoda.

1. On behalf of the Governor in Council of Madras, I acknowledg your title to a *Dévaddáyam or Pagoda Inám*, situated in the village of *Theruvoyerpady* in the Táluk of *Conjeeveram*, in the District of *Coimbatore*, claimed to be of acres 7-35 of dry land and acres 4-2 of wet land, held for the support of the Pagoda called Streekrishna Swamy in that village.

2. This Inám is confirmed to you and your successors, subject to the existing Quit Rent of Rs. (5) five per annum, to be held without interference so long as the conditions of the grant are duly fulfilled.

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

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inám Commissioner.

Government Seal.

Whereas you have agreed to convert your tenure into an absolute Freehold on the terms offered you in Clause (3) three of this Deed, and have paid into the Government Treasury of Coimbatore, the sum of Rs. (100) one hundred, in permanent redemption of the entire Quit Rent chargeable on the land, your Inám is hereby confirmed to you in perpetuity as an absolute Freehold—that is to say, free of all tax whatever to the Government.

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inám Commissioner.

Government Seal.

TITLE DEED GRANTED TO

COTOOR RAMALINGUM PILLAY, Manager for the time being of Carúngúli Pagoda

1. On behalf of the Governor in Council of Madras I acknowledge your title to a *Dévaddáyam or Pagoda Inám* situated in the village of *Krishnaverum*, in the Táluk of *Carúngúli*, in the District of *Tanjore*, claimed to be of acres 4-23 of dry land and acres 3-7 of wet land, and held for the support of the Pagoda called Ishwara Swami in that village.

2. This Inám is confirmed to you and your successors tax-free; to be held without interference so long as the conditions of the grant are duly fulfilled.

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inám Commissioner.

Government Seal.

TITLE DEED GRANTED TO

DHURMAPURI RAMASAWMY PILLAY.

1. On behalf of the Governor in Council of Madras, I acknowledge your title to an Inám originally granted for service situated in the village of *Velloday* Táluk of *Periapollium*, District of *Trichinopoly*, claimed to be of acres 4-23 of dry land, and acres 2-5 of wet land.

2. This Inám being held for katcndudi service now discontinued will be subject to the payment of an annual Quit Rent of Rs. (7) seven, *(inclusive of the amount already charged thereon)* which is hereby imposed upon it in commutation both of the service thus discontinued and of the reversionary interest possessed by Government in the Inám. The Inám is now confirmed to you in Freehold. 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 abovementioned 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.

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inám Commissioner.

Government Seal.

Whereas you have agreed to convert your tenure into an absolute Freehold on the terms offered you in Clause 3 (three) of this Deed, and have paid into the Government Treasury of Trichinopoly, the sum of Rs. (140) one hundred and forty in permanent redemption of the Quit Rent chargeable on the land, your Inám is hereby confirmed to you in perpetuity as an absolute Freehold, that is to say, free of all tax whatever to the Government.

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

Seal of Inám Commissioner.

No. 29. MINUTE BY THE HONORABLE W. ELLIOT.

I have given my most careful attention to the Rules drawn up by the Commissioner for the Settlement of Ináms.

I desire to make some observations on a few of the Sections, in which I am unable to concur particularly on those embraced in Rule V. and XXI.

Clauses 3 to 5 of Rule V. define the conditions under which an Inámdár may commute his Mányam for a free-hold tenure.

They embrace two considerations. 1st, the circumstances entitling an Inámdár to consideration with reference to the existence or otherwise of heirs. 2nd, the value attached to these circumstances in their several degrees.

Now as regards the first consideration, the distinctions drawn by the Commissioner are founded entirely on our own ideas of succession and are wholly opposed to those of our Hindu fellow subjects.

A Hindu can never be said to be without the prospect of an heir so long as he retains the power to adopt. An adopted son is to all intents and purposes, as much a son as the issue of his own loins. So strongly is this principle recognized in Hindu law that a son begotten after the rite of adoption has been completed in favor of another, yields precedence to his adopted brother in regard to rank, inheritance and every other incident of sonship.

The exercise of this right has never been questioned. It was fully recognized by the old Inám Rules.

The distinction therefore which is drawn between Clause 3 and 4 is incorrect. It has no existence in fact and cannot be maintained with any show of justice to the feelings and rights of those most nearly concerned.

Even in the case Clause 5, a childless widow has full right to adopt, if the power of doing so has been delegated to her by her husband before his death.

I am of opinion therefore, that all these degrees of distinction should merge into one and that the case of holders of Inám absolutely destitute of heirs—a very rare contingency, needs no separate provision, but that in all such cases the grant may fairly and properly be allowed to lapse.

2. Under this view the consideration of the value attaching to the probabilities of succession merges in like manner into a single category, for which it would be necessary to provide but a single rate of commutation.

But I pointed out in my Minute of the 16th ultimo that there was a class of grants to which I considered an especial degree of consideration to be due.

I allude to Ináms held under Pádsháhi or Royal grants.

These are not numerous in comparison with the great bulk of the alienations. But such titles are far superior to all others and they are generally of old date.

If a reduction in the rate of commutation is to be allowed in any case, I consider that it should be in favor of these.

My honorable colleague, Mr. Morehead, I observe has expressed a similar opinion in his Minute of the 8th Ultimo.

I beg to propose therefore that the concession of a quit-rent of $\frac{1}{5}$ in lieu of the present limitations on transfer be confined to such Pádsháhi grants and that the rate for all others be $\frac{1}{4}$. The right of adoption although not so essentially a principle of Muhammadan law has been very generally practised by the Musalmans of India, and their numbers being small as compared with Hindus I would not make a distinction between them.

A quit-rent of $\frac{1}{5}$ of the supposed assessment is little more than a nominal demand and one of $\frac{1}{4}$ is so extremely light that the concession of a free-hold title at such a price, leaves the balance of advantage greatly on the side of the land holder.

The circumstance of these commutations being made before the revision of the land-tax enhances the benefit to the Inámdár.

In most districts the assessment can only be fixed at random. The want of data for this purpose has been the theme of revenue discussion for years. A survey to remedy the evil has just been inaugurated. But the proceedings of the Inám Commissioner cannot wait to take advantage of its labors. The Commissioner must decide on the value of the Mányam from existing data.

In the Northern Circars these have been proved again and again to be utterly worthless necessitating the adoption of a settlement by means of collective joint rents, as a temporary expedient. The same uncertainty exists in all other Districts to a greater or less extent.

This absence of correct data and the want of trustworthy registers of extent and value of land, have given free scope to local influence. The burthen of the assessment has been transferred from the best to the worst lands, from the substantial to the poor ryots. The blemish of the land-tax is not its excess as a whole, but the inequality of its distribution. Even in the Ceded Districts, which have been carefully surveyed, lands originally placed in the higher classes, have been surreptitiously transferred to inferior *tarams*.*

It is from such lightly assessed superior lands that grants of Inám have commonly been made especially those of a personal nature, such Brahmadaya, Dharmadaya, &c. Conferred generally on men unaccustomed to secular pursuits, the land remains in the occupancy of the ryot, on the easiest conditions. So well is this understood, that the fact has been used as an argument for maintaining the heavy demand on Khalisah lands which the ryot was able to pay only by means of easy assessed Inámtí cultivation. In the Ceded Districts, Sir T. Munro made it a condition that cultivators of Inám should always be required to take up Government land also, and where this could not be done, they were assessed with a light tax or *Inámati patti*.

These are some of the difficulties what will meet the Inám Commissioner in ascertaining the true assessment of Mányam land. A quit-rent of $\frac{1}{5}$ of that assessment at 20 years' purchase is $2\frac{1}{2}$ years and one of $\frac{1}{4}$ on the same terms, is equal to 5 years' purchase. But if owing to want of information such as I have described, and to the liability of being misled by trusting to past payments as a guide, the Inám Commissioners should, as I believe they often will, set down the estimated assessment at considerably less than a fair landlord's rent, the Inámdár will be able to purchase a free-hold title at considerably less than even the easy terms proposed by Mr. Taylor.

For these reasons I think that the quit-rent should not, as a general rule, be taken at less than $\frac{1}{4}$ of the estimated assessment, and that in cases of recent, and otherwise defective titles, it might with much fairness be raised still higher. An exception in favor of Pádsháhi grants will be of limited application and is a just concession to the superior value of such titles.

The subject embraced by Rule XXI. is of the highest importance and cannot I think be dismissed with the perfunctory notice it has received from the Commissioner.

* I make this statement on the authority of Mr. Bayley, who when engaged in the Survey of Kurnul, investigated the settlement of several neighbouring villages in Bellary, and found the result above stated.

The service lands to which it refers are of a very different character from the personal grants and police charge.

The one represent the pensions and endowments of the State, the other are simply a revenue

In dealing with the latter therefore, we are dealing with an important element of the public expenditure, and it behoves us to consider whether we are at liberty to dispose of any portion of them whatever, to purposes other than those for which they are enjoyed.

In the first place I would observe that in no one District (I believe) do the total alienations for service amount to a fair remuneration for the services rendered.

The distribution is most unequal. Some officers hold too much, some too little, some nothing. But the average of the whole, falls far short of a fair wage for the services of each individual.

In the next place every holder of service land perfectly understands the conditions of the tenure. However much the glebe may have been divided and sub-divided, all or any portion of it is liable to assumption and is often temporarily assumed by the Collector to pay the working incumbent, sometimes not even a member or in any way connected with the Inámdár's family. When the exigency has passed the share reverts to the Inámdár.

In the third place it must be remembered that the reform of these village establishments is one of the most important among many pressing subjects demanding the attention of the Government for the better administration of the country.

The measure has again and again been brought under consideration during the last 50 years. In some districts partial adjustments have been made. In others plans have been submitted, discussed and laid aside.* In none has a complete and satisfactory arrangement been concluded.

* I will instance Sir H. Montgomery's report on the Karnams of Rajahmundry in 1843 and my own report on Service Ináms of the N. Circars generally in 1854.

A principal feature in all these schemes is that of utilising the whole of the existing emoluments, notwithstanding which a considerable additional outlay† is required to attain any thing like a fair measure of compensation for the services rendered.

† See Mr. Robinson's Report on the Police of North Arcot of the current month.

The scales of remuneration at which the allowances have hitherto been calculated were drawn up with reference to the then state of the country. Such estimates are no longer applicable to the changed circumstances of the times. I will instance the pay assigned to Taliaris in the Report of the Commissioner of Police on North Arcot, just received. He proposes to allot $2\frac{1}{2}$ Rupees a month to this useful class of men. This has always hitherto been considered sufficient for a village watchman. But the wages of an ordinary laborer have now risen to two annas a day, double what they were before the establishment of the Department of Public Works and the construction of Railways. And I would ask how long the State is likely to retain the services of a man at $2\frac{1}{2}$ Rupees when the *lowest* rate of wage in the labor market is $3\frac{1}{2}$ Rupees?

The obstacle to the prosecution of these very necessary and important reforms has been the additional expense. Without such reform there can be no good administration, and the time when such matters could be staved off to a more convenient season has gone by. The improvement of the village offices must receive more liberal consideration than it has yet had, and the demand on the public treasury will be greater now than it has ever been reckoned before.

I submit therefore that the hasty and off-hand manner of dealing with such interests proposed in Rule XXI. is altogether inexpedient and will be productive of serious embarrassment hereafter.

I am of opinion that Service Mányams should be treated apart from the general subject of Ináms with due consideration to the rights of the public and to the finances of the State, and I would propose that the Commissioner should deal with them separately *after* enquiry into the wants and circumstances of each district and with reference to the efficient performance of the duties of the office

I observe that the Bombay rules only deal with personal grants and reserve the consideration of Service Ináms.

The Bombay rules also propose in the case of redemption of quit-rent to limit the period for which commutation is paid to 30 years when the sum will be liable to revision at the same time as the survey rates. This I consider to be objectionable because such grants of title to have any value should be final. But with reference to the ignorance of the value of land here, I would suggest an alteration on Rule IX. by the omission of the words "or at any future time."* And where par-

* Mr. Taylor has since told me that this point had escaped his notice but will be provided for in the revised rules.

9. The provisions of Hindu Law in regard to adoption, though practically ignored as conferring a claim to succession to an Inám, have nevertheless been respected by the Government to a certain extent. For example, when the adoption is valid in point of law, the adopted son is usually recognized as the legal heir to Shrotriams and similar grants conferred for a number of lives, and it has been my endeavour, throughout the proposed rules, to guard against any infraction of the principles of Hindu law, and to avoid introducing any provisions which are opposed to the social habits, feelings, and rights of the people. The clauses composing Section V. of the Rules, were most carefully considered in communication with my Special Assistant, and I have the opinion of many intelligent Natives, not associated with me in the Commission, as well as of all my Deputy Collectors, that the principle involved in the arrangement is in consonance with native feeling, and that the justice of the distinctions in the rates of Quit-rent, will be universally admitted.

10. But even according to Hindu law, the Honorable Mr. Elliot will find on reference to Strange's Manual, which is compiled I believe from the best authorities, that an adopted son's rights are not so perfect as he supposes them to be, and are materially interfered with by the subsequent birth of a natural son. In Section 122, page 22, it is declared that "on a son being born naturally to a man after he may have taken one in adoption, the adopted son receives but a fourth share; that is, a fourth of what forms the share of the son begotten. The property is divided into five parts, of which the adopted son gets one, and the after born son, four."

This view is also supported by the answer of the Pundits of the Sudr Adawlut to a question put to them on the same subject. This answer is to be found in a note at page 562, of Vol. I, of Board's C. O.

11. It is true, nevertheless, that a Bhartwarthi Inám in Bellary was continued by an order of Government, dated 12th June 1848, to an adopted son, and the natural sons of the adopter born subsequently to the adoption, apparently by a second wife, were directed to look to him for support. This was in direct opposition to Hindu law, and is only another instance of the truth of the remark recorded by Government in Extract Minutes Consultation, 18th September 1851, that "the decisions hitherto arrived at have not been based on any fixed principle."

12. The Honorable Mr. Elliot proposes to make a distinction between Pádsháhí and other grants. I believe there will be found to be very few if any, properly called Pádsháhí grants emanating from the Royal family of Delhi; but as in almost all cases, the validity of an Inám will depend upon length of possession, I do not clearly see how any distinction could be made. Perhaps Mr. Elliot means that Ináms held on grants prior to the passing of Regulation XXXI of 1802, and then in possession of the grantee's family, which are now continued to the holders as a matter of course, should be treated with more consideration than other Ináms; but as the principle of recognising 50 years' possession to be a good title to an Inám, was laid down for my guidance, I had no choice but to place all Ináms of 50 years standing in the same category, making a distinction only in favor of hereditary Inámdárs, as regards the option to enfranchise.

13. Some of the Inams in Tanjore and probably also in other Districts, granted by the Rajahs of the country, and styled Sarvamaniems, are stated to be held already on freehold tenure, with the power of alienation by adoption, transfer, or otherwise. Whenever this is found to be the case, the actual tenure will of course be respected and the Inám confirmed to the holder according to the express terms of the grant.

14. I have not overlooked the difficulty of fixing the Quit-rent, which is next noticed by Mr. Elliot. This difficulty will not be materially felt I think in Districts where the lands are classified and assessed: but in the Northern Circars it may be found necessary to fix a general rate as provided in Section VIII of the Rules.

15. With respect to the proportion of $\frac{1}{8}$ being too low, as compared with the rate proposed for Bombay; it should be remarked that the assessment in that Presidency has been reduced to so low a point, that the average per acre is probably not more than one-half of the average assessment in this Presidency. If this be the case, the Quit-rent proposed to be charged to the Inámdars in the two Presidencies will be of equal amount per acre.

16. In regard to the second point chiefly noticed by Mr. Elliot, namely, the proposed treatment of Village Service Inams, I beg to say that I have not been unmindful of the very great importance of the subject. I stated in my Report, para. 36, that the revision of this class of

tion, merely enunciates the general principle which I would propose to apply to these Ináms. I stated that their treatment in the several Districts must depend upon local circumstances which would have to be carefully considered in communication with the proper authorities. I have provided (para. 3 of the Instructions to the Deputy Collectors) for the preparation of a separate Register of these Service Ináms, and though I certainly contemplated including them in the new settlement, I proposed to deal with them separately precisely in the manner suggested by Mr. Elliot in the last page but one of his Minute.

Rule XXI provides for the treatment of Ináms of this class in conformity with the principles of the Honorable the Governor's Minute. It is proposed to utilise the Ináms to the full extent, and when they are found to be excessive, not to resume the excess, nor to appropriate it to meet deficiencies in any other village than that to which the Inám belongs, or to transfer it to any other office than that to which it is attached, but to enfranchise this portion of the Inám by charging a Quit-rent in commutation of the claims of the Government, and thus confirming it to the owner on free-hold tenure. This Quit-rent may fairly be devoted to aid the general fund for Village Police or Revenue Service, but any other mode of dealing with these Ináms most of which have been held for generations in the same family, would, in my opinion, be regarded with universal disfavor and alarm.

With reference to the closing para. of Mr. Elliot's Minute I would only say that, as the annual value of the land must be ascertained before the Quit-rent is fixed, the purchase money of the Quit-rent may be paid at the option of the holder either now or at any future time. The number of years purchase of the Quit-rent will not alter, though its rates may, if not accepted at once.

(Signed) G. N. TAYLOR,
Inám Commissioner.

30th July.

No. 31. MINUTE BY THE HONORABLE W. ELLIOT.

I have carefully considered Mr. Taylor's remarks on my Minute of the 27th Ultimo, and I feel called upon to notice those points in which he impugns the correctness of my statements.

Mr. Taylor states that the Government being vested with full power under Regulation IV. of 1831, has reserved to itself the right of refusing to recognize adoptions in all cases and that it has limited the permission to do so to the degrees of relationship specified in the C. O. quoted, that is to undivided nephews and cousins.

This would ignore the power of adoption altogether because such relations are heirs of right and would succeed whether adopted or not.

The C. O. Board Revenue referred to is that of 29th September 1851.

It will be found to be a mere re-affirmation of the previous C. O. 16th July 1846, which directed attention more pointedly to the notification on the subject of adoptions dated 16th March 1846.

The preamble of that Notification unmistakeably explains its object; viz.

"In order to prevent adoptions by parties at the point of death, for the sole purpose of barring the rights of Government to escheats, as well as to defeat fraudulent attempts to impose on Government as an adopted son a person not possessing that character"—therefore it was declared hat while Government reserved to itself the right of refusing to recognize adoptions, "in all tcases, it would without fail reject them unless they had been registered in the Collector's office at least six months before the death of the party adopting."

The subsequent C. O. quoted by Mr. Taylor restricts local officers from admitting adoptions without reference except in the case of cousins or nephews, but does not impugn the validity of those in more distant degrees. Adoptions are allowed by the same C. O, without restriction in the case of all Inams held on grant prior to Regulation XXXI. of 1802. In the case of all others "the Governor in Council would not consider himself *warranted* in allowing Inam lands to be transmitted freely by adoption so as to pass into a family unconnected or remotely connected with that of the previous holder."

To the C. O. of July 1846 are appended examples of the liberality with which the Government had treated such cases when referred for decision, which confirm under orders from the Court of Directors the succession of an adopted son to the prejudice of his uncle ; of a uterine brother to a person who had been adopted into a different family ; of a son-in-law ; of an adopted son to succeed to the estate of his *natural* father.

These cases display a latitude of consideration altogether uncalled for. They are promulgated in a well-considered order published for information and guidance, and must be taken for a better exponent of the views of the local and Home Governments on the subject, than the casual decisions in isolated cases referred to by Mr. Taylor which were selected by Mr. Norman under an order to which I was a party, not to serve as precedents but to shew the irregularity of past orders, with a view of laying down an authoritative manual for future guidance.

In fact it was only in cases of illegal and suspicious adoptions that interference was deemed necessary. See C. O. Vol. 1 pages 452, 458, 462, 485.

As to my statement of the superior rights of an adopted over a subsequently born son which was merely given as an illustration, I spoke from instances within my own knowledge in a part of the country with which I am best acquainted. I am aware the practice varies but it would be easy to quote as many texts for the one rule as the other.

We have inaugurated a scheme for the settlement of a difficult question, in a spirit of liberal concession.

The Inam Commissioner puts aside all considerations of degree in the value of titles, and looking at the subject from an Anglo-Saxon point of view graduates the terms of commutation with reference to European ideas of hereditary succession.

I prefer to make a distinction in favor of those titles* which have hitherto been recognized by law and by public opinion as superior to all others ; and in deference to Hindu law and Hindu modes of thinking, I would grant equal facilities for the transmission of the estate through an adopted as through a lineal heir.

* In using the term Padshahi Grants, I include all titles recognized as valid and unimpeachable by Reg. XXXI of 1802.

In the former case I would fix the rate of commutation at $\frac{1}{8}$ the estimated assessment. In all others at $\frac{1}{4}$ and where a lapse is inevitable as in Clause 5 of the Rule I would leave it to fall in.

But should distinctions of title not be recognized I would keep the rate of commutation at $\frac{1}{4}$ in all cases as being liberal in itself, far below the value of the privilege conceded and fairer as regards the public interests, which are not lightly involved in the permanent alienation of lands equal to $\frac{1}{4}$ of the whole arable area of the country.

With regard to Rule XXI,. I fear I have not made myself clearly understood.

What I meant by dealing separately with them was that the settlement of Service Mányams should be treated as a matter wholly distinct and on different principles from personal and charitable grants.

The Commissioner proposes to deal with the subject as regards existing Ináms alone.

I contemplated a thorough reform of the Institutions themselves.

In my opinion the service lands cannot be considered apart from the general incidents of the service. The Ináms constitute the fund from which that service is provided and are liable to their fullest extent for the efficiency of that service.

The office of Head-man, Karnam, Taliyari, Vetti, involve the performance of services on which the whole frame-work of Indian society turns. In some places they are over-paid, in some under-paid, in others they have no remuneration at all or that of the most insufficient description.

The adjustment of these inequalities so as to place the offices on a right footing has long been felt to be a matter of the greatest importance. Financial considerations have deferred its consideration from time to time but it still ranks as among the most pressing of the reforms required to ensure the efficiency of our administration.

The Inám Commissioner is well qualified to accomplish the settlement of this important matter.

But it cannot be done piecemeal nor on principles which will indefinitely postpone, if it does not more seriously impede the full and effective settlement of the question.

The first point is to provide for the due performance of the duties of the several offices, in every village, as regards the persons, the next to provide them with adequate remuneration.

We have no authority to do this *proprio motu*, for it involves financial considerations requiring the confirmation of the Government of India.

Until the whole subject has been laid before those who are responsible for the Imperial Finances we are not at liberty to alienate irretrievably any portion of the funds already appropriated on conditions of service.

It may be a question how far the official emoluments of one village are liable for the service as a whole. But looking to the practice and to the principle on which these emoluments are now held, I consider it to be matter of the gravest consideration for decision only after full examination of all the circumstances, and that it would be inexcusable to jump to a hasty conclusion on it.

The subject has long and fully engaged my thoughts and attention, and I submitted the draft of an Act for effecting this very object when Commissioner in the Northern Circars.

In my view, the basis of such a settlement should be the reversion of all divisions and subdivisions of service lands and emoluments to the individual selected for the performance of the service at the death of the present holders, the continuance of an ample provision for the maintenance of the office and the employment of the surplus to supplement deficiencies elsewhere. After all this a considerable sum will remain to be made up from the Public Treasury.

In some districts partial reforms have been effected. In South Arcot and some other Collectorates, I believe, the lands and emoluments of the Karnams were resumed absolutely and a salary in money attached to the office which has since been held during good behaviour without reference to hereditary claims.

In like manner the service lands and emoluments of all district officers as Desais, Natamkars, Despandis, Mujamdars, have been resumed because their services were no longer required. The final orders on this subject have been passed within the last two years.

I regret that I am unable to concede the objections urged in my previous Minute to the Commissioner's draft of Rules. I do not desire to press my own views on the subject of personal and charitable Grants. But I consider the treatment of Service Ináms to be of such vast importance with regard to the future administration and finanical interests of the country that I feel constrained to record my decided protest against the proposed mode of dealing with them.

4th August 1859. (Signed) WALTER ELLIOT.

No. 32. MINUTE BY THE HONORABLE THE PRESIDENT.

All Ináms to which good titles have been established, whether by Pádsháhí grants, by grants from subordinate authorities, or by long possession, must, in equity, be dealt with alike.

2. I am ready to accept Mr. Elliot's statements in regard to adoption. No absolute right of adoption in reference to Ináms is recognised. The Government reserves to itself the power of admitting or refusing the claim of an adopted son to succeed to an Inám ; and declares that, "in all cases, it would, without fail, reject them, unless they had been registered in the Collector's "office at least six months before the death of the party adopting". The rule prescribed by the Government of India, dated the 16th of May 1851, "That pensions granted hereditarily are "to cease when the hereditary line fails, and are not to pass to adopted children," was extended to "Grants in Land ;" and it was stated that "The Right Honorable "the Governor in Council would not consider himself warranted in ,' allowing Inám Lands (except such as are held in grant of a period "prior to that prescribed in Regulation XXXI of 1802, and which were "in possession of the grantee's family at the passing of that Enactment, and are consequently "free from all further interference") to be transmitted freely by adoption, so as even to pass 'into a family unconnected, or remotely connected, with that of the previous holder, to the "prejudice of the rights of Government."

"Extract Minutes of Consultation 9th May 1848, paragraph 8, (C. O. 27th July 1848)."

3. Whether the rates of commutation proposed for the conversion of these inferior tenures into free-hold, are more or less than they ought to be, under all the circumstances of the case, is a matter of *opinion*; but so much is *certain*, that any advantage which the Government could obtain from any possible increase in the rates of commutation, is not to be compared with the benefits to be derived from the speedy and satisfactory settlement of the question. The real gain will be the general contentment; the motive which a large and influential portion of the population, scattered through every part of the South of India, will have to stand by us; and the increased inducements to investment and production consequent upon the substitution of a secure, for an insecure tenure. I, however, entirely deny that the rates of commutation are too low. The payments to the Government under this arrangement are *certain*; the advantages which might accrue to the Government in the absence of that arrangement are *uncertain*; and it is well known how small a present payment is equivalent to distant contingent advantages. It is also well known how entirely the efforts which have been made, in this and other Presidencies, to realise the full pecuniary claims of the Government against this description of property, have failed. It will be seen from the memorandum on the practice of the Commissioners of Her Majesty's woods, &c., in the disposal of Reversions, Forfeitures, Fee-Farms, and Quit-rents in England and Ireland, a copy of which was annexed to my first Minute, that in classes of cases in which the rights of the Crown are even more certain than they are in regard to Ináms, enfranchisement is conceded on more favorable terms than those proposed in Mr. Taylor's rules.

4. I do not yield to Mr. Elliot in appreciation of the importance of the village institutions, of which I have had practical experience in one Presidency, and have had the subject before me since the commencement of my active life in reference to whole of India. I agree with him that the existing inequalities should be adjusted, so as to place the offices on a right footing; and that "the basis of settlement should be the reversion of all divisions and sub-divisions of "service lands and emoluments to the individual selected for the performance of the service," and "the continuance of an ample provision for the maintenance of the office". The words omitted, "at the death of the present holders," are inconsistent with the opinion expressed in the following passage of Mr. Elliot's former Minute, with which I entirely concur. "In the first place every "holder of service land perfectly understands the conditions of the tenure. However much the glebe "may have been divided and sub-divided, all or any portion of it is liable to assumption and is constantly assumed by the Collector to pay the working incumbent, sometimes not even a member or in any "way connected with the Inámdár's family."

5. I also agree with Mr. Elliot that the settlement of Service Ináms should be treated as a matter wholly distinct, and on different principles, from personal and charitable grants, and that the Inám Commissioner is well qualified to accomplish the settlement of this important matter.

6. Mr. Elliot observes that this Government has no authority to provide adequate remuneration for the village officers "*proprio motu*, for it involves financial considerations requiring the confirmation of the Government of India." He also says, "It may be a question how far the official emoluments of one village are liable for the services as a whole." Upon this I need only remark, that, if any additional grant is required, application will be made to the Government of India.

7. As this subject has been incessantly talked and written about for the last 40 years, and some partial settlements have been made, it is time that it should be dealt with in a practical and systematic manner. There never could be a more favorable opportunity than the present. The necessary preliminary information has been obtained. An able Commissioner of Mofussil Police, with several carefully selected assistants, is employed in reorganising the village Police as part of the general Constabulary; and an experienced Member of the Board of Revenue is engaged in revising the village Revenue Establishments. These officers have been instructed to ascertain and report what emoluments are required for the village servants of every description; and the Inám Commissioner will make the standard fixed by them the basis of his settlement, and will enfranchise, on the terms laid down in Rule XXI.—that is, on a quit-rent equal to half of the ordinary assessment, or on payment of a gross sum equal to twenty years' purchase of that quit-rent—only that portion of the Service Ináms which is declared to be in excess of the emoluments actually required. In perfecting these arrangements we shall, I hope, have the invaluable assistance of Mr. Elliot during the few remaining months of his term of office.

8. The difference of opinion between Mr. Elliot and me is so slight, if there be any at all, which I much doubt, and the objections to reopening the general question at this advanced stage of the undertaking, are so great, that I hope that, after the explanation I have furnished, the Rules may be sanctioned by an unanimous decision of the Council.

(Signed) C. E. TREVELYAN.

Madras, 8*th August* 1859.

I entirely concur.

(Signed) PAT. GRANT.

No. 33. MINUTE BY THE HONORABLE W. A. MOREHEAD.

Having since my return to Madras considered the Rules laid down by the Inám Commissioner, and the Minutes that have been recorded in respect to them, I feel satisfied, that faithfully carried out, the adjustment of the Inám question will be effected beneficially to all parties.

The Rules in respect to adoption hitherto in operation are to be observed, and the settlement of the entire Ináms, is to be conducted exclusively with reference to the intentions of Government in granting such Ináms. Grants in excess of present requirements only being dealt with under Rule XXI. If I am correct in the above supposition, the rights of the ancient Inámdárs will be guarded, and in the instance of excess payments to service Inámdárs, the Government will obtain as much payment for such excess Ináms as can now be safely or fairly demanded.

(Signed) W. A. MOREHEAD.

8*th August* 1859.

No. 34. ORDER THEREON, 9th August 1859, No. 1069.

With his letter above recorded the Inam Commissioner lays before Government for approval the rules which he has drawn up for the purpose of giving practical effect to the general policy laid down in the President's Minute of the 13th May for the investigation and adjudication of Inam titles; as well as a draft of instructions prepared for the guidance of his Assistants in their work, and forms of Title Deeds to be given for the Inams of the several classes.

2. The draft instructions have been already approved by an order of the 11th Ultimo, No. 919. The rules and forms of Title Deeds have now been carefully considered by the Governor in Council, and they also are now fully approved and confirmed.

3. The Honorable the Governor in Council takes this opportunity to record his sense of the clearness with which the Inam Commissioner has seized the general ideas set forth in the President's Minute, and the ability and sound judgment with which he has drawn up the detailed rules required for giving them practical effect.

4. In pursuance of the order of Government of 14th June 1859, No. 784, Mr. Taylor has selected a staff of able assistants from among the Deputy Collectors, and the Governor in Council fully trusts that with their aid he will be able to make rapid progress in the satisfactory settlement on a sound and permanent basis, of the large mass of landed property to which his proceedings relate.

5. These papers will be immediately transmitted to the Right Honorable the Secretary of State for his information.

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

PROCEEDINGS of the MADRAS GOVERNMENT.

Dated 9th August 1859. No. 1069

Read the following papers.

From the Inam Commissioner.

Submits a draft of Rules, &c., for the guidance of the officers to be employed in the adjudication of the Inams of this Presidency.	(Here enter 6th July 1859, No. 71.)
Minute by the Honorable Walter Elliot.	(Here enter 27th July 1859.)
Do. by the Honorable the President.	(Here enter 30th July 1859.)
Do. by the Honorable Walter Elliot.	(Here enter 4th August 1859.)
Do. by the Honorable the President.	(Here enter 8th August 1859.)
Do. by the Honorable W. Morehead.	(Here enter 8th August 1859.)

With above recorded letter the Inam Commissioner lays before Government for approval the rules which he has drawn up for the purpose of giving practical effect to the general policy laid down in the President's Minute of the 13th May for the investigation and adjudication of Inam titles; as well as a draft of instructions prepared for the guidance of his Assistants in their work, and form of Title Deeds to be given for the Inams of the several classes.

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5. These papers will be immediately transmitted to the Right Honorable the Secretary of State for his information.

(True Extract.)

Secretary to Government.

To the Inam Commissioner.
" Board of Revenue for their information and for communication to all Collectors.

Exd. H. M. Elliot.

INAM COMMISSIONER'S OFFICE,

No. 71. 6th *July* 1859.

FROM G. N. TAYLOR, ESQ.,
Inám Commissioner,

To J. D. BOURDILLON, ESQ.,
Secretary to Government, Revenue Department.

SIR,

I have the honor to submit for the consideration and approval of the Government a draft of Rules and practical directions for the guidance of the Officers to be employed in the adjudication of the Ináms of this Presidency.

2. The Rules are framed in accordance with the general principles laid down in the Minute of the Honorable the Governor. They embrace all classes of Ináms which are known to exist in the several Districts, and they provide for every variety of case and circumstance likely to come under consideration, so far as it is possible to foresee them. Should particular questions hereafter arise which may appear difficult or doubtful of disposal under these Rules, the orders of Government will be obtained regarding such cases as they occur.

3. Before proceeding to offer explanatory remarks on such points in the Rules as seem to require elucidation, I will devote a few observations to the existing state of the Inám question in this Presidency; and in contrasting the present position of the Inámdárs with that which they will hereafter occupy, I will endeavour to place in a clear light the real objects to be effected by the Commission, in respect to which I am led to believe that considerable misapprehension still prevails. A brief review of the subject will not be without its use to the officers who are to be associated with me in the approaching investigations; for it is very desirable that they should proceed to the work before them with a clear knowledge of its importance, and with a thorough conviction of the benefits that the measure is intended to confer on the country.

4. Although the existing Rules for the treatment of Ináms appear on the whole to be liberal in principle, they have not been so in practice. They have been modified and supplemented by many subsidiary orders, which have proved a source of vexation, annoyance, and uncertainty to the Inámdárs. The term *hereditary* has been interpreted and applied in a restricted sense, excluding collaterals though actual heirs according to Hindu Law, and admitting only direct lineal descendants and undivided brothers:—each insignificant share of an Inám held by divided members of the family of the original grantee is liable to revert to Government on the death of the present incumbent; the right of females to succeed to an Inám, though recently conceded, is not extended to all degrees of relationship; the claims of adopted sons are only recognized within certain limits; and the irregular transmission of an Inám through a collateral branch by an illegal adoption, or by an alienation of any kind, weakens the claim of the heir of the present holder and renders the Inám more or less liable to resumption.

5. The Honorable the Governor's Minute on Ináms leaves little to be said regarding the state of precariousness and depression of this description of property. The injurious tendency of the various, and sometimes conflicting interpretations which have heen put upon the Rules, has been aggravated by their unequal operation in the different Districts. Cases are disposed of according to the personal views of the Officers who investigate them; and instances are not wanting —witness the case of the two Subadars recently published by the Government—in which Ináms granted under precisely similar circumstances have met with a totally different treatment. In illustration of this part of the subject, I append to this report an alphabetical abstract of numerous decisions passed by the Government on reports of Inám lapses in the several Districts. The abstract is taken from a paper carefully prepared by Mr. Norman, late Deputy Secretary to Government in the Revenue Department. How much depends upon the zeal and individual exertions of the authorities of a District may be seen, however, by referring to the Statement given in para. 8 of the Governor's Minute. During the four years embraced by that statement, the value of the resumptions in the District of Guntoor, where the Ináms are far less numerous

than in many other Districts, amounted to one-half of the value of the entire resumptions throughout the Presidency.

6. The necessity for enquiry on every occurrence of lapse forms indeed the worst feature of the system hitherto in force. It occasions endless annoyance and vexation to the Inámdárs, and increases very considerably the work of the Táluq establishments. These inquisitions into the title of the surviving claimants, owing to the time and labor which they necessarily involve, are viewed with as much disfavor by the officials as by the Inámdárs. In few Districts are the Táluq accounts of so complete a nature as to afford sufficient information without reference to the Collector's Office. An incomplete investigation by the Tahsildars is the result—a mass of useless papers are forwarded to the Collector's Office,—the Huzùr Records are searched for entries respecting the Inám,—the case is sent back to the Talúk for further enquiry,—it returns in the course of months or years,—has again to be gone through from beginning to end, other witnessess have to be examined and if the Collector is at length satisfied, the Inám is either continued to the heir of the last holder, or in cases of doubt reported to the Board of Revenue, and eventually to the Government for final orders. Subject to an ordeal such as this, it is not surprising that the holders of Inám land are dissatisfied and discontented with their present position—and that land absolutely tax free, but exposed to the uncertain conditions above described, should, even in the District of Tanjore, be actually less valuable to the owner than Government land paying a high Assessment.

7. In view of these circumstances, the organisation of a special Commission was recommended by the Madras Government, and sanctioned by the late Court of Directors. The object of this Commission is to substantially improve the position of the Inámdárs throughout the Presidency; to give security to landed property ; to confirm and not to disturb titles ; and to enhance the value of land hitherto greatly depreciated by the conditions attached to its tenure. In pursuance of these objects, undisputed succession for a certain period of years will be respected, and undisturbed possession for a given term, whatever may have been the origin of the Inám, will be held to confer a valid title ; and even where the title is invalid, if the Inám was not acquired by fraud of the actual holder, a good title will be given on condition of the payment, either of an annual quit-rent or of a fixed sum once for all. And the advantage to be expected from the final settlement of the Inàm tenures upon these principles is the future general contentment of the people, producing a favorable reaction on the prosperity of the country and on the resources of the State.

8. It is proposed to effect these objects and to secure these advantages by the following means. The adjudication and final settlement of all existing Inàms will proceed upon one uniform plan, based on the principles of justice and liberality which have been laid down for the guidance of the Commissioner. The inquiry will be conducted by an agency, which under the direction of one responsible head, will give its undivided attention to the work ; and by this agency a complete Register of the Ináms of the Presidency will be prepared in a given form, which will not only serve the purposes of the present inquiry, but will prove a useful record for reference in all matters connected with Ináms which are likely to arise at a future time. The several Districts will be taken up in turn, and each case disposed of in the shortest time compatible with a careful and intelligent inquiry. The entire strength of the Commission being concentrated for the time in one locality under the immediate eye of the head of the Department, the disturbing effect which is inseparable from an investigation into tenures will be confined within the narrowest limits,—the open wound will be speedily closed,—the time of the Commissioner will not be wasted in the constant interchange of written correspondence with subordinates scattered over the country, and with the authorities of the various Districts; and the settlement may be expected to proceed with a rapidity that would be impossible if any other plan were pursued.

9. The course of procedure which will be adopted for the adjudication of Ináms, is laid down at length in the paper of instructions which I have prepared for the guidance of the Subordinate Agency selected for this important duty, and which follow the Draft Rules. It has been my endeavour to make these instructions plain and practical, and they seem to require no further explanation here. I will only add in closing this portion of my report that with the aid of the special Assistants and the Deputy Collectors whom I have been permitted to select from the whole Uncovenanted Service, supported as they will be by the authority and co-operation of Collectors, I anticipate a speedy and satisfactory termination of the enquiry in each District. As the entries in the Public Accounts will in most cases establish the validity of the Inám, a tedious enquiry by examination of witnesses and scrutiny of documentary evidence will seldom be necessary. The probable rate of progress cannot be estimated at the out-set—the first step is always the most arduous,—but information already gained will assist the acquisition of more ; each subordinate will arrange and methodise his work as he proceeds, and there will be a gradual increase in the daily number of cases adjudicated,

10. I now pass to a consideration of the Rules according to which the principles laid down for my guidance are to be practically applied. The first point which claims attention, is the length of possession which is to be held to constitute a good title to an Inám. As regards original title or origin of possession, Ináms may be said to be of the following Classes. First.—Those held with or without grants from Pádshás and Officers of former Governments on the date of the British assumption. Secondly.—Those acquired immediately after the assumption and continued to the holders on real or fictitious claims of past enjoyment; and thirdly—Ináms more recently acquired, whether under the express authority of the British Government or by irregular grants of subordinate District authorities and of Zamíndars, Poligars, Renters and others.

11. Now the prescribed period of undisturbed possession without the payment of land tax, viz., 50 years, embraces all Ináms except those of the last class, which are comparatively few in number and inconsiderable in extent and value. It includes not only all Ináms which existed in each Province on the introduction of British Rule, but also those acquired by whatever means in the confusion which immediately ensued, and those entered in the survey and other early accounts which have hitherto been open to question and interference, and the origin of which is doubtful or suspicious. To the mass of Inámdárs, therefore, whether holding their Ináms with or without sanad, unconditionally or on condition of Service, the term of 50 years possession, secures an immediate recognition of title. This term includes, as already stated, all the various accounts of the earliest years of our administration, to one or other of which every Inámdár is able to refer in support of his claim. A definite line could not have been so appropriately drawn at any other period—and as will be seen in the sequel, indulgence is most liberally shown to all Ináms of more recent origin.

Rule I. 12. The first Section of the Rules provides in 3 Clauses for the treatment of Ináms proved to be of 50 years standing. Uninterrupted possession for that period is declared to constitute a valid title to the land, as Inám ; proof of the existence of the Inám for 50 years will be accepted from the public accounts ; and proof for the full term will be dispensed with where there is a reasonable presumption that the failure of such proof is owing only to lapse of time.

Rules II & III 13. Then follows the mode of disposal of the four grand classes of Ináms after the validity of title has been once established. The treatment of the first class, which consists of grants or endowments to religious and charitable Institutions and for services therein, is laid down in Section III. These Ináms will be continued to the holders and their successors without interference, so long as the conditions of the grant are fulfilled.

Rule IV. 14. The provisions relating to personal or subsistence grants, which form the second grand Class and comprise as regards extent and value about one-half of the entire Ináms of the Presidency, are contained in Sections IV to XVII inclusive. These Ináms, when proved to be of 50 years standing, will be confirmed to the holders according to their actual tenure. The conditions upon which this tenure will be commuted into a freehold, if the present incumbent is a descendant of the original grantee or of the original Registered holder, are set forth in Section V. The first Clause states distinctly the nature of the limited tenure upon which hereditary Ináms are now held,—the second Clause declares the option to be given to the holder of an hereditary Inám to convert his present tenure into a freehold,—and clauses 3 to 5 provide for three distinct rates of quit-rent to be charged to the Inàmdàrs according to the value of the reversionary claim of the Government in each case.

Rule V. 15. The application of the principle prescribed by the Honorable the Governor's Minute for the conversion of hereditary and other personal tenures into absolute Freeholds, being a very important feature of the present rules, has been most carefully considered and requires particular explanation.

16. The annual quit rent to be imposed under these rules is not, in the case of the lineal descendant of the original Inámdár, a penalty for defect of title ; but is a payment or consideration demanded in return for an extension of rights ; a compromise, in fact, of the reversionary claims of the Government which may or may not be desired by the holder, and which must therefore in justice be left optional with him to accept or not as he pleases. I entertain little

doubt that the option will be embraced to a very considerable extent, provided the alternative is clearly and honestly presented to the Inámdárs ; for though it may be questioned whether, as a body, they seek or desire the power of alienation, this advantage as shown in a preceding paragraph, is by no means the sole benefit to be gained by the compromise. The certainty of being in a position to provide for any member of the family however remotely connected ; the relief from the vexation and anxiety attending the occurrence of a lapse ; and the removal of all interference, which has been a constant source of irritation ; will, it is hoped, prove sufficient inducement to enfranchise on the conditions proposed to them.

Rule VII. 17. But in the case of an alienee, or one who has acquired the Inám through an alienation from the original family contrary to existing regulations, the conditions are very different. Here the title is defective ; the Inám has hitherto been liable to resumption ; and in converting the present tenure into a Freehold, something more than an extension of rights is conceded : all defect is cured, and the holder acquires henceforward an indefeasible title to the Inám. In this case the Government waives its right to the full Assessment of the Inám, and confers a benefit for which an equivalent is demanded in the shape of a moderate money payment.

18. The value of the reversionary claim of the Government which is thus to be commuted for a money payment, varies therefore in two ways : first, with the position of the Inàmdàr in respect of the original holder, that is to say, whether he is a member of the family to whom the Inám was granted, or a stranger who acquired it through an alienation ; and, secondly, according to his position in respect of heirs, and the probability of the succession being continued in the family.

19. I do not propose to make the alienation of an Inám a ground of distinction in the *rates* of quit-rent to be imposed ; it constitutes rather, as explained above, a ground of disability on the part of the Inámdár to demand the option. The Government in this case may fairly dictate its own terms, and it will therefore be obligatory on the holder of an alienated Inám to enfranchise it, by the payment of the same rates of quit-rent offered to the incumbent of an hereditary Inam. The holders of alienated Ináms are few in number compared with the hereditary Inamdars, and will, I have no doubt, consider the recognition of their title, and the acquisition of the right of freehold, an ample equivalent for the moderate payment required from them.

20. I have provided, therefore, for three different rates of quit-rent, to be fixed solely with reference to the Inámdárs position in respect of heirs. The lowest rate is one-eighth ($\frac{1}{8}$) of the Assessment, or estimated annual value of the Inám land, which will be applicable to those Inámdárs who have male or female heirs in existence competent to continue the family succession ; and to those in regard to whom by reason of their youth it may be presumed that to those who, from advanced age or other causes, have no prospect of having issue, and whose family will be extinct on the death of the heirs now living : and the third rate, or one-half ($\frac{1}{2}$) of the Assessment, will be demanded of present incumbents who are entirely without heirs and whose Ináms would inevitably revert to Government on their death.

21. I have not attempted a minute scale of commutation rates fixed with reference to age or other circumstances, because no correct tables of mortality or other data for calculation can be obtained in this country. It appears to me desirable to have the rates as few and simple as possible, and those which I propose are easy of application, intelligible to the Inámdárs and dependent upon circumstances which cannot be falsified or concealed. My object has been, on the one hand, to fix them so low that all Inámdárs may be encouraged to embrace the alternative presented to them ; and, on the other, not to compromise the rights of Government for a money payment which would be clearly an insufficient equivalent for the chance of reversion.

22. That the interests of all parties are sufficiently met by the different rates proposed, will, I think, be apparent on reference to the calculations given at length in the Appendix. An annual quit-rent to be continued in perpetuity, or the payment of a sum, once for all, equal to 20 times its amount, is assumed to be the present value of the reversionary claim of the Government in each Inám. In other words the present charge is estimated to be equal to the claim to the full assessment of the Inám land after a certain period of exemption from land tax. If, therefore, we can find the number of years within which the purchase money now paid, would with compound interest, accumulate to a sum sufficient to give interest at 5 per cent equal to the full annual Assessment of the land, we are in a position to determine, on the one

hand, whether the rates of quit-rent are lower than the Government chance of reversion in each case, and, on the other, whether, having in view existing disabilities and restrictions, they are not low enough to make it an object with all incumbents to enfranchise their Ináms.

23. The calculations in the Appendix show that the payment of a quit-rent equal to one-eighth ($\frac{1}{8}$) of the full Assessment is equivalent to an exemption from land tax for 45 years, or nearly the average period of two generations ; that a quit-rent of one-fourth ($\frac{1}{4}$th) of the Assessment is equal to an exemption for 29 years, or little more than one generation ; and the annual payment of one-half ($\frac{1}{2}$) of the Assessment is equal to a total exemption for 15 years.

24. The chance of lapse on account of failure of lineal heirs, which considerably reduces the value of the Inám to the holder, is not included as an element in this calculation, and the terms therefore appear less favorable to the Inámdár charged with $\frac{1}{8}$th of the Assessment than they really are. But the quit-rent could scarcely be fixed at a lower rate than $\frac{1}{8}$th ; for, taking the average full Assessment of dry land at (1) one Rupee per acre, the charge would be only 2 Annas an acre, redeemable by a payment, once for all, of $2\frac{1}{2}$ Rupees or $2\frac{1}{2}$ years' full Assessment. In the case of Inámdárs possessing only terminable heirs, the rate of $\frac{1}{4}$th of the Assessment is also sufficiently favorable ; and with respect to those Ináms which would lapse at the death of the present incumbent, an annuity of $\frac{1}{2}$ of the Assessment is not too high an equivalent for the chance of reversion after the average period of 15 years.

Rule VIII. 25. Although the quit-rent is to be fixed, as a general rule, at a proportion of the annual value or full Assesment of the Inám, Section VIII provides that, in Districts where there is no fixed Assesment, one general rate per acre may be charged for dry and wet land respectively, wherever, in communication with the Revenue authorities, it may be found practicable and desirable to adopt this course. It is an important object to fix a quit-rent unalterable at any future survey or revision, and it will depend upon local circumstances whether a general rate can be applied without bearing too unequally upon different classes of land.

Rule IX. 26. Section IX leaves it open to all Inámdárs to redeem the quit-rent outright by the payment, once for all, of a sum equal to 20 times its amount, the purchase money being calculated at the ordinary rate of interest, viz. 5 per cent per annum.

Rules X to XIII. 27. Sections X to XIII treat of lapsed Ináms which are now pending for decision. These Ináms are to be dealt with on precisely the same principles as have been applied by anticipation to Ináms which have not lapsed. An option will not be allowed to the claimant of a vacant Inám, to whom, under existing Rules, it would not be continued as a matter of course ; but it will be confirmed to him as a free-hold subject to the payment of a quit rent ; and when there are no heirs forthcoming the Inám will be fully assessed.

Rule XI Clause 3. 28. Where an Inám of the nature under notice and of 50 years standing, has, upon any former report of lapse, been continued expressly for the present life, it will be admitted to enfranchisement at the rates of quit-rent provided for existing Inámdárs without heirs. This course seems but fair and reasonable, considering the more liberal treatment to be now extended to the same class of Ináms which have not yet lapsed ; but as I consider my enquiry to be confined to Ináms still in existence, whether in possession of the holder or temporarily under attachment, I do not propose to re-open the question respecting those Ináms which have been resumed and fully assessed under former orders.

Rules XII. and XIII. 29. Rule XII declares the quit-rent to be an addition to existing Jodi, and prescribes the mode of its calculation ; and Rule XIII repeats the option of redemption at 20 years purchase provided by Rule IX. This Section completes the Rules relating to Ináms of more than 50 years' standing.

Rule VI. 30. I have provided, it will be observed, in Section VI that the rates of compromise now offered shall only apply to an immediate settlement. To leave the matter open indefinitely is neither necessary nor desirable ; few would come forward at once in anticipation of future contingencies to embrace terms which are open to their acceptance at any time. It may not be desirable to impose higher rates in all cases, but Inámdár's now holding back will understand that they will not, as a Rule, be admitted at a future time to the same terms of compromise. This Section, though necessarily following Section V, is applicable to all Inámdárs.

Rules XIV. to XVII. 31. Sections XIV to XVII prescribe the treatment of Ináms acquired more recently than 50 years. Those granted by the express authority of the British Government will be dealt with in strict accordance with the terms of the grant, allowing, however, to the holders the benefits of enfranchisement under the preceding Rules. Ináms irregularly granted by Subordinate Dis-

trict authorities, or by Zamíndárs and Poligárs who are prohibited by Regulation XXV of 1802 from alienating lands, when they were not founded on fraud, will be continued to the present incumbents as free-holds subject to a quit-rent equal to one half ($\frac{1}{2}$) of the full assessment. When they were acquired by fraud of the actual holder they will be fully assessed; but if he was not a party to the fraud, the Inám will be charged with ($\frac{2}{3}$ds.) two-thirds of the full assessment and confirmed to the holder as free-hold in perpetuity.

32. It will thus be seen that, in conformity with the principle laid down by the Honorable the Governor, all Ináms, though of more recent date than 50 years, and provided the period of enjoyment entitles them to consideration, will be admitted to an indulgent compromise, except when they were acquired by fraud of the actual holder.

Rules XVIII. to XX.

33. The next class comprises those Ináms which were granted by former Governments in remuneration for Revenue or Police services either wholly or partially discontinued since the British assumption. A very large proportion of the Ináms now enjoyed under this head were granted after the introduction of British rule in lieu of offices and privileges then resumed. A commutation of the service has, therefore, been already effected in the case of these Ináms, which will now be dealt with as personal grants and admitted to similar benefits. The second division of Ináms of this class comprises cases in which no such commutation was made, and where the lands originally attached to the office are still enjoyed tax free or subject to the original quit-rent,—although the service for which they were granted has either entirely ceased to be rendered or required, or, if occasionally rendered, is of so useless a nature for public purposes as to make its commutation desirable.

34. The Government in this country has always exercised the right of remodelling and commuting Revenue and Police services, and the emoluments attached to them, in such manner as from time to time has been found necessary; due consideration being invariably shown to the claims and interests involved in the arrangement. I do not think that it would be desirable to deviate from this system on the present occasion. It is an essential condition of this commutation that each class of service in the same District should be treated as a whole. To give individual option in these cases would produce anomalies and confusion in every village; but the principle may be applied to this extent—that the terms offered to one class of servants, to Kattubadies of the Ceded Districts for example, shall be so moderate as to command their general consent. The alternative which will be clearly presented to them will be;—the strict requisition of the services inherent in the office, and the liability to forfeiture of the Inám in case of incapacity.

35. I have therefore provided in general terms in Section XX for the enfranchisement of these tenures by the imposition of a quit-rent not exceeding the highest rate charged on personal Ináms. It is not possible to prescribe definite Rules in regard to each particular class of service to be thus commuted, or as to the rate and mode of commutation. These must depend upon local circumstances, and will require consultation with the District authorities, the Board of Revenue or the Commissioner of Police. Doubtful points will be submitted for the instructions of the Government as I proceed from District to District.

Rules XXI and XXII.

36. The remarks in the two last paras. apply with equal force to village service Ináms. The revision of these Ináms in the several Districts will require great care and discrimination, and will proceed on the general principles laid down in Section XXI.

Rule XXIII ad finem.

37. The remaining Sections of the Rules speak for themselves: Section XXIII declares that Ináms in Zamíndáries and Proprietary Estates, the reversionary right to which is reserved to the Government, are subject to the present inquiry and settlement; Section XXVI prescribes the necessary penalty for abandonment and non-appearance of the Inámdár; Section XXVII provides for the liberal treatment of encroachment or excess over the recorded extent of Inám; and the closing Sections define the position of the Inámdár, and his absolute title to the land after enfranchisement.

38. In conclusion I have only to invite the attention of Government to the forms of Title Deeds, Proclamation, Notices, &c., which will be found in the appendix.

MADRAS,
INAM COMMISSIONER'S OFFICE,
6th July 1859.

I have the honor to be,
Sir,
Your most obedient Servant,
(Signed) G. N. TAYLOR.

Inam Commissioner.

RULES

FOR THE ADJUDICATION AND SETTLEMENT OF THE INAM LANDS OF THE MADRAS PRESIDENCY.

Proved possession as Inam for 50 *years constitutes a valid title.*

I. Land which is proved to have been held uninterruptedly *as Inám* for a period of 50 years, with or without Sanad, will be treated as Inám possessed under a valid title, whatever may have been its origin.

Proof to be obtained from the Public accounts.

2. In the absence of a valid grant or other title deed, entries in the village accounts of the earliest years of the British Administration, in the permanent settlement accounts, in the Registers prepared under Regulation XXXI of 1802, in the accounts of the earlier surveys, and in other authentic accounts of older date than 50 years, will be accepted as proof of the existence of the Inám for that period.

Under what circumstances proof of possession for the full term of 50 *years will be dispensed with.*

3. But where such proof may be wanting, owing to the Inám being situated in ancient Zamindâries, Polliums, or Jághirs, which may have reverted to Government within a period of 50 years, and for which there are no permanent settlement or other old authentic accounts in existence, if the Inám is shown to have been held ever since the date of the reversion of such Zamindâry, &c., to Government, and if circumstances are adduced which afford a reasonable presumption that the failure of proof of longer possession is owing only to lapse of time, and the absence of accounts, the Inám will be held to possess a valid title. The same rule will apply to every case in which valid proof of possession for the full term of 50 years is not produced.

Mode of disposal of the several classes of Ináms after validity of title is established.

II. After the validity of the Inám has been thus established, each case will be disposed of as hereinafter explained, according as it belongs to one of the following general classes.

1st. Grants or endowments to religious and charitable institutions, and for service therein.

2nd. Personal or subsistence grants.

3rd. Grants by former Governments in remuneration for services in the Revenue or Police departments which are no longer rendered or required.

4th. Village Service Ináms.

1st. Those enjoyed by Village officers, for Revenue or Police services still performed.

2nd. Those enjoyed by artisans and others for services rendered to the village communities.

I. Grants or Endowments to Religious and charitable Institutions and for service therein.

III. If the Inám was given for religious or charitable objects, such as for the support of Temples, Mosques, Colleges, Choultries and other public Buildings or Institutions; or for services therein, whether held in the names of the Institutions or of the persons rendering the services;—it will be continued to the present holders and their successors, and will not be subject to further interference, so long as the buildings or institutions are maintained in an efficient state, and the services continue to be performed according to the conditions of the grant.

2. Ináms granted for the construction and repair of tanks and channels, will not be interfered with so long as the terms of the grant are fulfilled, and the works are kept in good order.

II. Personal or Subsistence Grants.

IV. If the Inám is a personal or subsistence grant, it will be confirmed to the holder according to its actual tenure. The conditions upon which this tenure will be commuted into a freehold, according as the Inámdár is a descendant of the original grantee and of the registered holder, or has acquired the Inám through an alienation, are set forth below.

If the Inámdár is a descendant of the original grantee.

V. If the present incumbent is a descendant of the original grantee or of the original registered holder, the Inám will be continued to him hereditarily, subject to the existing conditions of the tenure as they have been interpreted by the Government. That is to say:—

First. Succession is limited to direct lineal heirs and undivided brothers.

Secondly. The Inám escheats to Government on failure of such heirs.

Thirdly. Alienation of the Inàm is prohibited and, Fourthly. Adoption, except out of the family of an undivided brother or cousin, is not recognized.

Alternative to be presented to him to convert his tenure into a Freehold.

2. But an option will be given to the Inámdár to convert this restricted tenure into a freehold with the full powers of alienation by gift, sale, adoption, or otherwise, by consenting to the payment of an annual quit rent, calculated according to the following rates fixed with reference to the value of the reversionary claim of the Government in each case.

Rate of conversion if the Inámdâr has competent heirs.

3. If the present holder of an Inám has, or if, as in the case of youth, there is a reasonable presumption that he will hereafter have competent heirs,—that is to say, heirs, male or female, who are capable of continuing the family, and by whom the Inám will be inheritable; the prospect of its reversion to Government being in this case remote—an annual quit-rent amounting to one-eighth ($\frac{1}{8}$) of the existing or estimated assessment of the land or of similar land in the same village, will be considered a sufficient compromise for the right of reversion possessed by Government over the Inám.

Do. If the Inámdár has no heirs competent to continue the family.

4. If the Inámdar has no heirs such as are described above, and from his advanced age or otherwise there can be no reasonable presumption that he can ever acquire such heirs,—but if nevertheless he has what may be called terminable heirs, such as a wife without issue, or a childless widowed daughter,—in this case the reversionary claim of the Government is of higher value than in the last, and a quit-rent equal to one-fourth ($\frac{1}{4}$) of the assessment will be demanded.

If without heirs altogether.

5. If the holder of an Inám is not possessed of heirs of any kind, and is without the possibility of having issue,—as in the case of a childless widow,—whereas the Inám will be liable to be fully assessed to the Revenue at the death of the present incumbent, a quit-rent equal to one half ($\frac{1}{2}$) of the assessment will be demanded

These rates if not at once accepted, will not necessarily be offered a second time.

VI. The above rates of compromise will only apply to an immediate settlement, but will not be *necessarily* held out to the Inámdâr at any future time when he may choose to desire them; a widow now demurring to the offer, will not be permitted to avail herself of it just before her death for the sole purpose of defeating the right of Government to a reversion; or a party to whom in the prospect of heirs, the compromise is offered at a lower rate will not be permitted to avail himself of these terms at a future time when such prospect exists no longer. It may also be found necessary to raise the rates of compromise with reference to the time and labor entailed by a separate enquiry into each such unsettled case at a future time.

The claims of Government over an alienated *Inám to be commuted for a moderate quit-rent without the option of the holder.*

VII. If the present incumbent is not a descendant of the original grantee or of the registered holder, but either in his own person, or in succession to those through whom he claims, acquired the Inám fairly by adoption, or in alienation by gift, purchase, or otherwise, from the members of the original family, and has ever since possessed the Inám in virtue of such alienation; such Inámdâr, although his title is legally defective and the Inám justly liable to resumption

will be allowed the benefits of Rule V, but without the option of refusal; and in commutation of the rights of Government, a quit rent will be imposed on the Inám the rate of which will vary from one eighth ($\frac{1}{8}$) to one half ($\frac{1}{2}$) of the assessment of the land according to his position in respect of heirs as laid down in clauses 2 to 5 of that rule. He will thus acquire an indefeasible right of property in the Inám which will at once be confirmed, as freehold, to him and his heirs for ever, subject to the payment of the quit rent.

The quit rent may at the discretion of the Commissioner be fixed at one general rate per acre instead of a proportion of the assessment.

VIII, Whereas the Inám lands in some Districts have not been regularly assessed.—and it is desirable that the quit rent should be permanent and not subject to alteration at any future general revision of the assessment, it shall be competent to the Inám Commissioner, in communication with the Collector, and the Board of Revenue, to adopt one fixed rate of quit rent per acre for dry land, and another for wet, instead of a proportion of the annual value of each Inám; this rate to be applied universally to dry and wet lands respectively in each district or division of a district, and calculated according to the average prevailing rates for similar Government lands.

2. The minimum rate of quit rent to be charged on dry land, will be 2 Annas, and on wet lands 4 Annas, and in future sub-divisions of the Inám, the quit rent for dry and wet land respectively, will not be allowed to fall below these standards for each sub-division.

3. If the quit rent be fixed at a proportion of the full assessment of the Inám, it will not be calculated in terms lower than 2 Annas when the amount is less than one Rupee; it will be charged in terms of 4 Annas for sums between one and five Rupees; in terms of 8 Annas for sums between five and ten Rupees; and in terms of one Rupee when the amount exceeds 10 Rupees.

And may be redeemed at the option of the holder by the present payment of a sum equal to 20 years purchase.

IX. After the amount of annual quit rent has been once fixed for the enfranchisement of each individual Inám, it will be open to the holder to redeem it outright by the payment, at once or at any future time, of a single fixed sum equal to twenty (20) years purchase of the quit rent.

Lapsed Ináms now pending, how to be dealt with.

X. Ináms the holders of which have deceased, and which are now pending for decision as cases of lapse, will be disposed of as follows.

If the claimant is a direct or undivided collateral heir of deceased incumbent.

1. If the last incumbent left direct lineal heirs, or undivided brothers or cousins who under existing orders would be entitled to the Inám, it will be confirmed to such heirs, and arrangements will be made with them for its conversion

into a freehold under the provisions of rule V clauses 2 to 5, or of rule VII clauses 1 and 2, according as the Inámdâr is a descendant of the original grantee, or acquired the Inám through an alienation.

If the claimant is a divided cousin or other relative of last incumbent.

2. If the last incumbent left no direct lineal heirs, but cousins or nephews of a divided family within that degree of relationship which will constitute them heirs according to Hindu law, but to whom under existing orders the Ináms have not invariably been continued; the Ináms will nevertheless be confirmed to such heirs in perpetuity as freeholds, subject to the rates of quit rent provided for in rule VII, which will be imposed upon the Inám without their option in commutation of the claims of Government.

If the last incumbent left no heirs whatever.

3. If the last incumbent left no heirs of any kind, the Inám will be fully assessed.

Lapsed Ináms continued by order of Government to present holders.

1. *For life.*

XI. Persons to whom a lapsed Inám has upon report, been continued by Government for life, will be permitted at their option to convert their limited tenure into a freehold, at the rate of quit rent provided for Inámdârs without heirs in Rule V Clause 5 *viz.*, one half ($\frac{1}{2}$) of the assessment of the land.

2. *Without express limitation, and subject to further report.*

2. Ináms which have been continued by Government without such express restriction for life, whether requiring a report after the death of the present incumbent or not, will be disposed of under the provisions of rules V and VII as the case may be.

The quit rent is to be in addition to existing Bediga or Jodi.

XII. The quit rent to be imposed under these rules, being a consideration required in return for an extension of rights, will be exclusive of, and in addition to, any Bediga or Jodi, with which the land may be already charged; but the additional quit rent will vary according to the value of the holders' rights, and will be calculated, not on the full assessment of the land, but on the *difference* between the full assessment and the Jodi already charged, which represents the net value of the land to the Inámdâr.

And redeemable at 20 years purchase of the quit rent.

XIII. The quit rent together with the Bediga charged on the land, will be redeemable by the present payment of twenty (20) times its amount as provided above in rule IX.

Ináms of more recent date than 50 years how to be dealt with.

XIV Inams acquired more recently than 50 years, are generally of the following classes *viz.:*

1st. Ináms granted under the express authority of the British Government.

2nd. Ináms irregularly granted by Subordinate Revenue authorities, renters, &c., without sanction.

3rd. Ináms granted by Zamindárs, Poligárs, &c., which are liable to immediate resumption on the reversion of the Estates to Government.

Each class will be dealt with as hereinafter provided.

1st. Ináms granted under the express authority of the British Government.

XV. Ináms granted under the express authority of the British Government, will be disposed of according to the terms of the grant as expressed in the Sanads or the official correspondence relating to them.

1. *Limited to one or more lives.*

2. If they are limited to one or more lives, they will be fully assessed on the expiration of the limited period unless the holder commutes his present tenure into a freehold, at such rate of quit rent provided by the preceding rules as may be applicable to his case.

2. *Without limitation.*

3. If they are hereditary and permanent, they will be disposed of under Rules III, IV, V, and VII, according as they are for religious and charitable objects, or personal grants, in the same manner as Ináms of an older date than 50 years.

2nd. Ináms irregularly granted by Subordinate Revenue authorities without sanction.

XVI. Ináms granted by the Subordinate Revenue authorities or renters, &c., without the sanction of Government, which are irregularin their nature, will be disposed of according to circumstances as described below.

When fraudulently acquired.

2. If the Inám was founded on fraud, it will be charged with the full assessment. But if the present incumbent was not a party to the fraud, indulgence will be shown by continuing the Inám in perpetuity as freehold charged with a quit rent not exceeding two thirds ($\frac{2}{3}$) of its assessment.

When not founded on fraud.

3. If it was not founded on fraud, and from length of possession appears entitled to consideration, it will be charged with the highest rate of quit rent above provided for in Rule V, being one half ($\frac{1}{2}$) of the assessment, and confirmed to the holder in perpetuity as Freehold.

4. It will rest with the Inám Commissioner to determine, subject to the authority of Government, what should be construed as a fraudulent Inám, and what as deserving of consideration.

3rd. Ináms irregularly granted by Zamindárs Poligars, &c.

XVII. Ináms granted by Zamindárs, Poligars and other land holders, are strictly invalid, being opposed to the provisions of Section XII Regulation XXV of 1802, and have been generally resumed by the Government when they came under its notice. These Ináms will be disposed of according to circumstances, under the general principles laid down in Rule XVI, for Ináms granted without the sanction

III. Grants by former Governments in remuneration for services in the Revenue and Police Departments which are no longer rendered or required.

Of 2 classes.

XVIII. Grants by former Governments in renumeration for services wholly or partially discontinued in the Revenue and Police Departments, are of two classes. First, those which being no longer required after the introduction of British rule have since been commuted into personal allowances in land or money, and Secondly, Ináms still continued on condition of performing certain services which are either seldom rendered, or cannot be made available for any useful public purpose—each class will be dealt with according to the following rules.

Treatment of those of 1st class.

XIX. Ináms granted in lieu of lands and privileges resumed and offices entirely discontinued, such as the Deshmúk, Deshpándi and other offices, being no longer service, but subsistence grants, will be disposed of according to Rule V, if they are hereditary in their terms. either by express declaration of Government, or by recognized usage. If however they were expressly limited for life, they will be treated accordingly.

Treatment of those of 2nd class.

XX. Ináms enjoyed for services in the Revenue or Police Departments which are seldom rendered, or which it is desirable to discontinue, will be confirmed to the holders as Freeholds, subject to the payment of a quit rent not exceeding the highest rate above provided for personal Ináms. This quit rent will be charged in commutation both, of the service thus discontinued, and of the reversionary interest possessed by Government in the Inám. The rate and mode of commutation will be determined on a considerationof the nature of the service and the circumstances attending it in each district.

2. If a quit rent exist already in any form, the mode of calculating the additional charge will be the same provided for in Rule XII.

IV. Village service Ináms.

1st. Those enjoyed by village officers for Revenue or Police services still performed.

XXI. Ináms held for village offices of Revenue or Police the duties of which still require to be performed, will be continued to the holders of the office. Where these Ináms are excessive in comparison with the duties required, the excess above a certain maximum—to be fixed in communication with the Collector of the District, the Board of Revenue, or the Commissioner of Mofussil Police, under the sanction of Government,—will be dealt with in accordance with Rule XX, that is to say will be charged with a quit rent in commutation both of the service tenure attached to it, and of the reversionary interest of the Government in the Inám.

2. Where the Inám attached to the office is wholly or partially in the enjoyment of members of the family who do not perform service,

or of strangers who acquired the same by alienation, and are enjoying it without performing service, both of which are irregular, such portion of the alienated Inám as may be considered necessary for the efficient performance of the duties, will be re-attached to the office holders, and the rest treated in the same manner as the excess referred to in the previous clause.

2. *Those enjoyed by artisans and others for services rendered to the village communities.*

XXII. Ináms enjoyed by artisans and others for services rendered to the village communities, will be treated as hereditary grants, and will be confirmed to the holders and their heirs subject to the continued performance of the particular service for which they were granted.

2. Cases in which service may be no longer required will be dealt with according to Rule XX, and excess in extent will be treated as provided for in Rule XXI.

Treatment of Ináms situated in zamindáries or proprietary Estates.

XXIII. Such of the Ináms situated in zamindáries, and other existing private estates, as were excluded from the assets on which the permanent Peishcush was fixed, and the reversionary claimsto which are reserved to Government by Section IV Regulation XXV of 1802, will be included in the present adjudication and settlement, and will be disposed of by the Commissioner on the same principles as have been laid down for the treatment of similar Ináms in the Government Taluks:—but the inquiry will not be extended to those Ináms which may have been granted by proprietors subsequent to the permanent settlement, in contravention of the provisions of Section XII of the above Regulation, except in the event of the future reversion of the estates to Government.

The term Inám applies to whole villages as well as to small holdings exempt or partially exempt from land tax.

XXIV. The term Inám is to be understood to apply to shrotriams, agrahàrams and whole Inám villages, whether held entirely free of land tax, or on a favorable quit rent; and such villages will be dealt with upon the same principles as are above prescribed for minor Ináms.

The Inám settlement to be made with the Registered holders or with the head member of the family enjoying it.

XXV. The settlement will be made either with the registered holders of the Inám, or, where none are registered, with the head member of the family enjoying the Inám, who according to existing practice, is alone considered responsible to the Government. But this rule will not interfere with the enjoyment of subordinate shares in the Inám by other members of the family, subject to such quit rent or other conditions as may be imposed upon it by the new settlement in communication with the head of the family.

Abandonment and non-appearance of Inámdârs how to be dealt with.

XXVI. When an Inám has to all intents and purposes been entirely abandoned, there being no acknowledged owner in existence, or if, being in existence, he omits to come forward to claim it; and when the recorded possessor of an Inám fails, after due notice, to appear to prove his title; such Inám will, in the first instance, be placed under attachment by the Collector of the District, and after the expiration of one year from the date of the notice, will be held to be liable to be fully assessed to the Public Revenue under the general powers conferred on Collectors by Regulation XXXI of 1802.

Encroachments or excess.

XXVII. Encroachments, or land in excess of the recorded extent, if proved to be of 50 years standing will be dealt with as if it formed part of the original Inám. When of less than 50 years standing the excess will be subjected to a quit rent to be fixed according to the circumstances, but not exceeding two thirds ($\frac{2}{3}$) of the assessment, except in the case of fraud of the actual holder, when the full assessment will be charged.

Ináms commuted into Freehold, to be exempt from future interference.

XXVIII. Ináms once converted into Freeholds in accordance with the foregoing rules will be subject to no further interference on the part of the Government, except such as may be necessary for the punctual realisation of the quit rent charged thereon; and even this degree of interference may be avoided, at the discretion of the Inámdár, by the purchase, once for all, of the fee simple of the land by paying a sum equal to twenty (20) times the amount of the annual quit rent.

Enfranchised Inàms to be placed under the protection of the ordinary Civil Courts.

XXIX. Ináms thus enfranchised, either by the payment of an annual quit rent, or of a single fixed sum equal to 20 years purchase of the quit rent, will, like every other description of property be subject to the jurisdiction of the ordinary Courts of Justice in all questions of disputed right, succession, &c. and they may be mortgaged, sold and transferred in any manner, at the will and discretion of the Inámdár subject to the payment of quit rent, if such is not redeemed.

Title deed to be presented to the Inámdâr in acknowledgement of his Inám tenure.

XXX. On the validity of an Inám being established by enquiry conducted in accordance with the foregoing rules, a Title Deed, will be at once furnished to the Inámdár,—acknowledging his title to the Inám on its present tenure, and specifying the terms upon which this tenure may be converted into a Freehold.

MADRAS,
July 1859.

(Signed) G. N. TAYLOR.

Inám Commissioner.

Course of procedure to be observed by the Deputy Collectors in recording claims and in investigating titles to Ináms in the several districts of the Madras Presidency.

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1. The investigation into the validity of all Ináms will be made by responsible officers of the rank of Deputy Collectors, who will be carefully selected for the purpose. It will be conducted from táluk to táluk in the presence of the assembled Inámdárs, and the village authorities, in the same manner as the annual settlements of Land Revenue are carried on by the Collector and his Assistants.

2. The officers deputed will enter the results of their enquiry in English, in a tabular form of Register. Printed forms will be furnished to them for this purpose, one for each village. A separate Register in the same form will be prepared of the Shrotriáms, Agraháram, and whole Inám villages in each táluk.

3. To facilitate the preparation of these Registers, printed Vernacular forms will be previously furnished to the village Karnams through the Tahsildars. The Karnams will prepare the statements under the immediate superintendence of a responsible tálûk officer, either the Sarishtadár or the head Gomastah who will be appointed for the purpose by the Collector, and will enter therein all the Inàms at present existing in the village, whether in the possession of the parties, or temporarily under attachment; exclusively of the village service Inàms, for which a separate form of Register will be prepared.

4. The Karnams will fill in all the columns of the Vernacular statement as far as the information at their disposal will enable them to do, and it is believed that very few columns will have to be left blank by the Karnams for want of information.

5. The superintending táluk officer will carefully scrutinise the extent and assessment of the several Ináms as entered by the Karnams, and will further satisfy himself that they correspond with the Jamabandi or other accounts of his táluk which show the extent of the existing Ináms in the several villages. Where the Inám land is unassessed, the assessment of similar Government land in the village shall be entered, and where the Government land also bears no fixed assessment, the assessment shall be entered with reference to the rent paid by the cultivators to the Inámdár, or in such other manner as the Commissioner in communication with the Collector of the District, may consider the best or most practicable mode of exhibiting the annual value of the land.

6. The conversion of the extent of the Ináms from the ordinary local measure, into acres, will be made in accordance with the rates of conversion adopted in the preparation of the revenue accounts of the village. Tables of conversion will, however, be prepared beforehand for each táluk, or division of a District, in communication with the Collector, and furnished to the officer who superintends the preparation of the Vernacular Register.

7. The táluk superintending officer will enter in the column of remarks in the Vernacular Register, the purport of any orders relative to the Inám which may have been passed upon reports of lapse; and these orders will be taken out and kept in readiness by him, for reference by the Deputy Collector. He will also afford the necesssary explanations to the Kranams for filling in the several columns of the Register. Its preparation ought to occupy but a very short time, and on the arrival of the Deputy Collector at the táluk Cusbah, it will be delivered to him, attested by the Karnams and the táluk superintending officer.

8. Previously to the arrival of the Deputy Collector at the taluk Cusbah, a general invitation will have been issued, through the Collector of the district, calling upon all the Inámdars to be in attendance at the expected time, with their Sanads and title deeds, and with a written statement giving their name, age, place of residence, relationship to original holder, the particulars of their family or heirs, and the manner and date of their acquiring the Inám; and the Tahsildar will be instructed by the Collector to secure their attendance in the same manner as that of the ryots for the Jamabandi settlement.

9. After ascertaining that these necessary preparations are made, the Deputy Collector will proceed to the tâluk Cusbah with his establishment, carrying with him all Registers and other standard accounts relating to the Inàms of the táluk, which may have been furnished to him, from the Collector's Huzúr records. The táluk officer who superintended the preparation of the Curnums' statements will be in attendance upon him with all necessary tálûk records, and the Tahsildar, who will have been previously instructed to give his prompt assistance, will attend to all requisitions for records, &c., will procure the attendance of such persons and witnesses as may be requisite, and will generally act in subordination to the Deputy Collector as regards the Inàm inquiry in the same manner as he would obey the orders of an officer deputed for the settlement of his talook.

10. Being thus provided with every information in the táluk or Huzúr records, with a statement containing all required particulars ready prepared by the Karnam, and checked by a responsible táluk officer, having the village officers and Inámdárs in attendance, and the Tahsildár at hand to clear all doubts, an intelligent and responsible officer in the position of a Deputy Collector, whose undivided attention will be devoted to the work on the spot, may be expected to prepare these cases with a rapidity, a clearness, and exactness, quite unknown under the present system of reporting lapses.

11. He will prepare them from the Karnams' statements and the Huzúr records, checking and verifying the one by the other, and ascertaining by a verbal inquiry all points which are not to be found in the records—such as the relationship to predecessors, existing family, and actual title of the present incumbent. He will also examine and satisfy himself of the authenticity of the Sanad, and other title deeds which may be produced, and which in cases of doubt will be forwarded to the Commissioner with the reports of the cases. In the column of the Register set apart for remarks, he will enter succinctly the nature of, and circumstances relating to, the Inám and its present claimant, with the purport of any orders which may have been passed regarding it on the occurrence of any former lapse; and he will give his own recommendation clearly and briefly.

12. The Register when forwarded to the Commissioner's Office, should be complete in itself. The headings have been so prepared as to include all information of importance. None of the other columns need be here referred to; but if there be any other circumstances which the Deputy Collector may consider proper to be recorded, in order further to elucidate or explain his own recommendation,—he will of course enter such additional information, in the appropriate column, to enable the Commissioner to dispose of each case without further reference.

13. Should any of the Inámdárs neglect to appear either in person or by an authorised agent in compliance with the invitation issued under Rule 8, a list of such absentees shall be furnished by the Karnams to the Deputy Collector immediately upon his arrival in the táluk, who will thereupon issue individual notices through the Tahsildâr to the absentees, calling upon them to appear in person or by an authorized agent with the required information within a period of 15 days, under the penalty provided by existing Regulations, *viz.*, the attachment by the Collector of their Inám lands for default, and the full assessment of the Inám after the expiration of one year if the default continue. The notice shall be served upon the Inámdár or, if his place of residence be not known, upon his representative or the person in possession of the Inám, or it shall be posted in the village choultry or in any other public building or place in the village in which the Inám is situated.

14. If the Inámdár or his agent fail to appear in obedience to this notice, the Deputy Collector will note the same in the Register, entering in it all the information that can be obtained regarding the Inám to enable the Commissioner to dispose of the case. If the information is found to be insufficient for this purpose, the Commissioner will forward a list of such cases to the Collector calling upon him to attach the Inám lands in question pending the appearance of the Inámdár. The proceeds of the lands during the period of attachment will, as a general rule, be carried to the credit of Government and will not be repayable to the Inámdár.

15. After the Commissioner's departure from the District, should the Inámdár or the party claiming the Inám, appear before the Collector or his Assistant within the period of one year from the date of the notice, it will be the duty of the Collector to investigate the case and forward

it with all the required information for the disposal of the Commissioner—and failing the appearance of any claimant within that period before the Government Officers, the fact should be reported by the Collector to the Commissioner in view to the full assessment of the Inám.

16. As the Deputy Collector during the progress of his inquiries will have both leisure and opportunity for unreserved communication with all classes of Inámdárs, he will carefully explain to them the liberal intentions of the Government on the subject of Ináms, and the principles upon which it is proposed to convert their tenure into an absolute Freehold; and he will note in the column of remarks those cases in which they may express a desire to avail themselves of the option allowed them for the purpose. This course, however, is only preliminary to the formal consent which will be ultimately accepted in each case by the Commissioner, on the occasion of conferring the title deed.

17. In the event of the production of false accounts, or fabricated documents of any kind, the Deputy Collectors will try the cases on the spot and punish the offenders under the provisions of Regulation IX of 1822.

18. A brief progress report in the printed form provided, showing the class, number and value of cases inquired into and recorded, will be furnished by the Deputy Collector to the Commissioner at the close of every week.

19. Immediately on the completion of the Inám Register for each village, and after the recommendation of the Deputy Collector has been recorded in each case, it will be forwarded to the office of the Commissioner. The final decisions of the Commissioner or of his special Assistants, will be entered in the last column; and in accordance with these decisions title deeds under the signature of the Commissioner, acknowledging the validity of their present tenure and specifying in each case the terms upon which it may be converted into a Freehold will be presented to the Inámdars assembled according to previous notice at the Commissioner's camp, which will be conveniently held at a central station in respect of two or more táluks.

20. After the title deeds have been given as above described, the consent of those Inámdars who are desirous of availing themselves at once of the option of converting their tenure into a Freehold will be taken by the Commissioner and the alteration of the tenure will be entered, in the form printed on the Deed, under the seal of the Government and the signature of the Commissioner.

21. The results of the decisions of the Commission, so far as their enforcement may be necessary by the Revenue authorities, will be communicated from time to time by the Commissioner or his Assistants to the Collector who will carry them into effect accordingly.

MADRAS,
5th July 1859.

(Signed) G. N. TAYLOR,
Inám Commissioner.

APPENDIX

TO REPORT FROM INÁM COMMISSIONER, DATED 6TH JULY 1859.

CONTENTS.

	Pages.
A.—Calculation shewing the probable period of the reversion of Ináms to the Government, ...	1
B.—Form of Proclamation, ...	2
C.— „ of General Invitation, ...	3
D.— „ of Individual Notice, ...	4
E.— „ of Muchilika No. 1 to be presented by Inámdárs, ...	5
F.— „ of Muchilika No. 2, ...	*ib*
G.—Alphabetical Abstract of former Decisions of the Government in Inám Cases, ...	6
H.—Form of Title Deeds, ...	11
K.— „ of Register, ...	12

A.

CALCULATION

Showing the period of time within which a reversionary claim to the full Assessment of an Inám would take effect;—the value of the claim being assumed to be a perpetual annual Quit Rent at certain rates, or a sum equal to twenty years purchase of the Quit Rent.

Rates of Quit Rent to be imposed in perpetuity.	Amount of present payment, equal to 20 years purchase, for which each rate is redeemable.	Time within which this purchase money would accumulate, with simple Interest, to such a sum as would yield, Interest equal to the full Assessment of the land.	Ditto ditto at compound Interest.
1	2	3	4
$\frac{1}{16}$ of the Assessment.	$1\frac{1}{4}$ times the Asst.	300 years.	
$\frac{1}{8}$,,	$2\frac{1}{2}$,,	140 ,,	45 years.
$\frac{3}{16}$,,	$3\frac{3}{4}$,,	87 ,,	
$\frac{1}{4}$,,	5 ,,	60 ,,	30 years.
$\frac{5}{16}$,,	$6\frac{1}{4}$,,	44 ,,	
$\frac{1}{3}$,,	$6\frac{2}{3}$,,	40 ,,	
$\frac{3}{8}$,,	$7\frac{1}{2}$,,	33 ,,	
$\frac{7}{16}$,,	$8\frac{3}{4}$,,	26 ,,	
$\frac{1}{2}$,,	10 ,,	20 ,,	15 years.
$\frac{2}{3}$,,	$13\frac{1}{2}$,,	10 ,,	9 years.

The sum entered in the second column is that which if now paid, once for all, will redeem the Quit Rent or yield an Annual Interest equal to it at 5 per cent.

It is required to find the number of years within which this purchase money, to be received by Government in commutation of it's reversionary claim to the Inám, would with simple Interest at 5 per cent, accumulate to a sum sufficient to yield annual interest equal to the full Assessment of the land; or in other words, in how many years will it amount to 20 times the full Assessment.

Suppose the Assessment to be 1 Rupee the amount will be 20 Rupees.

Let A represent this amount, and P the principal (paid down to redeem the Quit Rent) r, the rate of annual interest on one Rupee or $\frac{1}{16}$ of a Rupee and t, the time or number of years required to be found.

$$\text{then} \quad A = P + Prt.$$

$$\text{or} \quad 20 = P + \frac{Pt}{20}$$

$$= P\left(1 + \frac{t}{20}\right)$$

Substituting for P, the various sums entered in column 2 as the purchase money of the several rates of quit rent, we find the several periods of time required.

Take the sum which redeems a quit rent of $\frac{1}{8}$th of the Assessment, or $2\frac{1}{2}$ Rupees.

$$\text{then} \quad 20 = 2\tfrac{1}{2}\left(1 + \frac{t}{20}\right)$$

$$8 = 1 + \frac{t}{20}$$

$$7 = \frac{t}{20}$$

$$\therefore t = 140 \text{ the number of years.}$$

That is to say, the sum which represents the reversionary claim of Government, if laid out to simple interest, will accumulate in 140 years to an amount, the interest of which will cover the full Assessment of the land which has been exempt from Assessment in the meanwhile.

In other words, the sum now paid to Government is equivalent to a reversionary claim to take effect after 140 years.

The number of years at Compound Interest is found by the following formula..... A, the amount, P the principal, and r the rate of interest per Rupee per annum, being the same as in the preceding calculation.

$$A = P\,(1 + r)^{t}$$

This, if worked out, will give the periods of time entered in column 4 above.

The period of 140 years, the result of the calculation at simple interest only, is thus reduced to 45 years, 60 to 30 years, 20 to 15, and 10 to 9 years, according as the rates of quit rent are respectively ($\frac{1}{8}$) one-eighth, ($\frac{1}{4}$) one-fourth, ($\frac{1}{2}$) one-half and ($\frac{2}{3}$) two-thirds of the Assessment.

B.

PROCLAMATION.

PROPOSED DRAFT OF PROCLAMATION TO BE PUBLISHED IN THE VERNACULAR AFTER THE ARRIVAL OF THE INAM COMMISSIONER IN EACH DISTRICT.

In view to the removal of the evils incident to the state of uncertainty in which Inám tenures and the titles to Inám lands generally are now involved, and the unsatisfactory character of the rules relative to their continuance or reversion, the Government have resolved to adopt a more regular, thorough, and comprehensive plan for their investigation and immediate settlement, and so to confer on this description of property a value and security which it does not now possess. The following are the leading principles according to which the investigation will be conducted, and the various tenures settled, by the Inám Commissioner appointed by the Government for the purpose.

2. Acknowledged length of possession of land tax-free, will always be considered a good title to its continuance as such, and the Government have fixed the period of 50 years enjoyment as conferring such a valid title. Ináms held for a shorter period than 50 years will likewise be recognized absolutely or admitted to a compromise on more or less favorable terms according to length of possession and the circumstances attending the grant. The resumption of an Inám tenure is totally disclaimed except when it has been obtained through fraud of the present incumbent, when the period of its grant has expired, or its conditions are not fulfilled.

3. On the validity of an Inám being established on the foregoing principles, a Title Deed, under the seal and signature of the Inám Commissioner, will be issued to the Inámdár acknowledging his title and specifying the terms of his future tenure; and this Title Deed will be a protection to him and his successors, against any further scrutiny by Government regarding the origin of the Inám, in virtue of any powers conferred by existing regulations.

4. It is the desire of Government, however, to place within the reach of the holders of these Title Deeds, and their descendants or successors, the means of absolving themselves from all liability to any prospective interference on the part of Government and its Officers, by converting all terminable or conditional tenures into permanent freeholds. This conversion will be made on condition of the payment of a moderate sum, in commutation of the right of reversion possessed by the Government in the Ináms—as regards personal grants, in the event of failure of lineal heirs; and as regards service grants, when the service is neither rendered nor available. At present, the Inám holders being restricted from alienating their possessions, whether to strangers or relatives other than lineal heirs; and, in the case of terminable tenures, from transmitting them to their successors; and Iná ms being moreover subjected to a vexatious system of enquiry on the occasion of the demise of every holder; their value is necessarily depreciated, and the removal of such restrictions by a compromise with the Government will be of the greatest advantage to their owners. The rates at which these reversionary rights of Government may be extinguished, or surrendered to the Inámdárs, have been fixed upon more liberal terms than a strict calculation of their value would warrant, in view to an immediate settlement, which is of no less importance to the Government than to the Inámdárs themselves. In the generality of cases where the Inámdárs stand in a fair position in respect of heirs, the terms demanded will be an annual quit rent equal to $\frac{1}{8}$th of the assessment of the land; which can however be redeemed, and the Inám converted into permanent and absolute freehold, by the payment of the moderate sum of $2\frac{1}{2}$ times the full assessment of the land.

5. The Inámdárs will understand that except in certain specific cases it is optional with them to accept the proposed conditions, but it is trusted that few will fail to appreciate the advantages resulting to themselves by this mode of settlement.

6. Ináms for charitable and religious objects stand on different grounds: these are already permanent alienations for the support of the Institution or for service therein, and do not admit of the compromise proposed. They will be continued uninterruptedly so long as those objects are fulfilled; and so also will Ináms for the construction or maintenance of water works.

7. As regards Ináms for Revenue and Police services still performed, they will be continued to the actual office holders—any excess, above what may be sufficient for the remuneration of those services, will be confirmed to the holders on the same terms as personal Ináms.

8. Rules affording detailed information on all matters contained in this proclamation, will be separately published; meanwhile the Commissioner desires that all Inámdárs will come forward at once with such genuine proofs of their respective titles as they may possess, and he expects that they will accept in all possible cases the very liberal terms of commutation now proposed to them, as the means of imparting value to their property and averting the consequences of frequent Government interference with their possessions.

Dated (Signed.)

Inám Commissioner.

C.

GENERAL INVITATION TO BE ISSUED IN THE VERNACULAR PREVIOUS TO THE ARRIVAL OF THE DEPUTY COLLECTOR IN EACH VILLAGE.

NOTICE.

To all Inámdárs in the village of

All persons holding Ináms or Lands wholly or partially exempt from Assessment in the village of Talook of in the District of are hereby required to appear either personally or by duly authorized Agent, on or before (*enter*

date) in the Cutcherry of at in together with their Sanads and Title Deeds and such other Documents as they may wish to produce in support of their title to the Inám, and with a written statement giving their name, age, place of residence, relationship to original holders, the particulars of their family or heirs, and the manner and date of their acquiring the Inám and other particulars connected therewith.

Failure to comply with this notice will subject the Inámdárs to the inconvenience of attending in obedience to an individual summons—a non compliance with which will be followed by the penalties provided by the Regulations.

Dated (Signed.)

Special Assistant
to the Inám Commissioner.

Countersigned by Collector.

D.

INDIVIDUAL SUMMONS.

NOTICE.

To
Dharmapuri Krishtama Naidu.

No. of Notice.	Name of Village Talook and Zillah in which the Inám forming the subject of inquiry is situated.	Description of Inám forming subject of inquiry.	Particulars of the Inám.

Whereas it has been determined to inquire into the validity of your title to the Inám described in the foregoing table, and you have failed to appear in pursuance of the general invitation issued for the purpose to all Inámdárs this is to warn you to appear either personally or by a duly authorized Agent at the Cutcherry of at within 15 days after the receipt of this Notice, together with such deeds, accounts or other documents as you may wish to produce in support of your claim.

In the event of your failing to appear either in person or by Agent within the period above allowed, the Inám herein described will be placed under attachment, and will be liable to ultimate resumption after the expiration of a year in the event of your not appearing before the Commission or the Collector of the District within that period.

Dated (Signed.)

Deputy Collector
in the Inám Commission.

E.

FORM (NO. 1) OF MUCHILIKA OR AGREEMENT TO BE PRESENTED BY THE INAMDARS.

I *Dharmapuri Rámaswámi Pillay* holding an Inám situated in the Village of *Velloday*, Talúk of *Periapollium*, District of *Trichinopoly*, under the Title deed No. ( ) and dated granted to me by the Inám Commissioner of the Madras Presidency do hereby agree and bind myself to pay to Government through the officers appointed to collect the Revenue, a quit rent of seven (7) *Rupees* per annum in perpetuity in order to convert my present tenure of the aforesaid Inám into a freehold.

Dated (Signed)

No. Recorded. OFFICE SEAL

F.

FORM (No. 2) OF MUCHILIKA OR AGREEMENT TO BE PRESENTED BY THE INAMDARS.

I *Dharmapuri Rámaswámi Pillay* holding an Inám situated in the Village of *Velloday*, Talúk of *Periapollium*, District of *Trichinopoly*, under the Title deed No. ( ) and dated 6th July 1859 granted to me by the Inám Commissioner of the Madras Presidency do desire to commute this Quit Rent of seven (7) Rupees per annum now chargeable in perpetuity upon my Inám, by the payment of a sum of money, once for all, equal to 20 years purchase of the Quit rent—and have accordingly paid this day into the talúk Treasury of *Trichinopoly* the sum of one hundred and forty (140) Rupees.

Dated (Signed)

No. Recorded. OFFICE SEAL.

G.

ALPHABETICAL ABSTRACT, OF RECORDED DECISIONS OF GOVERNMENT IN INAM CASES.

ABANDONMENT. forms a ground for incorporating the Inám abandoned, with the Government lands.

An Inám abandoned long ago by the Registered holder and which came into the possession of another was continued to the latter without limitation, because of the trifling value of the Inám. The policy of resigning all claim upon Ináms of small extent and of trifling value has since been disowned by the Government. A charity Inâm abandoned by the holder, because the proceeds were insufficient to meet the Jodi, was in consequence resumed.

Claimants failing, when called upon, to come forward and substantiate their claims, the Ináms have been resumed as abandoned.

Ináms abandoned for periods of 12, 14, 15,18, 20, and 25 years and more were resumed.

An Inám temporarily abandoned at the Survey, but subsequently reclaimed by the son of the party abandoning, was continued to him.

An Inàm abandoned by the Registered holder, but cultivated occasionally by others, was resumed.

ADOPTION. The Government has reserved to itself the right, *in all cases*, of refusing to recognize the claims of an adopted son, and invariably rejected them unless the fact and circumstances of the adoption were reported to the Collector of the District six months previously to the decease of the party adopting.

On the death of the brother of the Registered holder of a charity Inám, it was continued to his adopted daughters's son for life as an exceptional case.

In the case of a stranger adopted by the holder of an Inám, it was declared resumable, but was continued to the adoptee for his life as an indulgence.

In several cases the adoption of nephews has been recognized and the Inàms continued to them without limitation.

Adoption of a daughter's son has been recognized in one or two cases and the Inám continued without limitation.

An Inám was continued to the daughter-in-law of a distant connection of the registered holder in supercession of the claims of an alleged adopted son, as the adoption appeared fictitious.

The continuance of an Inám to an adopted son was sanctioned, provided he was not a remote relation to, or unconnected with, the family of the original grantee.

Adoption of a brother's son was recognized and the Inám continued without limitation in one case.

Adoption of Mussalmans is unlawful and conveys no right whatever to the adoptee.

Adoption by a widow has been uniformly disallowed, except upon the clearest and most incontestible written authority of the deceased husband.

In certain cases however the adoption by a widow was recognized and the Inám continued for life as a charity.

An Inám was continued to the adopted son of a registered holder and the real sons of the adopter, born subsequently to the adoption, were directed to look to the former for support.

On the death of an adopted son an Inám was continued to the adoptive mother for life.

On the death of the cousin of the registered holder of an Inám, it was continued to his adopted son's wife without limitation.

ALIENATION. From the family of the original grantee before the passing of Regulation XXXI of 1802 was declared in the Board's C. O. of 1848 to invalidate the claim to a Sanad Inám, but in practice the rule has been ignored and such alienations have been recognized and the Ináms continued as if they had not taken place.

In cases in which the possession of the land as Inám is wholly unauthorized and is without proof, the policy has almost invariably been to resume the lands. The possession of an Inám quite unsupported by any evidence whatever, but which had [illegible]

holder for 41 years was continued to the son of the deceased without limitation *on account of the small extent of the Inám.* But this policy has since been entirely disowned.

In cases in which the land is proved to have been granted as Inám to *some one*, but there is nothing to prove the alienation or how the present holder came to possess it, the Ináms have invariably been resumed. But, in certain cases they have been continued when they were proved to have been in the possession of the holder, in some cases for 30 years and generally for 50.

Ináms of village Officers alienated, have in all cases been ordered to be appropriated to the object for which they had been granted.

Alienations unauthorized by villagers, renters, Amildars, Collectors, &c., have not been recognized, and the lands in almost every case have been resumed.

Where lands have paid revenue or been under attachment for 12 years, claims to exemption have always been disallowed.

CHUTTRUM OR CHOULTRY INAMS.—Have invariably been continued so long as the buildings were in good order and the conditions of the grant fulfilled.

COURT SALES.—Ináms purchased at Court sales have in several cases been continued to the purchasers and their heirs.

DANCING GIRLS INAMS.—Have in some cases been resumed on the ground that the transmission has been through the female line.

DASWANDHAM INAMS.—Have been continued as a matter of course, so long as the conditions were fulfilled and the tanks kept in a proper state of repair.

DAUGHTERS, SUCCESSION OF is generally disallowed and in cases in which the Ináms have been continued it was only as an indulgence, sometimes for life and sometimes without limitation.

DAUGHTER'S SONS, SUCCESSION OF.—Do. do. do.

DAUGHTERS-IN-LAW, SUCCESSION OF.—Ináms have generally been continued to daughters-in-law for life.

DIVIDED FAMILY MEMBERS, SUCCESSION OF.—

1ST DIVIDED BROTHERS.—Their claims have in some cases been allowed, and in others ignored.

2ND DIVIDED COUSIN.—Their claims have invariably been refused.

DIVIDED NEPHEW.—Their claims have sometimes been admitted and sometimes disallowed.

DIVIDED UNCLE.—Their claims have always been refused.

DIVIDED BROTHER-IN-LAW.—Do. do.

DIVISION ON PARTITION OF INAMS.—Permitted as an indulgence.

DIHAT INAMS.—Claims decided according to circumstances. Vide Extract Minutes of Consultation 1857.

ENCROACHMENT.—The excess over the extent entered in the Sanad has invariably been brought under full assessment.

FATHER, SUCCESSION OF.—The claim of a father has always been disallowed and the Inám resumed or continued to other heirs of the holder.

FOSTER SON.—The claims of a foster son have never been allowed.

FOSTER DAUGHTER.—The claims of foster daughters are rarely allowed, and when admitted it was only as an indulgence.

GIFT, ALIENATION OR TRANSFER BY.—The decisions of Government in cases where the last holder of the Inám, or those from whom the last holder inherited it, received the land in gift from the grantee, their families or descendants, or others; have been various and conflicting. Alienation by gift has been strictly prohibited and declared inadmissible. Nevertheless indulgence has occasionally been shown according to circumstances. Length of possession in the family of the donee has generally been considered to confer a certain right. In some instances the Ináms have been continued without limitation, in others for life only, and in others again entirely resumed.

GRAMABHAGAM INAMS.—Are grants in Tanjore made to the Merassidars of villages, in which Ináms were given to strangers by the Rajahs of Tanjore, by the grantees of those Ináms, to compensate them (the Merassidars) for the loss of their rights over the waste lands of which the Ináms were composed. Alienation of these Ináms is freely permitted. In almost all the recorded cases the Ináms have been continued without limitation.

GRAND DAUGHTER.—The succession of grand daughters was recognized in 2 cases.

HEIRS, FAILURE OF may be divided into three classes.

I. Where there is a failure of direct heirs.

II. When there is a failure of male offspring to the last holder or of male members of his family.

III. Where there is an entire failure of heirs.

I. In cases of failure of direct heirs the Ináms were resumed in almost all the cases.

II. In cases of failure of male heirs, resumption has usually been ordered—though the Inám has been continued to the widow for life, or portions to other female members of the family as charity.

III. On failure of any heirs whatever the Ináms escheat to Government.

(45 orders of the kind recorded.)

HEREDITARY TITLE, DEFECT OF.—Defect of hereditary title in grants originally personal and for life only, but which have nevertheless descended to relations, rendered the Inám resumable as a general rule, but the Ináms have been sometimes continued for life as an indulgence. Where the Sanad conveyed no hereditary title, the Ináms have always been partially continued. In one case, although the Inám had been a hundred years in the enjoyment of the same family, it was continued for life only. Defect of hereditary title is not always considered to bar succession to a service Inám when the service continues to be performed.

(26 cases recorded.)

ILLEGITIMATE SONS, SUCCESSION OF.—The claims of an illegitimate son in one case was admitted and the Inám continued to him as a life grant, and in another the continuance to him was ordered, subject to certain payments.

INAMS HELD BY VIRTUE OF EXISTING SANADS OR GRANTS.—These grants are called by various names all denoting the deed of gift to the original grantee; *Sanads, Purwannahs, Sikka sanads* (i. e. Sanads issued under the Royal Signet) *Arzi Ruka* and *Dafter Ruka* grants. The two last are to be found in Tanjore. They are grants not supported by a separate deed of gift under the Rajah's seal, but which are claimed by virtue of a "Ruka" or note endorsed upon the back of the arzi or petition which the grantee in the first instance presented to the Rajah asking for the Inám or by virtue of a similar "Ruka" addressed to the Dafter or Record Department in the Palace.

Sanad Ináms have been usually continued without limitation, but when doubtful or suspicious for life only.

Dufter Ruka Ináms granted in Tanjore previous to the year 1792 have been usually declared to be exempt from interference and havebeen continued without limitation.

(32 cases recorded.)

INAMS WITHOUT SANAD.—Have recently been considered entitled to indulgence on account of long possession or prescription and generally continued without limitation if enjoyed in the same family for any length of time, and of alienated commonly continued to the the female line is not recognized but possession of Sanad has been held to validate such succession—(Government order No. 290, dated 30th March 1850.)

(144 cases recorded.)

IRREGULAR TRANSMISSION OF INAMS Consists of.—I. Alienation from the family of the original grantee, 1st by purchase, 2ndly by gift and 3rdly by mortgage.

Claims in these cases have been usually refused, or only partially allowed.—(See notice under each head.)

II. The transmission of Ináms through the female line.

This has in certain cases been deemed irregular. Twenty eight examples of the kind are given. In some of them this policy is upheld, whilst in others the continuance of the Inám has been continued with or without limitation.

KATTUBADI INAMS.—In South Arcot these Ináms were ordered to be resumed on lapse without report unless peculiar circumstances arise to induce the Collector to recommend their continuance; and in North Arcot, the Government directed that they should be treated as life grants, all demand for service being at once discontinued.

(Orders of Government, 1st December 1806, 9th December 1851, No. 1227, and 15th May 1858, No. 632.

KAVALI INAMS.—These were mostly ordered to be resumed about 1848 and the lands incorporated with Government lands, pensions being granted to the families of the Kavilgars, to cease as lapses occurred.

(Honorable Court's Despatch, No. 71 dated 22nd September 1848.)

(2 Examples are given.)

MATAMS, INAMS TO.—When the endowments granted to these institutions are misapplied, it is open to Government to order their resumption or for the Board to pass a decision under Regulation VII of 1817. The grants are never interfered with so long as the Institutions are kept up.

MORTGAGE.—The claims of mortgages to succession to Ináms are not recognized. In two cases however the Ináms were continued to the mortgagees till the debts were liquidated.

(9 Examples recorded.)

MOTHERS, SUCCESSION OF.—The claims of mothers to succession have generally been admitted, but the Ináms have been continued only for life.

(11 Cases recorded.)

MOTHER-IN-LAW, SUCCESSION OF.—Do. do. do.

(1 Case cited.)

POSSESSION, LONG.—Ináms have been continued in some cases solely on the ground of long possession without discussion of other merits.

POSSESSION, INTERMEDIATE BY ONE NOT ENTITLED TO SUCCEED.—In cases in which Ináms have been temporarily transferred to individuals who are not the legal heirs or holders,—as for instance, when assigned to a relation for maintenance or permanently transferred or alienated to a friend or relation,—it has been usual to allow the Inám to revert to the tansferer or donor, or in other words the legal holder.

(9 Cases recorded.)

PURCHASE, ALIENATION OR TRANSFER BY.—In the majority of the cases recorded, purchasers or their heirs have been allowed to hold the lands tax-free without limitation, occasionally for life only when the purchase was more recent. In one case an Inám was continued even to an adopted son of the deceased, who had purchased it after two alienations from the original grantee, and in another case an Inám alienated by gift prior to 1802 and afterwards purchased from the donor was continued to the son of a second purchaser on his death in 1843.

Purchasers subsequent to the rules of 1848 have not been recognized and the Ináms have been resumed.

Ináms purchased 30 or 40 years back have been sometimes resumed on the ground that the purchaser had been re-imbursed for his outlay.

In other cases Ináms have been continued to widows of purchasers on the ground that valuable consideration had been given.

Good circumstances of heirs of deceased purchasers have occasionally been held sufficient cause for resuming the Inám.

(70 examples recorded.)

RAJABANDHU.—Ináms were certain grants to the relations, &c. of Poligars in North Arcot. Those who were not really relations were allowed to continue in possession of the grant during their lives; while the allowances to relations were continued to them, and an examination into the state of their families was to be made on the lapse of each, and orders passed as to the renewal or cessation of the grant.

SERVICE INAMS.—I. Inám's granted by former Governments for the performance of certain services for the benefit, 1st of religion, 2ndly of education and 3rdly of Public works of general utility. These Ináms have always been continued so long as the purposes for which they were granted are fulfilled and the service continues to be performed.

Village service Ináms have been held to be indivisible and Government have recorded their opinion that when division has taken place—the evil should be corrected.

(60 examples recorded.)

II. Ináms granted by former Governments as official emoluments to their Revenue or other officers—and which, though the services for which they were granted have not been rendered or required by the British Government, have been wholly or in part continued as subsistence grants to the families of the old officials.

These Ináms are *de-jure* resumable when the offices to which they were attached were abolished. Resumption, under the orders of the Court of Directors, was to be had recourse to whenever it could be done without causing hardship to individuals.

SISTER, SUCCESSION OF.—In the two cases recorded, a continuance of the Inám was ordered to the sister for life.

SISTER-IN-LAW, SUCCESSION OF.—The Ináms were continued to the sisters-in-law in the seven cases recorded.

SISTER'S SON, SUCCESSION, OF.—Succession of sister's sons was declared inadmissible.

(2 cases recorded.)

TRANQUEBAR INAMS.—Claims to these Ináms have been recognized and continuance ordered without limitation.

STEP-SON, SUCCESSION OF.—An Inám was continued to a step-son in one special case.

SUBSTITUTION OF OTHER LANDS FOR INAMS TAKEN UP FOR PUBLIC PURPOSES.—The title to succession to such substituted lands is of course governed by the same rules as that to the original Ináms would have been. Inquiry is to be made into a holders title when substitution takes place, as the granting of other land is looked upon as a recognition and confirmation of a title which very probably does not exist at all.

WIDOW, SUCCESSION OF.—In the majority of the cases recorded the Ináms have been continued to the widows for life and rarely without limitation.

(81 cases recorded.)

ZAMINDARS, GRANTS BY.—Vide I. Ináms or grants with sanads.

II. Grants made after the permanent settlement.

III. Ináms without sanads.

IV. If alienated by purchase, &c., vide *purchase*, &c., according as the case for which a precedent is sought comes under one or other of those heads.

In regard to grants made by Zamindars after the permanent settlement the Government have directed that Section XII Regulation XXII of 1802, prohibiting alienations by Zamindars, should be rigidly enforced in future. Whatever diversity of practice may have formerly existed, (the decisions being various with reference to these alienations) it has been the policy of Government latterly, steadily to discountenance them. Though in the majority of cases resumption was ordered, yet long and uninterrupted possession has sometimes been made the ground of continuance.

(Signed) G. N. TAYLOR,
Inám Commissioner.

MADRAS, *July* 1859.

H.

LIST OF TITLE DEEDS.

1. For tax free hereditary personal Ináms, where option is given.
2. For jodi do. do. do do.
3. For tax free Ináms for one or more lives, in other respects as above.
4. Eor jodi do. do. do. do.
5. For tax free or jodi Ináms which are alienated from the original Family, and where no option is allowed as regards the payment of Quit Rent. The sentence in Italics will be retained or struck out according to the circumstances.
6. For Ináms held for the support of religious and charitable Institutions, buildings, &c., or services therein, where Quit Rent is already charged.
7. For Ináms held for the support of religious or charitable Institutions, &c., which are tax-free.
8. For Ináms held for services in the Revenue or Police Departments now discontinued.

Title Deeds for village service Ináms, or for other Ináms enjoyed in remuneration for services still rendered, are unnecessary.

N°. 1

TITLE DEED GRANTED TO

SYDAPOORAM ARNAGHERI MOODELLIAR.

---

1. On behalf of the Governor in Council of Madras, I acknowledge your Title to a personal Inám situated in the Village of *Narsapur*, in the Talook of *Mogaltur*, *Rajahmundry* District, claimed to be of 5 (five) acres of dry and 4 (four) acres of wet land.

2. This Inám is tax-free and hereditary; but it is not otherwise transferable; and in the event of the failure of lineal heirs, it will lapse to the State.

3. On your agreeing to pay an annual Quit Rent of 5 (five) Rupees, your Inám tenure will be converted into a permanent Freehold; in which case, 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.

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

(Signed) G. N. TAYLOR,

Inám Commissioner.

Dated

SEAL OF INÁM COMMISSIONER.

GOVERNMENT SEAL.

Whereas, you have agreed to convert your tenure into a Freehold, on the terms
red you in Clause 3 (three) of this Deed—your Inám is hereby confirmed to you
Freehold in perpetuity, subject only to the payment of the annual Quit Rent
ein mentioned, *viz.*, Rupees 5 (five).

(Signed) G. N. TAYLOR,

Inám Commissioner.

ed

SEAL OF INÁM
COMMISSIONER.

GOVERNMENT SEAL.

Whereas you have agreed to convert your Tenure into an absolute Freehold on the terms offered you in Clause four (4) of this Deed, and have paid into the Government Treasury of Rajahmundry, the sum of Rupees 100 (one hundred) in permanent redemption of the entire Quit Rent chargeable on the land, your Inám is hereby confirmed to you in perpetuity as an absolute Freehold—that is to say, free of all tax whatever to the Government.

(Signed) G. N. TAYLOR,

Inám Commissioner.

Dated

SEAL OF INÁM
COMMISSIONER.

N°. 2

TITLE DEED GRANTED TO

MOOTTOOPOLLUM RAMASAWMY MOODELLIAR.

---

1. On behalf of the Governor in Council of Madras I acknowledge your Title to a Kairáthi Inám situated in the village of *Ponnary*, Talook of *Nayer*, District of *Chingleput*, claimed to be of acres 4-30 of dry land, and acres 3-8 of wet land.

2. This Inám is subject to a Jodi or Quit Rent of Rs. 3 per annum, and is hereditary, but it is not otherwise transferable; and in the event of the failure of lineal heirs it will lapse to the State.

3. On your agreeing to pay an annual Quit Rent of Rs. (5) five, inclusive of the Jodi already charged on the land as above stated, your Inám tenure will be converted into a permanent freehold; in which case 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.

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

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

SEAL OF INÁM COMMISSIONER.

GOVERNMENT SEAL.

Whereas you have agreed to convert your tenure into a Freehold, on the terms offered you in Clause (3) three of this Deed, your Inám is hereby confirmed to you as Freehold in perpetuity, subject only to the payment of the annual Quit Rent therein mentioned, viz., Rs. (5) five.

(Signed) G. N. TAYLOR,

Dated *Inám Commissioner.*

SEAL OF INÁM COMMISSIONER.

GOVERNMENT SEAL.

Whereas you have agreed to convert your tenure into an absolute Freehold on the terms offered you in Clause (4) four of this Deed, and have paid into the Government Treasury of *Chingleput* the sum of Rs. (100) one hundred, in permanent redemption of the entire Quit Rent chargeable on the land, your Inám is hereby confirmed to you in perpetuity as an absolute Freehold, that is to say, free of all tax whatever to the Government.

(Signed) G. N. TAYLOR,

Dated *Inám Commissioner.*

SEAL OF INÁM COMMISSIONER.

N^o. 3

TITLE DEED GRANTED TO

CHINNACAVANAM THAMOTHARA PILLAY.

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1. On behalf of the Governor in Council of Madras, I acknowledge your ti
to a personal Inám situated in the village of *Caverypaukum*, Táluk of *Seruvauku*
District of *North Arcot*, claimed to be acres 4-3, of dry land, and acres 2-5, of
land.

2. This Inám is tax-free, and confirmed for two lives only, but it is not oth
wise transferable; and on the expiration of the limited term abovementioned it
lapse to the State.

3. On your agreeing to pay an annual quit rent of Rs. (5) five, your Inám ten
will be converted into a permanent *Freehold;* in which case the land will be y
own absolute property, to hold or dispose of as you think proper, subject only to
payment of the above-mentioned quit rent.

4. If you should desire to commute the quit rent for the payment of a sum
money, once for all equal to (20) twenty years' purchase of the quit rent, you
be at liberty to do so.

(Signed) G. N. TAYLOR,

Inám Commissioner.

Dated

SEAL OF INÁM
COMMISSIONER.

GOVERNMENT SEAL.

Whereas you have agreed to convert your tenure into a Freehold, on the terms offered you in Clause (3) three of this Deed, your Inám is hereby confirmed to you as Freehold in perpetuity, subject only to the payment of the annual Quit Rent therein mentioned, viz., Rs.(5) five.

(Signed) G. N. TAYLOR,

Inám Commissioner.

Dated

SEAL OF INÁM COMMISSIONER.

GOVERNMENT SEAL.

Whereas you have agreed to convert your Tenure into an absolute Freehold on the terms offered you in Clause (4) four of this Deed, and have paid into the Government Treasury of North Arcot the sum of Rs. (100) one hundred, in permanent redemption of the entire Quit Rent chargeable on the land, your Inám is hereby confirmed to you in perpetuity as an absolute Freehold, that is to say, free of all tax whatever to the Government.

(Signed) G. N. TAYLOR,

Inám Commissioner.

Dated

SEAL OF INÁM COMMISSIONER.

N°. 4

TITLE DEED GRANTED TO

PARIVAUKUM RAGAVOOLOO NAIDOO.

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1. On behalf of the Governor in Council of Madras I acknowledge your Title to a *personal* Inám situated in the village of *Caroongooly*, Táluk of *Therooporoor*, District of *Salem*, claimed to be of acres 5-7 of dry land, and acres 4-2 of wet land.

2. This Inám is subject to a Jodi or quit rent of Rs. (4) four per annum, and is confirmed for two lives only, but it is not otherwise transferable; and on the expiration of the limited term abovementioned it will lapse to the State.

3. On your agreeing to pay an annual quit rent of Rs. (6) six, inclusive of the Jodi already charged on the land as above stated, your Inám tenure will be converted into freehold; in which case the land will be your own absolute property to hold or dispose of as you think proper, subject only to the payment of the abovementioned quit rent.

4. If you should desire to commute the quit rent for the payment of a sum of money, once for all, equal to (20) twenty years' purchase of the quit rent, you will be at liberty to do so.

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

SEAL OF INÁM COMMISSIONER.

GOVERNMENT SEAL.

Whereas you have agreed to convert your tenure into a Freehold, on the terms offered you in Clause (3) three of this Deed, your Inám is hereby confirmed to you as Freehold in perpetuity, subject only to the payment of the annual Quit Rent therein mentioned, *viz.*, Rupees (6) six.

(Signed) G. N. TAYLOR,

Dated *Inám Commissioner.*

SEAL OF INÁM COMMISSIONER.

GOVERNMENT SEAL.

Whereas you have agreed to convert your Tenure into an absolute Freehold on the terms offered you in Clause (4) four of this Deed, and have paid into the Government Treasury of Salem, Rs. (120) one hundred and twenty in permanent redemption of the entire Quit Rent chargeable on the land, your Inám is hereby confirmed to you in perpetuity as an absolute Freehold, that is to say, free of all tax whatever to the Government.

(Signed) G. N. TAYLOR,

Dated *Inám Commissioner.*

SEAL OF INÁM COMMISSIONER.

GOVERNMENT SEAL.

N^o. 5

TITLE DEED GRANTED TO DHURMAPURI RAMASAWMY PILLAY.

1. On behalf of the Governor in Council of Madras, I acknowledge your title to a *personal* Inám situated in the village of *Velloday*, Táluk of *Periapollium*, District of *Trichinopoly*, claimed to be of acres 4-23 of dry land, and acres 2-5 of wet land.

2. This Inám being an alienation from the original family will be subject to the payment of an annual Quit Rent of Rs. (7) seven, (*inclusive of the amount already charged thereon*) which is hereby imposed upon it in commutation of the claims of Government arising from your defective title. The Inám is confirmed to you in Freehold. 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 abovementioned 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.

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

SEAL OF INÁM COMMISSIONER.

GOVERNMENT SEAL.

Whereas you have agreed to convert your Tenure into an absolute Freehold on the terms offered you in Clause 3 (three) of this Deed, and have paid into the Government Treasury of Trichinopoly, the sum of Rs. (140) one hundred and forty in permanent redemption of the Quit Rent chargeable on the land, your Inám is hereby confirmed to you in perpetuity as an absolute Freehold, that is to say, free of all tax whatever to the Government.

(Signed) G. N. TAYLOR,

Dated *Inám Commissioner.*

SEAL OF INÁM COMMISSIONER.

N°. 6

TITLE DEED GRANTED TO

COVOOR RAGAVA CHARLOO, Manager for the time being of Theroovayerpady Pagoda.

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1. On behalf of the Governor in Council of Madras, I acknowledge your title to a *Dévádáyam, or Pagoda Inám*, situated in the village of *Theruvoyerpady* in the Táluk of *Conjeeveram*, in the District of *Coimbatore*, claimed to be of acres 7-35 of dry land and acres 4-2 of wet land, held for the support of the Pagoda called Streekrishna Swamy in that village.

2. This Inám is confirmed to you and your successors, subject to the existing Quit Rent of Rs. (5) five per annum, to be held without interference so long as the conditions of the grant are duly fulfilled.

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

(Signed) G. N. TAYLOR,
Inám Commissioner.

Dated

SEAL OF INÁM COMMISSIONER.

GOVERNMENT SEAL.

Whereas you have agreed to convert your Tenure into an absolute Freehold on the terms offered you in Clause (3) three of this Deed, and have paid into the Government Treasury of Coimbatore, the sum of Rs. (100) one hundred, in permanent redemption of the entire Quit Rent chargeable on the land, your Inám is hereby confirmed to you in perpetuity as an absolute Freehold—that is to say, free of all tax whatever to the Government.

(Signed) G. N. TAYLOR,

Dated *Inám Commissioner.*

SEAL OF INÁM COMMISSIONER.

GOVERNMENT SEAL.

N^o. 7

TITLE DEED GRANTED TO

COTOOR RAMALINGUM PILLAY, Manager for the time being of Carunguli Pagoda.

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1. On behalf of the Governor in Council of Madras I acknowledge your title to a *Dévádáyam* or *Pagoda Inám* situated in the village of *Krishnaverum*, in the Táluk of *Caroongooli*, in the District of *Tanjore*, claimed to be of acres 4-23 of dry land and acres 3-7 of wet land, and held for the support of the Pagoda called Ishwara Swami in that village.

2. This Inám is confirmed to you and your successors tax-free; to be held without interference so long as the conditions of the grant are duly fulfilled.

(Signed) G. N. TAYLOR,

Dated *Inám Commissioner.*

SEAL OF INÁM COMMISSIONER.

GOVERNMENT SEAL.

N^o. 8

TITLE DEED GRANTED TO

DHURMAPURI RAMASAWMY PILLAY.

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1. On behalf of the Governor in Council of Madras, I acknowledge your title to an Inám originally granted for service situated in the village of *Velloday* Táluk of *Periapollium*, District of *Trichinopoly*, claimed to be of acres 4-23 of dry land, and acres 2-5 of wet land.

2. This Inám being held for service now discontinued will be subject to the payment of an annual Quit Rent of Rs. (7) seven, *(inclusive of the amount already charged thereon)* which is hereby imposed upon it in commutation both of the service thus discontinued and of the reversionary interest possessed by Government in the Inám. The Inám is now confirmed to you in Freehold. 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 abovementioned 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.

(Signed) G. N. TAYLOR,

Inám Commissioner.

Dated

SEAL OF INÁM COMMISSIONER.

GOVERNMENT SEAL.

Whereas you have agreed to convert your Tenure into an absolute Freehold on the terms offered you in Clause 3 (three) of this Deed, and have paid into the Government Treasury of Trichinopoly, the sum of Rs. (140) one hundred and forty in permanent redemption of the quit rent chargeable on the land, your Inám is hereby confirmed to you in perpetuity as an absolute Freehold, that is to say, free of all tax whatever to the Government.

(Signed) G. N. TAYLOR,

Dated *Inám Commissioner.*

SEAL OF INÁM COMMISSIONER.

Register of Inams

Class, Extent and Value of Inam.							Description, Tenure, and Do-		
			Extent.					Tenure.	
No. of case or entire holding under one grant in this Village.	General Class to which the Inam belongs.	Survey number & name of field or fields comprised in the grant. Dry, Wet, or Garden.	*Local Measure.* Even where the local measure is in Acres, Goontas, & Annas, it is to be entered in this column.	*Acres & Decimals.* English measure.	*Survey Assessment.* Where no survey has been made, and no Assessment fixed by Government, the cess paid by the ryot to the Inamdar, or the average Assessment of similar Government land should be entered in col. 7.	*Revised, or present Assessment.*	*Description of Inam.* If for service, it is to be stated whether the service is continued. If for tanks, buildings, &c., whether they are efficiently kept up.	Whether free of tax, i. e. sarva, Dumbála, &c., or liable to quit rent, i. e. Jodi, Kattubadi, Bediga, &c. Amount of latter to be entered.	Hereditary, unconditional, for life only, or for 2 or more lives.
2		3	4	5	6	7	8	9	10
	Dharmadayem Endowment for a charitable institution.	Wet	Cawnies	Acres.	Rupees.	Rupees.	Dharmadayem Granted for the support of the Choultry in Maduravayel on the Northern Road. It is efficiently kept up and is a great public convenience.	Jodi Rs. 6. 9.	Permanent, so long as the choultry is kept up.
		No. 205	1 8 0	2 0 0	5 4 0	2 10 0			
		,, 206	2 4 0	3 0 0	7 14 0	3 15 0			
		Dry							
		No. 207	5 4 0	7 0 0	18 6 0	9 3 0			
		,, 208	3 12 0	5 0 0	13 2 0	6 9 0			
		Garden							
		No. 209	1 8 0	2 0 0	5 4 0	2 10 0			
		,, 210	0 12 0	1 0 0	2 10 0	1 5 0			
2	Personal.	Wet No. 51	2 4 0	3 0 0	15 12 0	7 14 0	Bartwarthi. Granted for the personal benefit of the holder.	3 15 0	Hereditary.

5th July, 1859.

Original

(No.) in the Táluk of R D 9th August /59 - No 1069 in the District

Documents in Support of the Inam.		Name and Relationship of Original Grantee and of subsequent and					
					Particulars. If the Inám has been subdivided		
By whom granted and in what year.	*Written Instruments in support of the claim.* Original Sanad, all Miscellaneous documents, and other proofs of long possession. In this column it should be stated whether the Inam is held with or without grant, whether the grant is produced, or lost, &c., and the general specification of terms of all documents produced, should be given.	Name of original grantee.	Name entered in the Register prepared according to Reg. XXXI. of 1802, or in the permanent settlement accounts; and relationship of persons so entered to original grantee.	Name entered in the Survey, or in any subsequent accounts; and relationship to predecessors.	Name and Age.	Place of Residence.	Rela[tionship to] origin[al grantee] or su[bsequent] Reg[istered] hol[der]
11	12	13	14	15	16	17	
Granted by Nabob Wallajah in 1785.	Original grant..... 1 Dumbalas granted by Amildars &c. from 1798 to 1805...... 8 Tarum Accounts of 1763... ... ... 1 Permanent settlement account of 1802.... 1 Original Sanad is not produced, but the entries in the Register prepared in 1802, show that this Inám was granted for the support of the choultry herein described.	Gopala Charry.	Kristnama Charry, Son of the original grantee.	Ragava Chary grandson to the original grantee. Entered in the survey account of 1806.	Gopala Charry aged about 30.	Manamad in the Terupur Talúk District of Chingleput.	Gran[dson of] the p[resent] the[...] col[...]
Not known.	No original grant is produced, but the Inam is entered in the Tarum account of 1763; in the permanent settlement account of 1802; and in the Register prepared in that year. The Maniem is entered in the above accounts as belonging to Ramaputter, without any further particulars.	Not known.	Ramaputter.	Soobbaputter, grandson to Ramaputter entered in the survey account of 1810.	Soobba Charry aged about 20.	Agarum in the above Talúk.	Not r[...] to or[iginal] grante[e or] subseq[uent] holde[r]

Recd Pros: 9th Augt /59
No 1069 —

N.B.

M

All Ináms to which good titles have been established, whether by Padshahee grants, by grants from Subordinate Authorities, or by long possession, must, in Equity, be dealt with alike. I am ready to accept Mr. Elliot's Statements in regard to adoption. No absolute right of adoption in reference to Ináms is recognised. The Government reserves to itself the power of admitting or refusing the claim of an adopted son to succeed to an Inám, and declares that, "in all cases, it would "without fail reject them unless they had "been registered in the Collector's Office at "least six months before the death of the "party adopting". The Rule prescribed by the Government of India dated the 16th of May 1851, "That pensions granted hereditary "are to cease when the hereditary line fails, "and are not to pass to adopted children", was extended to "Grants in Land," and it was stated that "the Right Honorable the

Governor

"Governor in Council would not consider himself
"warranted in allowing Inam Lands (except
"such as are held in grant of a period prior
"to that prescribed in Regulation XXXI of 1802,
"and which were in possession of the Grantees'
"family at the passing of that Enactment,
"and are consequently free from all further
"interference") to be transmitted freely by
"adoption, so as even to pass into a family
"unconnected, or remotely connected, with
"that of the previous holder, to the prejudice
"of the rights of Government."—

"Extract Minutes of Consultation 9th May 1848, paragraph 8, (C.O. 27th July 1848.)"

Whether the rates of Commutation proposed for the conversion of these inferior tenures into freehold, are more or less than they ought to be, under all the circumstances of the case, is a matter of opinion; but so much is certain, that any advantage which the Government could obtain from any possible increase in the rates of Commutation, is not to be compared with the benefits to be derived from the speedy and satisfactory settlement of the question. The real gain will be the general contentment, the motive which a large and influential portion of the population, scattered through every part of the South of India, will have to stand by us; and the increased investment to investment (and production consequent upon the substitution of a secure, for an insecure tenure. I, however, entirely deny that the rates of Commutation are too low. The payments to the Government under this arrangement are certain; the advantages which might accrue to the Government in the absence of that arrangement are uncertain; and it is well known how small a present payment is equivalent to distant contingent advantages.

It is also well known how entirely the efforts which have been made in this and other Presidencies to realise the full pecuniary claims of the Government against this description of property have failed. It will be seen from the Memorandum on the Practice of the Commissioners of Her Majesty's Woods &c., in the disposal of Reversions, Forfeitures

Forfeitures, Fee, Farms, and Quit Rents in
England and Ireland, a Copy of which was
annexed to my first Minute, that in cases
of cases in which the rights of the Crown
are even more certain than they are in
regard to Inams, enfranchisement is conceded
on more favorable terms than those proposed
in Mr. Taylor's Rules.

4. I do not yield to Mr Elliot
in appreciation of the importance of the
village institutions, of which I have had
practical knowledge in one Presidency and
have had the subject before me during the
whole of my active life in reference to the
other parts of India. I agree with him
that the existing inequalities should be adjusted
so as to place the Officers on a right footing
and that "the basis of settlement should be
"the reversion of all divisions and sub divisions
"of Service lands and emoluments to the indivi
"dual selected for the performance of the
"Service", and "the Continuance of an ample
"provision for the Maintenance of the Office."
The words omitted, "at the death of the
"present holders", are inconsistent with the
opinion expressed in the the following passage
of Mr Elliot's former Minute, with which
I entirely concur. "In the first place
"every holder of Service Land perfectly under
"stands the conditions of the tenure. However
"much the glebe may have been divided and
"subdivided, all or any portion of it is liable to
"resumption and is constantly resumed by the
"Collector to pay the working incumbent, some-
"times not even a Member or in any way connect-
"ed with the Inamdar's family."

I also agree with Mr. Elliot
that the settlement of Service Inams should
be treated as a matter wholly distinct and
on different principles from personal and
Charitable grants, and that the Inam Commissioner
is well qualified to accomplish the settlement
of this important matter.

Mr Elliot observes that the
Government has no authority to provide adequate
remuneration for the village Officers "proprio
"motu, for it involves financial Considerations
"requiring the Confirmation of the Government of
"India". He also says "It may be a question
"how

"how far the Official emoluments of one
"village are liable for the services as a whole"
Upon this I need only remark, that, if any
additional grant is required, application
will be made to the Government of India.

7 — As this subject has been
incessantly talked and written about for the
last 40 years, and some partial settlements
have been made, it is time that it should
be dealt with in a practical and syste-
matic manner. There never can be
a more favorable opportunity than the
present. The necessary preliminary information
has been obtained. An able Commissioner of
Mofussil Police, with several carefully selected
Assistants, is employed in reorganising the
Village Police as part of the general Constabu-
lary ~~Establishment~~; and an experienced Member of
the Board of Revenue is engaged in revising
the village Revenue Establishments. These
Officers have been instructed to ascertain
and report what emoluments are required for
the village Servants of every description; and
the Main Commissioner will make the standard

fixed
by them the basis of his Settlement; and
will enfranchise, on the terms laid down in
Rule XXI. that is, on a Quit Rent equal to
half of the ordinary assessment, or on pay-
ment of a gross sum equal to twenty years
purchase of that Quit Rent only that portion
of the Service Inams which is declared to
be in excess of the emoluments actually re-
quired. In perfecting these arrangements
we shall, I hope, have the invaluable
assistance of Mr. Elliot during the few remain-
ing months of his term of Office.

8 — The difference of opinion
between Mr. Elliot and me is so slight, if there
be any at all — which I much doubt — and the
objections to reopening the general question at this
advanced stage of the undertaking, are so great,
that I hope that, after the explanation
I have furnished, the Rules may be sanctioned
by an unanimous decision of the Council.

Madras 8 August
1859 —

I entirely concur
[signature]

70.

Minute 8th August 1859.

having since my return to Madras - introduced the Rules laid down by the Board of Revenue, & the amendments thereon which appeared in respect to them - I feel satisfied that if thoroughly carried out, the adjustment of the Inam question will be ~~[illegible]~~ effected economically to all parties.

The rules in respect to adoptions ~~[illegible]~~ subject to the operation are to be observed & the settlement of the entire Inams is to be conducted consistently with reference to the [illegible]tions of Government in granting such Inams - Grants in excess of present requirements only being dealt with under rule XXI - If [illegible] counted in the above supposition

859 No 39

Revenue 1859 Department
Pro: of Govt 12 Augt

No 11451

Minute by the Honble
the President -

Dated 8 Augt 1859
Pd 9

On the Rules drawn
up for the Settlement of
Claims in this Presidency -

No 11452

Minute by the Honble
W. Morehead Esqr

Dated 8 Augt 1859
Pd 9

-433-

[illegible] to prevent adoptions by parties at the point of death, for the sole purpose of barring the rights of parties to inherit — as well as to defeat fraudulent attempts to impose [illegible] an adopted son on a person who [illegible] that character" [illegible] therefore [illegible] declared that [illegible] Govt. [illegible] to [illegible] the [illegible] of refusing to recognise adoptions in all cases [illegible] without [illegible] unless [illegible] registered at least [illegible] months before the death of the party adopting.

The subsequent [illegible] (ch. quoted [illegible]) [illegible] for local officers from admitting adoptions without [illegible] [illegible] does not [illegible] the validity of those [illegible] distant degrees. Adoptions are allowed [illegible] in the case of all Enams held [illegible] prior to Reg.
XXXI / 1802. In the case of all others" the Govt [illegible] allowing [illegible] by adoption so as to pass [illegible] from unconnected or remotely connected with that of the previous [illegible]" [illegible]

[illegible] the Govt had [illegible] referred for decision; the conference [illegible] of an adopted son to the [illegible]; of [illegible] a person who had been adopted into a different family; of a son-in-law; of an adopted son to succeed to the estate of his natural father.

These cases display a latitude of [illegible], altogether uncalled for. They are promulgated in a well-considered order published for guidance & information, and must be taken for a better exponent of the views of the local & home Govt on the subject than the casual decisions in isolated cases referred to Govt wh. were decided by Mr. [illegible] under an order to [illegible] not [illegible] as precedents but a portion [illegible] to follow the irregularity of past orders with a view of laying down an authoritative manual for future guidance.

In fact it was only in cases of illegal & suspicious adoptions that interference was deemed necessary. See C.O. Vol. 1. p. 452. 458. 462. 485.

As to my statement of the superior rights of an adopted over a subsequently born son, I spoke

[illegible] reform.

for the rate of commutations at 1/8
the estimated ad valorem. In all others
at 1/4 and where a lapse is irrevocable,
as in cl of the Rule I would leave it
as it is.

But the distinctions of title
not be recognized but keep the rate
of commutation at 1/4 in all cases as
being liberal in itself, far below the
value of the privilege conceded and fair
as regards the public interests

With regard to Rule XXI I
fear I have not made myself
clearly understood.
I merely desire
to reserve to myself
that the settlement of Lowrie Mary
ains

upon

---

* by using the term Padshahi Grants, I mean
all titles recognized as valid & unimpeachable by
Reg[n] XXXI of 1802

Inams shd. be treated as a matter wholly distinct & on different principles from Personal & Charitable Grants.

The Comr. ~~[illegible]~~ proposes to deal with the subject as regards existing Inams alone – I contemplated ~~[illegible]~~ a thoro' reform of the Institutions themselves.

In my opinion the service Grants cannot be considered apart from the general incidents of the service ~~[illegible]~~. These Inams constitute the fund from which that service is provided and are liable to their fullest extent for the efficiency of that service.

The offices of Head man, Karnam, Taliyari, Vetti, involve the performance of services on wh. the whole frame-work of Indian Society turns. In some places they are over paid, in some under paid in others they have no ~~[illegible]~~ remuneration at all or that of the most insufficient description. The adjustment of these inequalities so as to place the offices on a right footing has long been felt to be a matter of the greatest importance. Financial considerations have deferred its consideration from time to time but it still ranks as among the most pressing of the reforms

reforms req^d to ensure the efficiency of
our administration

The Inam Com^n is well qua-
lified to accomplish the settlement of these
important matters

But it cannot be done piecemeal
nor on principles which will indefinitely
postpone, — if it does not more seriously
impede the full & effective settlement
of the question.

The first ~~step~~ point is to provide
for the due performance of the duties
of the several offices in every Village,
as regards the persons — the next
to provide them with adequate
remuneration

We have no authority
to do this proper mater for it ~~involves~~
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involves financial considerations
requiring the confirmation of the
Govt of India.

Until the whole
subject has been laid before those
who are responsible for the
Imperial finances we are
not at liberty to alienate
irretrievably any portion
of the funds already appro-
priated on conditions of
service. It may be a question
so far the ~~Hakko~~ official
emoluments

emoluments of one Village
are liable for the service as
a whole. But looking to
the practice & to the principle
on wh these emoluments are
now held, I consider it to be
matter of the gravest considera
tion & for decision only after full examination of
all the arc-es and that it
wd. be inexcusable to jump to
a hasty conclusion on it

The subject has long & fully
engaged my thoughts & attention
and I submitted the draught of an
act for effecting this very object
when Commr. in the Nn Circars.
In my view, the basis of
such a settlement shd be — the
reversion of all divisions & subdivisions of service
lands & emoluments to the individuals
selected for the performance of the
service at the death of the present
holders — the continuance of an
ample provision for the maintenance
of the office & the employment of
the surplus to supplement deficiencies

-ences elsewhere. After all this a considerable sum will remain to be made up from the Public Trea-sury. In some districts partial reforms have been effected. In S Arcot & some others Collectorates I believe, the lands & emoluments of the Karnams were resumed absolutely & a money salary in attached to the office wh. has since been held during good behavior without reference to ~~[illegible]~~ ~~of~~ the hereditary claims.

In like manner the service lands & emoluments of all district officers as Desais Nadamkars, Despandis, Mujamdars, have been resumed because their services were no longer

no longer required. The final orders on this subject have been passed within the last two years.

I regret that I am unable to concede the objections ~~[illegible]~~ urged in my previous minute to the Comrs draught of Rules. I do not desire to press my own views on the subject of Personal & Charitable Grants. But I consider the treatment of Service Inams to be of such vast importance with regard to the future administration & financial

financial interests of the Country that I feel constrained to record my decided protest agst the proposed mode of dealing with them

Walter Elliot

4 Augt/59

Minute by the Honble Mr Elliot.

I have carefully considered Mr Taylor's remarks on my minute of the 27 Ultimo and feel called upon to notice those points in which he impugns the correctness of my statements

Mr Taylor states that the Government being vested with full power under Regulation $\frac{IV}{1831}$ has reserved to itself the right of refusing to recognize adoptions in all cases and that it has limited the permission to do so to the degrees of relationship specified in the C. O. quoted, - that is to undivided nephews and cousins.

This would ignore the power of adoption altogether because such relations are heirs of right and would

succeed

ucceed whether adopted or not.

The C.O. Board Revenue referred to is that of 29th September 1851.

It will be found to be a mere re-affirmation of the previous C.O. 16th July 1846 which directed in order attention more pointedly to the Notification on the subject of adoptions dated 16th March 1846.

The preamble of that Notification unmistakeably explains its object, viz^t —

"In order to prevent adoptions by parties at the point of death, for the sole purpose of barring the rights of Government to escheats - as well as to defeat fraudulent attempts to impose on Government as an adopted son a person not possessing that character- therefore it was declared that while Government reserved to itself the right of refusing to recognize adoptions, in all cases, it would without fail reject them unless they had been registered in the Collector's office at least six months before the death of the party adopting."

The subsequent C.O. quoted by Mr Taylor restricts local Officers from admitting adoptions without reference except in the case of Cousins or nephews but does not impugn the validity of those in more distant degree. Adoptions are allowed by the same C.O. without restriction in the case of all Inams held on grant prior to Reg^n XXXI 1802.

In the case of all others "the Governor in Council would not consider himself warranted in allowing Indian lands to be transmitted freely by adoption so as to pass into a family unconnected or remotely connected with that of the previous holder."

To the C. O of July 1846 are appended examples of the liberality with which the Government had treated such cases when referred for decision, which confirm under orders from the Court of Directors the succession of an adopted son to the prejudice of his Uncle; of a uterine brother to a person who had been adopted into a different family; of a son-in-law; of an adopted son to succeed to the estate of his natural father.

These cases display a latitude of consideration altogether uncalled for. They are promulgated in a well-considered order published for information and guidance, and must be taken for a better exponent of the views of the local and Home Governments on the subject than the casual decisions in isolated cases referred to by Mr Taylor which were selected by Mr Norman under an order to which I was a party not to serve as precedents but to shew the irregularity of past orders, and with a view of laying down an authoritative manual for future guidance

In fact it was only in

cases

cases of illegal and suspicious adoptions that interference was deemed necessary. See C.O. Vol I pages 452. 458. 462, 485.

As to my statement of the superior rights of an adopted (the one was merely given as an illustration) over a subsequently born son, I spoke from instances within my own knowledge in a part of the country with which I am best acquainted. I am aware the practice varies but it would be easy to quote as many texts for the one rule as the other.

We have inaugurated a scheme for the settlement of a difficult question, in a spirit of liberal concession.

The Inam Commissioner puts aside all considerations of degree in the value of titles.

From an Anglo Saxon point of view graduates the terms of commutation with reference to European ideas of hereditary succession.

I prefer to make a distinction in favor of those titles* which have hitherto been recognized by law and by public opinion as superior to all others; and in deference to Hindu law and Hindu modes of thinking I would grant equal facilities for the transmission of the estate through an adopted as through a lineal heir.

*In using the term Padshahi grants, I include all titles recognized as valid & unimpeachable by Reg XXXI of 1802.

In the former case I would fix the rate of commutation at 1/8 the estimated assessment.

In

In all others at 1/4 and
where a lapse is inevitable
as in 6th of the Rule I
would leave it to fall in.

But should distinctions
of title not be recognized I
would keep the rate of commu-
tation at 1/4 in all cases as
being liberal in itself, far
below the value of the privilege con-
ceded & fairer as regards the public
interests, both are not lightly involved in the permanent alienation of lands equal to 1/4 of the whole arable area of the country.

With regard to Rule XXI I
fear I have not made myself
clearly understood.

What I meant by dealing
separately with them was that
the settlement of service Inam-
ams should be treated as a
matter wholly distinct & on different
principles from personal and
Charitable grants. The

The Commissioner proposes
to deal with the subject as regards
existing Inams alone.

I contemplated a thoro'
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themselves.

In my opinion the service
Inams cannot be considered
apart from the general incidents
of the service. The Inams con-
stitute the fund from which
that service is provided and are
liable to their fullest extent for
the efficiency of that service.

The Office of Head man,
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they are over paid, in some under paid in others they have no remuneration at all or that of the most insufficient description.

The adjustment of these inequalities so as to place the offices on a right footing has long been felt to be a matter of the greatest importance. Financial considerations have deferred its consideration from time to time but it still ranks as among the most pressing of the reforms required to ensure the efficiency of our administration.

The Inam Commissioner is well qualified to accomplish the settlement of this important matter.

But it cannot be done piecemeal nor on principles which will indefinitely post-pone, - if it does not more seriously impede the full and effective settlement of the question.

The first point is to provide for the due performance of the duties of the several offices, in every Village, as regards the persons. the next to provide them with adequate remuneration

We have no authority to do this proprio motu, for it involves financial considerations requiring the confirmation of the Government of India.

Until the whole subject has been laid before those who are responsible for the Imperial

Imperial Finances we are
not at liberty to alienate ir-
irretrievably any portion of
of the funds already ap-
-propriated on conditions
of service -

It may be a question
how far the official emolu-
-ments of one Village are
liable for the services as
a whole. But looking to the
practice and to the principle
on which these emoluments
are now held, I consider it to be
matter of the gravest consider-
ation for decision only after full
examination of all the circumstances
and that it would be inexcusable
to jump to a hasty conclusion on it.

fully engaged my thoughts and at-
-tention and I submitted the draught
of an act for effecting this very ob-
-ject to Lord Commissioner in the
Northern Circars -

In my view, the basis of
such a settlement should be - the
reversion of all divisions and sub
divisions of service lands and emo-
-luments to the individual selected
for the performance of the service
at the death of the present holders
the continuance of an ample provi
-sion for the maintenance of the
office and the employment of the
surplus to supplement deficien
elsewhere - After all this a con
-siderable sum will remain to be
made up from the Public Treasury
In some districts partial
reforms have been effected - In South
Arcot and some other Collectorate
I believe, the lands and emolumen

of the Kanarese were, resumed absolutely and a salary in money attached to the office which has since been held during good behaviour without reference to hereditary claims.

In like manner the service lands and emoluments of all district officers as Desais Natamkars, Despandes, Mamlatdars, have been resumed because their services were no longer required. The final orders on this subject have been passed within the last two years.

I regret that I am unable to concede the objections urged in my previous Minute to the Commissioners draught of Rules. I do not desire to press my own views on the subject of Personal and Charitable Grants. But I consider the treatment

administrative and financial interests of the country that I feel constrained to record my decided protest against the proposed mode of dealing with them.

4th August 1859. } (Signed) Walter Elliot.

[illegible] Letter to E
[illegible]gust 1859 No. 39

Revenue 1859 Departt.
Pro: of Govt. 12th Augt.

No. 1450

Minute by the Honble
W. Elliot, Esqr.

Dated 4th } 9th Augt. 1859
Recd 9th }

On the Rules drawn up for the settlement of Inam in this Presidency.

[illegible] No. 31.

Memorandum

I regret that I should not have had the advantage of personally going over the proposed Inam Settlement Rules, with the Honble Mr. Elliot, before he recorded the Minute, with the perusal of which I have now been favored; I might then have explained to him more fully & [illegible] satisfactorily, than it was possible to do in the Rules themselves, those points to which his observations are mainly di=rected. These are,

First, The rates of Quit Rent to b[illegible] charged as the equivalent value of th[illegible] Government claim to reversion in each case, - and

Secondly, The proposed method o[illegible] dealing with Service Ináms.

2. - The first point depends almost entirely upon the existing Ru[illegible] regarding Adoption in cases of success[illegible] to Ináms. If the claim of an adopte[illegible] Son to succeed to an Inám had been recognised without restriction, lapses would scarcely ever have occurred - [illegible] [illegible] adopt would have been unive[illegible]

in the absence of natural heirs, - was, under these circumstances, the reversionary claim of the Government would have been nearly alike in all cases, it would have been unnecessary, as remarked by Mr. Elliot, to make any distinction in the rates of Quit Rent: But it will be found that the existing Rules & practice are precisely what I have stated them to be; that is, - that the recognition of adoption, as conferring the right to succession to an Inâm, depends upon the will of the Government, to whom the power of deciding these questions is reserved by Reg. IX of 1831, & is confined to the degrees of relationship therein specified.

3. The Rules are contained in the L.B. Books of the Board of Revenue, & the subject of Adoption is fully noticed at page 37 Vol III. in S. N.C. No. 2243 dated 18th Sept. 1851 (No. 939 Rev. Dept.) These Rules are based upon a Notification which was issued in March 1846, the first of which was that while Government reserved to itself the right in all cases of refusing to recognise the claims of an adopted Son; it would invariably reject them, unless the fact to the Collector of the District six months previously to the decease of the party making the adoption

4. The decisions of Government on claims founded on adoption, have generally been in accordance with these Rules, - but exceptional cases have from time to time arisen, which have been decided either according to the circumstances, or according to the particular views which obtained in the Council for the time being.

5. In the compilation from which the Alphabetical Abstract contained in the Appendix to my Report was framed, about 50 decisions of the Government on claims founded on adoption are recorded by No. Roman, with the date & No. of the Government order in each case. If this paper be referred to, it will be seen, that the right of the Government to interfere in every case, & to scrutinise the claim to succession to an Inâm on the score of adoption, has been upheld. In some cases the Inâm has been resumed; in others it has been continued to the adopted Son for life only; claimants within the prescribed degree of relationship have been continued in possession; & cases have occurred in which claimants, though not entitled under the Rules, have been allowed to retain the Inâms without limitation. .

6. Adoption by a widow is disallowed by Law, except upon the clearest, incontrovertible ~~written~~ authority of the deceased husband, & it has usually been recognised, in the case of succession to Inams, to the extent of allowing the adopted Son to succeed to an Inám for his life. Ten cases are recorded by Mr. Norman. +

7. It will be seen by what is said above, that although the exercise of the right of adoption may never have been questioned by Government, ~~[illegible]~~ adoption has not been recognised as necessarily conferring a title to succeed to ~~an~~ Inám under the existing Rules.

8. Section V of the proposed Rules for the future settlement of Ináms, simply declares the existing conditions of the Inámdars' tenure as they have been interpreted by the Government: it prescribes no limitation of the Hindu Law of succession. The restrictions imposed by the present Rules & practice in regard to adoption, alienation, & succession, are clearly set forth, in order that the benefit of the proposed alternative may be better understood.

9. The provisions of Hindu Law in regard to adoption, though practically ignored as conferring a claim to succession to an Inám, have nevertheless been respected by the Government to a certain extent.

+ bis. It will also be found that adoption by Mussulmans is not sanctioned by Law - and it has not been for this reason recognised as conferring a title to succeed to Ináms.

For example, When the adoption is valid in point of Law, the adopted Son is usually recognised as the legal heir to Shrotriems & similar grants conferred for a number of lives. It has been my endeavour throughout the proposed Rules to guard against any infraction of the Principles of Hindu Law, & to avoid introducing any provisions which are opposed to the social habits, feelings, & rights of the People. The clauses composing Section V of the Rules were most carefully considered in communication with my Special Assistant, & I have the opinion of many intelligent natives, not associated with me in the Commission, as well as of all my Deputy Collectors, that the principle involved in the arrangement is in consonance with native feeling, & that the justice of the distinctions in the Rules of Quit Rent, will be universally admitted.

10. But even according to Hindu Law, the Hon^ble Mr. Elliot will find on reference to Strange's Manual, which is compiled I believe from the best authorities, that an adopted Son's rights are not so perfect as he supposes them to be, & are materially interfered with by the subsequent birth of a natural Son. In Section 122, page 22 it is declared that "on a Son being born naturally to a man after he

may have taken one in adoption, the adopted son receives but a fourth share; that is, a fourth of what forms the share of the son begotten. The property is divided into five parts, of which the adopted son gets one, & the after born son, four".

This view is also supported by the answer of the Pundits of the Sudr Adawlut to a question put to them on the same subject. This answer is to be found in a note at page 562 of Vol I of Bd's L. R.

11. It is true, nevertheless, that a Bhartwarthi Inám in Bellary was continued by an order of Government dated 12th June 1848, to an adopted son, & the natural sons of the adopter born subsequently to the adoption, apparently by a second wife, were directed to look to him for support. This was in direct opposition to Hindu Law, & is only another instance of the truth of the remark recorded by Government in S. Mr. L. 18th Sept. 1851 that "the decisions hitherto arrived at have not been based on any fixed principle".

12. The Honble Mr. Elliot proposes to make a distinction between Pádsháhi & other grants. I believe there will be found to be very few if any, ~~Cases~~ properly called Pádsháhi grants emanating from the royal family of Delhi; but as in almost all cases, the validity of an Inám will depend upon length of possession, I do not clearly see how any distinction could be made. Perhaps Mr. Elliot means that Ináms held on grants prior to the passing of Reg. XXXI of 1802, & then in possession of the grantee's family - which are now continued to the holders as a matter of course - should be treated with more consideration than other Ináms; but as the principle of recognising 50 years possession to be a good title to an Inám, was laid down for my guidance, I had no choice but to place all Ináms of 50 years standing in the same category, making a distinction only in favor of hereditary Inámdárs, as regards the option to enfranchise.

13. Some of the Ináms in Tanjore & probably also in other Districts, granted by the Rajahs of the country, & styled Sarva Manieums, are stated to be held already on freehold tenure, with the power of alienation by adoption, transfer, or otherwise. Whenever this is found to be the case, the actual tenure will of course be respected & confirmed to the holder of the Inám according to the express terms of the grant.

14. I have not overlooked the difficulty of fixing the Quit Rent, which is next noticed by Mr. Elliot. This difficulty will not be materially felt I think

Districts is where the lands are thoroughly
assessed: but in the Northern Circars
it may be found necessary to fix a ~~the~~
general rate as provided in Section XIII
of the Rules.

15. With respect to the proportion
of 1/8th being too low, as compared with
the rate proposed for Bombay, it should be
remarked that the Assessment in that
Presidency has been reduced to so low
a point, that the average per acre is
probably not more than one half of
the average assessment in this Presidency.
If this be the case, the Quit Rent proposed
to be charged to the Inámdárs in the two
Presidencies will be of equal amount per
acre.

16. In regard to the second point chiefly
noticed by Mr. Elliot, namely the proposed
treatment of Village Service Ináms, I beg to
say that I have not been unmindful of
the very great importance of the subject.
I stated in my Report. para 30. that
the revision of this class of Ináms will
require the greatest care: & though Rule
XXI to which Mr. Elliot takes exception,
merely enunciates the general principle
which I would propose to apply to these
Ináms, I stated that their treatment
in the several Districts must depend

have to be
sication with the proper authorities. I
have provided (para 3. of the Instructions to
the Deputy Collectors) for the preparation of
a separate Register of these Service Ináms,
& though I certainly contemplated including
them in the new settlement, I proposed
to deal with them separately precisely in
the manner suggested by Mr. Elliot in
the last page but one of his Minute.

Rule XXI provides for the treatment
of Ináms of this class in conformity with
the principles of the Court's & the Governor's
Minute. It is proposed to utilise the
Ináms to the full extent & when they are
found to be excessive, not to resume the
excess, nor to appropriate it to meet defi-
ciencies in any other village than that to
which the Inám belongs, or to transfer it
to any other office than that to which it
is attached - but to enfranchise the portion
of the Inám by charging a Quit Rent in
Commutation of the claims of the Government
& thus confirming it to the owner on free-
hold tenure. This Quit Rent may fairly
be devoted to aid the general fund for
Village Police or Revenue Service - but
any other mode of dealing with these Ináms,
many of which have been held for generations

in the same family, would in my opinion
be regarded with universal disfavor &
alarm.

With reference to the closing
para of Mr. Elliot's minute I would
only say that the annual value of the
land must be ascertained before
the Quit Rent is fixed — the purchase
money of the Quit Rent may be
paid at the option of the holder
either now or at any future
time — The number of years
purchase of the Quit Rent will not alter —
though the value may — if
not accepted at once..

H. Taylor

30th Jul

J.C.

I cannot find
any Proof of the
Taylor Memorandum.
Ray see if it's
been properly corrected
Mc
12 Aug (5)

P 1449/59.

Rec: 12th Augt /59 Lab.

After an attentive consideration of
Mr Elliot's observations, I cannot see that they
call for any alteration of the proposed rules.

Mr Elliot's remarks on the rates
of Quit Rent are chiefly based upon the
supposition that at present Adoption is fully
permitted to Grantees - (in the accompanying Memorandum
that this is not the case - I think that
in proposing a Quit Rent of /8 when there
are Heirs competent to continue the family;
& /4 when there are Heirs not ordinarily
answering to this description, such as a Wife
without issue or a Widowed Daughter; and
& /2 when the present incumbent is without
Heirs altogether, we have made as near an
approximation to an Equitable adjustment as
can be done.-

The distinction made between
Badshahee and other Grants makes no real
difference - Titles which are proved to be
valid, ought to be dealt with alike whatever

the

the nature of the proof may have been - It matters not whether it was long possession, or a valid grant from a Delegated authority, or a Padshahee Grant which led to the recognition of the title - A title cannot be more than valid.

In a subsequent part of his Minute Mr. Elliot points out the difficulties with which the Inám Commissioner will have to contend in ascertaining the proper rate of assessment - These appear to me to be overrated; but, admitting their existance, they constitute a powerful argument in favor of the moderate rate of 1/8 of the ordinary assessment when there is no reasonable probability of an early lapse, of 1/4 when a lapse may occur after one generation, and of 1/2 when it is likely soon to occur - In his Minute of the 16th June 1859, Mr. Elliot expressed his apprehension that the alternative of a Quit Rent or of a fixed sum equivalent to a certain number of

would neither be favorably received nor generally accepted - I entreat that the lower the terms of enfranchisement the greater is the prospect of their being accepted -

As regards Service Ináms, we propose to deal with them precisely as Mr. Elliot suggests - that is, "separately, after inquiry into the wants and circumstances of each "District, and with reference to the efficient "performance of the duties of the Office" - In other words, Mr. Taylor will ascertain, in reference to each village, in communication with the Commissioner of Mofussil Police, as regards Police, and with Mr. Pelly, who has been entrusted with the revision of the Revenue Establishments, as regards Revenue, how far the existing Inám lands are required for either purpose. Where they are so required, they will be left as at present, and the Inámdars will be held to the performance of the stipulated services; but where they are not wanted, either in whole or in part, a Quit Rent equal to one half the ordinary assessment will be demanded. I do ~~not understand that it is proposed to apply~~ ~~Mr. Elliot's remarks to~~ Ináms of this class to the purpose of

augmenting emoluments in any other villages than those to which they belong, or of any other offices than those to which they are attached. Native opinion ~~[illegible]~~ would not endure such a mode of dealing with these Praóms. If this be admitted, the course proposed in my Minute and provided for in the Rules does all that can be done to utilize the Praóms, short of such alienation.

I hope I have sufficiently answered Mr Elliots objections - but if any thing is wanting, if is satisfactory to me to know that the terms of adjustment are so liberal, that, if mistakes have been made, they will not be on the side of Individual hardship; and that the result will be a settlement of a great mass of property which cannot fail to improve our political and financial condition, by diffusing contentment and stimulating production. —

C. Munro

Madras 30 July 1859.

2-2-93
7-6-93
... by in a Letter to E
No 9 August 1859 No 39

15/12/88

12/7/89

1-11-93
27-9-94
5-11-98

Revenue 1859 Depart.
Pro: of Govt 12 Augt

No 1449.

Minute by the Honble
the President-

Dated 30 July 1859
Recd 9 Augt

1. Enclo.

On the Rules drawn
up for the settlement of
Inam in this Presidency-

No 30.

25 6 83

I have given my most careful attention to the Rules drawn up by the Commr for the settlemt of Inams.

~~[illegible]~~

~~[illegible]~~ I desire to make some observations on a few of the sections ~~with which I am unable to concur~~, particularly on those embraced in Rule V & XXI.

Clauses 3 to 5 of ~~[illegible]~~ Rule V define the conditions under wh. an Inamdar may commute his maniyam for a freehold tenure.

They embrace two considerations

1. the case ~~that shall be held to~~ entitling ~~the~~ a Inamdar to ~~receive~~ consideration with reference to the existence or otherwise of heirs.

9-6-93
Copy in a Letter to E. (D)

2. the value attached to these circ^ces in their several degrees.

Now as regards the first consideration, the distinctions drawn by the Com^n are founded entirely on our own ideas of succession and are wholly opposed to those of our Hindu fellow subjects.

A Hindu can never be said to be without the prospect of an heir so long as he retains the power to adopt. An adopted son is to all intents & purposes as much a son as the issue of his own loins. ~~and~~ So strong is this principle recognized in Hindu Law that a son begotten after the rite of adoption ~~has been~~ completed in favor of another, yields precedence to his adopted brother in regard to rank, inheritance & every other ~~condition~~ incident of sonship.

No 30.

sonship. The exercise of this right has never been questioned & was fully recognized ~~by~~ by the old Native Rulers.

The distinction therefore wh. is drawn between cl. 3 & 4 is ~~a fallacy~~ incorrect. It is has no existence in fact ~~&~~ & cannot be maintained with any show of justice to the feelings & rights of those most nearly concerned.

Even in the case cl. 5 a childless widow has full right to adopt if the power of doing so has been delegated to her by her husband before his death.

I am of opinion therefore that all the degrees of distinction shd merge into one and that the case of holders of Inám absolutely destitute of heirs — a very ~~improb~~ ~~un~~ rare contingency, needs no separate provision but that in all such cases the grant may fairly &

2-2-93
9-6-93

properly be allowed to lapse

2. Under this view the consideration of the ~~[illegible]~~ value attaching to the probabilities of succession merges in like manner into a single category, for wh. it w'd be necessary to provide but a single rate of commutation.

But I pointed out in my minute of the 16th ult. that there was a class of grants to wh. I considered an especial degree of consideration to be due.

I allude to Inâms held under Padshahi or Royal Grants.

These are not numerous in comparison with the great bulk of the alienations. But ~~these~~ such titles are far superior to all others and they are generally of old date.

If a reduction in the rate of Commutation

No 30.

will be heavier now than it has ever been

26 68 85

tion is to be allowed in any case I consider that it sh'd be in favor of these.

My Hon Colleague Mr Moorhead I observe has expressed a similar opinion in his minute of the 8th ult.

I beg to propose therefore that the concession of a quit-rent of 1/8 in lieu of the present limitations on transfer be confined to such Padshahi Grants & the rate for all others be 1/4.

The right of adoption altho not essentially a principle of Mahomedan law has been very generally practised by the Musalmans of India & their numbers being small as compared with Hindus I w'd not make a distinction

a distinction between them.

A quit rent of 1/8 the supposed assessment is little more than a nominal demand & one of 1/4 is so extremely light that the concession of a freehold title at such a price leaves ~~[illegible]~~ the balance of advantage greatly on the side of the landholder.

The time of making these commutations enhances the benefit to the Inamdar.

In most districts the assessment can only be fixed at random. The wants of data for this purpose has been the theme of ~~the~~ revenue discussion for years ~~past~~. A survey to remedy the evil has just been inaugurated. But the proceedings of the Inam Commn. cannot wait to take advantage of its labors. The Commr. must decide on the value of the maniyam from existing data.

In the Northern Circars these have been proved again & again to be utterly worthless ~~[illegible]~~ necessitating the adoption

adoption of a settlement by means of collective joint-Rents, as a temporary ~~[illegible]~~ expedient. The same uncertainty exists in all other Dists. to a greater or less extent.

This absence of correct data, the want of truthworthy registers of extent & value of land — has given free scope to local influence. The burthen of the assessment has been transferred from the best to the worst lands — fr. the substantial to the poor ryots. The blemish of the land-tax is not its excess as a whole but the inequality of its distribution. Even in the Ceded Districts which have been carefully surveyed, lands originally placed in the higher classes, have been surreptitiously transferred to inferior tarams.+

It is ~~from these~~ such light assessed superior that grants of Inam have commonly been made especially those of a personal nature, such Brahmadaya Dharmadaya &c. Conferred generally on men unaccustomed to secular pursuits, the land remains in the occupancy of the ryot, on the easiest conditions.

So well is

+ I make this statement on the authority of Mr Bayley who when engaged in the survey of Kurnool investigated the settlement of several neighbouring villages in Bellary & found the result above stated.

will be heavier now than it has ...

So well is this understood, that the fact has been used as an argument for maintaining the heavy demand on Khalisah lands wh. the ryot was able to pay only by means of easy assessed Inámti cultivation. In the Ceded Districts Sir T Munro made it a condition that cultivators of Ináms shd always be req^d to take up Govt land also and where this cd not be done they were assessed with a light tax or Inámpati pattee.

These are some of the difficulties that will meet the Ináms Commr in ascertaining the true assessment of many an land. A quit rent of 1/8 the assessment at 20 yrs purchase is 2½ years and one of 1/4 on the same terms is equal to 5 years purchase. But if owing to want of information such as I have described and to the liability of being misled by trusting to past payments as a guide, the Inám Commr should — as I believe they often will — set down the estimated assessment at considerably less than

than a fair land lords rent, the Inámdar will be able to purchase a freehold title at considerably less than even the easy terms proposed by Mr Taylor. For these reasons I think that the Govt. rent should not, as a general rule be taken at less than 1/4 of the estimated assessment and that in cases of recent & otherwise defective titles it might with much fairness be raised still higher. An exception in favor of Padshahi Grants will be of limited application & is a just concession to the superior value of such titles.

The subject embraced by Rule XXI is of the highest importance & cannot I think be dismissed with the perfunctory notice that received from the Commr.

The service lands to wh. it refers are of a very different character from the personal grants. The one represents the pensions & endowments of the State — the other is simply a revenue & police charge.

charge.

In dealing with the latter therefore we are dealing with an important element of the public expenditure & it behoves us to consider whether we are at liberty to dispose of any portion of them whatever to purposes other than those for wh. they are engaged.

In the first place I would observe that in no one district (I believe) do the total alienations for service amount to a fair remuneration for the services rendered.

The distribution is most unequal. Some officers hold too much, some too little, some nothing. But the average of the whole, falls far short of a fair wage for the services of each individual.

In the next place every holder of service land perfectly understands the conditions of the tenure. However much the glebe may have been divided & subdivided, all or any portion of it is liable to assumption & is constantly assumed by the Collr. to pay the working incumbent, sometimes not even a member or in any way connected with the Inamdars family.

In the third place it must be remembered that the reform

reform of these Village establishments is one of the most important among the many pressing subjects demanding the attention of the Govt. for the better administration of the country.

The measure has again & again been brought under consideration during the last 50 years. In some districts partial adjustments have been made. In others plans* have been submitted, discussed & laid aside. In none has a complete & satisfactory arrangement been concluded.

A principal feature in all these schemes has been that of utilising the existing emoluments, notwithstanding wh. a considerable addl. outlay+ has appeared to attain any thing like a fair measure of compensation for the services rendered.

The scales of remuneration at wh. the allowances have hitherto been calculated were drawn up, with reference to the

* I will mention Mr H. Montgomery's Rept. on the Karnams of Rajahm. in 1843 & my own Rept. on Service Inams of the N. Circars generally in 1854.

+ See Mr Robinson's Rept. on the Police of N. Arcot of the current month.

the state of the country. Such estimates are no longer applicable to the changed circumstances of the times. I will instance the pay assigned to Talairis in the Rept of the Com. of Police on N Arcot, just rec? proposing to allot the [illegible] 2 1/2 Rs a month to this useful class of men. This has always hitherto been considered sufficient for a village Watchman, but the wages of an ordinary laborer have now risen to 2 annas a day, double what they were before the establishment of the D.t of P Works & the construction of Railways. And I would ask how long the State is likely to obtain the services of a man at 2 1/2 Rs when the lowest rate of wage in the labor market is 3 1/2 Rs?

The obstacle to the prosecution of these very necessary & important reforms has been the cost~~[illegible]~~ expense. Without such reform there can be no good administration, and the time when such matters c.d be staved off to a more convenient season has gone by. The improvement of the village officers must receive more liberal consideration than it has yet had & demand on the public treasury will be

will be heavier now than reckoned before.

I submit therefore that the hasty & offhand manner of dealing with such interests proposed in Rule 77 is altogether inexpedient and will be productive of serious embarrassment hereafter.

I am of opinion that Service Inams should be treated apart from the general subject of Inams with due consideration to the rights of the public & the finances of the State, and I would propose that the Com.r should deal with them separately after such inquiry into the wants & case of the district & with refer.ce to the efficiency performance of the duties of the offices.

I observe that the 182 Rules only deal with personal grants & reserve the consid.n of Service Inams.

The 184 rules also propose in the case of redemption of Quit Rent to omit

amounts for wh. commutation is paid
to 20 yrs when the sum will be liable
to reduction at the same time as the
survey rates. This I consider to be
objectionable because such grants of little
or of any value sho'd be ~~[illegible]~~ fixed &
But with reference to the ignorance of
the value of land here I w'd suggest an
alteration in Rule IX by the omission
of the words "or at any future time".
And where parties do not at once embrace
the terms offered by the Gov^t. I w'd withdraw
the option of commuting until opportunity
has been allowed for arriving at a
more exact knowledge of the value
of the land.

27/7/55 Walter Elliot

...lliot to E
...st 1859 No. 39

Revenue 1859 Deptt
Pro: of Govt. 12th Augt.

No. 1468.

Minute by the Honorable
Mr W. Elliot
d/27th July /59.

On the Rules
drawn up for the settle-
-ment of Inam in
this Presidency -

No. 29.

RULES

FOR THE ADJUDICATION AND SETTLEMENT OF THE INAM LANDS OF THE MADRAS PRESIDENCY.

Proved possession as Inam for 50 years constitutes a valid title.

I. Land which is proved to have been held uninterruptedly *as Inám* for a period of 50 years, with or without Sanad, will be treated as Inám possessed under a valid title, whatever may have been its origin.

Proof to be obtained from the Public accounts.

2. In the absence of a valid grant or other title deed, entries in the village accounts of the earliest years of the British Administration, in the permanent settlement accounts, in the Registers prepared under Regulation XXXI of 1802, in the accounts of the earlier surveys, and in other authentic accounts of older date than 50 years, will be accepted as proof of the existence of the Inám for that period.

Under what circumstances proof of possession for the full term of 50 years will be dispensed with.

3. But where such proof may be wanting, owing to the Inám being situated in ancient Zamindâries, Polliums, or Jághirs, which may have reverted to Government within a period of 50 years, and for which there are no permanent settlement or other old authentic accounts in existence, if the Inám is shown to have been held ever since the date of the reversion of such Zamindáry, &c., to Government, and if circumstances are adduced which afford a reasonable presumption that the failure of proof of longer possession is owing only to lapse of time, and the absence of accounts, the Inám will be held to possess a valid title. The same rule will apply to every case in which valid proof of possession for the full term of 50 years is not produced.

Mode of disposal of the several classes of Ináms after validity of title is established.

II. After the validity of the Inám has been thus established, each case will be disposed of as hereinafter explained, according as it belongs to one of the following general classes.

1st. Grants or endowments to religious and charitable institutions, and for service therein.

2nd. Personal or subsistence grants.

3rd. Grants by former Governments in remuneration for services in the Revenue or Police departments which are no longer rendered or required.

4th. Village Service Ináms.

1st. Those enjoyed by Village officers, for Revenue or Police services still performed.

2nd. Those enjoyed by artisans and others for services rendered to the village communities.

I. Grants or Endowments to Religious and charitable Institutions and for service therein.

III. If the Inám was given for religious or charitable objects, such as for the support of Temples, Mosques, Colleges, Choultries and other public Buildings or Institutions; or for services therein, whether held in the names of the Institutions or of the persons rendering the services;—it will be continued to the present holders and their successors, and will not be subject to further interference, so long as the buildings or institutions are maintained in an efficient state, and the services continue to be performed according to the conditions of the grant.

2. Ináms granted for the construction and repair of tanks and channels, will not be interfered with so long as the terms of the grant are fulfilled, and the works are kept in good order.

II. Personal or Subsistence Grants.

IV. If the Inám is a personal or subsistence grant, it will be confirmed to the holder according to its actual tenure. The conditions upon which this tenure will be commuted into a freehold, according as the Inámdár is a descendant of the original grantee and of the registered holder, or has acquired the Inám through an alienation, are set forth below.

If the Inámdár is a descendant of the original grantee.

V. If the present incumbent is a descendant of the original grantee or of the original registered holder, the Inám will be continued to him hereditarily, subject to the existing conditions of the tenure as they have been interpreted by the Government. That is to say:—

First. Succession is limited to direct lineal heirs and undivided brothers.

Secondly. The Inám escheats to Government on failure of such heirs.

Thirdly. Alienation of the Inàm is prohibited and, Fourthly. Adoption, except out of the family of an undivided brother or cousin, is not recognized.

Alternative to be presented to him to convert his tenure into a Freehold.

2. But an option will be given to the Inámdár to convert this restricted tenure into a freehold with the full powers of alienation by gift, sale, adoption, or otherwise, by consenting to the payment of an annual quit rent, calculated according to the following rates fixed with reference to the value of the reversionary claim of the Government in each case.

Rate of conversion if the Inámdâr has competent heirs.

3. If the present holder of an Inám has, or if, as in the case of youth, there is a reasonable presumption that he will hereafter have competent heirs,—that is to say, heirs, male or female, who are capable of continuing the family, and by whom the Inám will be inheritable; the prospect of its reversion to Government being in this case remote—an annual quit-rent amounting to one-eighth ($\frac{1}{8}$) of the existing or estimated assessment of the land or of similar land in the same village, will be considered a sufficient compromise for the right of reversion possessed by Government over the Inám.

Do. If the Inámdár has no heirs competent to continue the family.

4. If the Inámdar has no heirs such as are described above, and from his advanced age or otherwise there can be no reasonable presumption that he can ever acquire such heirs,—but if nevertheless he has what may be called terminable heirs, such as a wife without issue, or a childless widowed daughter,—in this case the reversionary claim of the Government is of higher value than in the last, and a quit-rent equal to one-fourth ($\frac{1}{4}$) of the assessment will be demanded.

If without heirs altogether.

5. If the holder of an Inám is not possessed of heirs of any kind, and is without the possibility of having issue,—as in the case of a childless widow,—whereas the Inám will be liable to be fully assessed to the Revenue at the death of the present incumbent, a quit-rent equal to one half ($\frac{1}{2}$) of the assessment will be demanded

These rates if not at once accepted, will not necessarily be offered a second time.

VI. The above rates of compromise will only apply to an immediate settlement, but will not be *necessarily* held out to the Inámdâr at any future time when he may choose to desire them; a widow now demurring to the offer, will not be permitted to avail herself of it just before her death for the sole purpose of defeating the right of Government to a reversion; or a party to whom in the prospect of heirs, the compromise is offered at a lower rate will not be permitted to avail himself of these terms at a future time when such prospect exists no longer. It may also be found necessary to raise the rates of compromise with reference to the time and labor entailed by a separate enquiry into each such unsettled case at a future time.

The claims of Government over an alienated *Inám to be commuted for a moderate quit-rent without the option of the holder.*

VII. If the present incumbent is not a descendant of the original grantee or of the registered holder, but either in his own person, or in succession to those through whom he claims, acquired the Inám fairly by adoption, or in alienation by gift, purchase, or otherwise, from the members of the original family, and has ever since possessed the Inám in virtue of such alienation; such Inámdâr, although his title is legally defective and the Inám justly liable to resumption

will be allowed the benefits of Rule V, but without the option of refusal; and in commutation of the rights of Government, a quit rent will be imposed on the Inám the rate of which will vary from one eighth ($\frac{1}{8}$) to one half ($\frac{1}{2}$) of the assessment of the land according to his position in respect of heirs as laid down in clauses 2 to 5 of that rule. He will thus acquire an indefeasible right of property in the Inám which will at once be confirmed, as freehold, to him and his heirs for ever, subject to the payment of the quit rent.

The quit rent may at the discretion of the Commissioner be fixed at one general rate per acre instead of a proportion of the assessment.

VIII, Whereas the Inám lands in some Districts have not been regularly assessed.—and it is desirable that the quit rent should be permanent and not subject to alteration at any future general revision of the assessment, it shall be competent to the Inám Commissioner, in communication with the Collector, and the Board of Revenue, to adopt one fixed rate of quit rent per acre for dry land,and another for wet, instead of a proportion of the annual value of each Inám; this rate to be applied universally to dry and wet lands respectively in each district or division of a district, and calculated according to the average prevailing rates for similar Governme[illegible]ands.

2. The minimum rate of quit rent to be charged on dry land, will be 2 Annas, and on wet lands 4 Annas, and in future sub-divisions of the Inám, the quit rent for dry and wet land respectively, will not be allowed to fall below these standards for each sub-division.

3. If the quit rent be fixed at a proportion of the full assessment of the Inám, it will not be calculated in terms lower than 2 Annas when the amount is less than one Rupee; it will be charged in terms of 4 Annas for sums between one and five Rupees; in terms of 8 Annas for sums between five and ten Rupees; and in terms of one Rupee when the amount exceeds 10 Rupees.

And may be redeemed at the option of the holder by the present payment of a sum equal to 20 years purchase.

IX. After the amount of annual quit rent has been once fixed for the enfranchisement of each individual Inám, it will be open to the holder to redeem it outright by the payment, at once or at any future time, of a single fixed sum equal to twenty (20) years purchase of the quit rent.

Lapsed Ináms now pending, how to be dealt with.

X. Ináms the holders of which have deceased, and which are now pending for decision as cases of lapse, will be disposed of as follows.

If the claimant is a direct or undivided collateral heir of deceased incumbent.

1. If the last incumbent left direct lineal heirs, or undivided brothers or cousins who under existing orders would be entitled to the Inàm, it will be confirmed to such heirs, and arrangements will be made with them for its conversion into a freehold under the provisions of rule [illegible] clauses 2 to 5, or of rule VII clauses 1 and 2, according as the Inámdâr is a descendant of the original grantee, or acquired the Inám through an alienation.

If the claimant is a divided cousin or other relative of last incumbent.

2. If the last incumbent left no direct lineal heirs, but cousins or nephews of a divided family within that degree of relationship which will constitute them heirs according to Hindu law, but to whom under existing orders the Ináms have not invariably been continued; the Ináms will nevertheless be confirmed to such heirs in perpetuity as freeholds, subject to the rates of quit rent provided for in rule VII, which will be imposed upon the Inám without their option in commutation of the claims of Government.

If the last incumbent left no heirs whatever,

3. If the last incumbent left no heirs of any kind, the Inám will be fully assessed.

Lapsed Ináms continued by order of Government to present holders.

XI. Persons to whom a lapsed Inám has upon report, been continued by Government for life, will be permitted at their option to convert their limited tenure into a freehold, at the rate of quit rent provided for Inámdârs without heirs in Rule V Clause 5 *viz.*, one half ($\frac{1}{2}$) of the assessment of the land.

1. *For life.*

2. *Without express limitation, and subject to further report.*

2. Ináms which have been continued by Government without such express restriction for life, whether requiring a report after the death of the present incumbent or not, will be disposed of under the provisions of rules V and VII as the case may be.

The quit rent is to be in addition to existing Bediga or Jodi.

XII. The quit rent to be imposed under these rules, being a consideration required in return for an extension of rights, will be exclusive of, and in addition to, any Bediga or Jodi, with which the land may be already charged; but the additional quit rent will vary according to the value of the holders' rights, and will be calculated, not on the full assessment of the land, but on the *difference* between the full assessment and the Jodi already charged, which represents the net value of the land to the Inámdâr.

And redeemable at 20 years purchase of the quit rent.

XIII. The quit rent together with the Bediga charged on the land, will be redeemable by the present payment of twenty (20) times its amount as provided above in rule IX.

Ináms of more recent date than 50 years how to be dealt with.

XIV Inams acquired more recently than 50 years, are generally of the following classes *viz.:*

1st. Ináms granted under the express authority of the British Government.

2nd. Ináms irregularly granted by Subordinate Revenue authorities, renters, &c., without sanction.

3rd. Ináms granted by Zamindárs, Poligárs, &c., which are liable to immediate resumption on the reversion of the Estates to Government.

Each class will be dealt with as hereinafter provided.

1st. *Ináms granted under the express authority of the British Government.*

XV. Ináms granted under the express authority of the British Government, will be disposed of according to the terms of the grant as expressed in the Sanads or the official correspondence relating to them.

1. *Limited to one or more lives.*

2. If they are limited to one or more lives, they will be fully assessed on the expiration of the limited period unless the holder commutes his present tenure into a freehold, at such rate of quit rent provided by the preceding rules as may be applicable to his case.

2. *Without limitation.*

3. If they are hereditary and permanent, they will be disposed of under Rules III, IV, V, and VII, according as they are for religious and charitable objects, or personal grants, in the same manner as Ináms of an older date than 50 years.

2nd. *Ináms irregularly granted by Subordinate Revenue authorities without sanction.*

XVI. Ináms granted by the Subordinate Revenue authorities or renters, &c., without the sanction of Government, which are irregularin their nature, will be disposed of according to circumstances as described below.

When fraudulently acquired.

2. If the Inám was founded on fraud, it will be charged with the full assessment. But if the present incumbent was not a party to the fraud, indulgence will be shown by continuing the Inám in perpetuity as freehold charged with a quit rent not exceeding two thirds ($\frac{2}{3}$) of its assessment.

When not founded on fraud.

3. If it was not founded on fraud, and from length of possession appears entitled to consideration, it will be charged with the highest rate of quit rent above provided for in Rule V, being one half ($\frac{1}{2}$) of the assessment, and confirmed to the holder in perpetuity as Freehold.

4. It will rest with the Inám Commissioner to determine, subject to the authority of Government, what should be construed as a fraudulent Inám, and what as deserving of consideration.

3rd. *Ináms irregularly granted by Zamindárs Poligars, &c.*

XVII. Ináms granted by Zamindárs, Poligars and other land holders, are strictly invalid, being opposed to the provisions of Section XII Regulation XXV of 1802, and have been generally resumed by the Government when they came under its notice. These Ináms will be disposed of according to circumstances, under the general principles laid down in Rule XVI, for Ináms granted without the sanction of Government by its officers.

III. Grants by former Governments in remuneration for services in the Revenue and Police Departments which are no longer rendered or required.

Of 2 classes.

Treatment of those of 1st class.

Treatment of those of 2nd class.

XVIII. Grants by former Governments in renumeration for services wholly or partially discontinued in the Revenue and Police Departments, are of two classes. First, those which being no longer required after the introduction of British rule have since been commuted into personal allowances in land or money, and Secondly, Ináms still continued on condition of performing certain services which are either seldom rendered, or cannot be made available for any useful public purpose—each class will be dealt with according to the following rules.

XIX. Ináms granted in lieu of lands and privileges resumed and offices entirely discontinued, such as the Deshmúk, Deshpándi and other offices, being no longer service, but subsistence grants, will be disposed of according to Rule V, if they are hereditary in their terms either by express declaration of Government, or by recognized usage. If however they were expressly limited for life, they will be treated accordingly.

XX. Ináms enjoyed for services in the Revenue or Police Departments which are seldom rendered, or which it is desirable to discontinue, will be confirmed to the holders as Freeholds, subject to the payment of a quit rent not exceeding the highest rate above provided for personal Ináms. This quit rent will be charged in commutation both, of the service thus discontinued, and of the reversionary interest possessed by Government in the Inám. The rate and mode of commutation will be determined on a considerationof the nature of the service and the circumstances attending it in each district.

2. If a quit rent exist already in any form, the mode of calculating the additional charge will be the same provided for in Rule XII.

IV. Village service Ináms.

1st. *Those enjoyed by village officers for Revenue or Police services still performed.*

XXI. Ináms held for village offices of Revenue or Police the duties of which still require to be performed, will be continued to the holders of the office. Where these Ináms are excessive in comparison with the duties required, the excess above a certain maximum—to be fixed in communication with the Collector of the District, the Board of Revenue, or the Commissioner of Mofussil Police, under the sanction of Government,—will be dealt with in accordance with Rule XX, that is to say will be charged with a quit rent in commutation both of the service tenure attached to it, and of the reversionary interest of the Government in the Inám.

2. Where the Inám attached to the office is wholly or partially in the enjoyment of members of the family who do not perform service,

or of strangers who acquired the same by alienation, and are enjoying it without performing service, both of which are irregular, such portion of the alienated Inám as may be considered necessary for the efficient performance of the duties, will be re-attached to the office holders, and the rest treated in the same manner as the excess referred to in the previous clause.

2. Those enjoyed by artisans and others for services rendered to the village communities.

XXII. Ináms enjoyed by artisans and others for services rendered to the village communities, will be treated as hereditary grants, and will be confirmed to the holders and their heirs subject to the continued performance of the particular service for which they were granted.

2. Cases in which service may be no longer required will be dealt with according to Rule XX, and excess in extent will be treated as provided for in Rule XXI.

Treatment of Ináms situated in zamindáries or proprietary Estates.

XXIII. Such of the Ináms situated in zamindáries, and other existing private estates, as were excluded from the assets on which the permanent Peishcush was fixed, and the reversionary claimsto which are reserved to Government by Section IV Regulation XXV of 1802, will be included in the present adjudication and settlement, and will be disposed of by the Commissioner on the same principles as have been laid down for the treatment of similar Ináms in the Government Tàluks :—but the inquiry will not be extended to those Ináms which may have been granted by proprietors subsequent to the permanent settlement, in contravention of the provisions of Section XII of the above Regulation, except in the event of the future reversion of the estates to Government.

The term Inám applies to whole villages as well as to small holdings exempt or partially exempt from land tax.

XXIV. The term Inám is to be understood to apply to shrotriams, agrahàrams and whole Inám villages, whether held entirely free of land tax, or on a favorable quit rent ; and such villages will be dealt with upon the same principles as are above prescribed for minor Ináms.

The Inám settlement to be made with the Registered holders or with the head member of the family enjoying it.

XXV. The settlement will be made either with the registered holders of the Inám, or, where none are registered, with the head member of the family enjoying the Inám, who according to existing practice, is alone considered responsible to the Government. But this rule will not interfere with the enjoyment of subordinate shares in the Inám by other members of the family, subject to such quit rent or other conditions as may be imposed upon it by the new settlement in communication with the head of the family.

Abandonment and non-appearance of Inámdárs how to be dealt with.

XXVI. When an Inám has to all intents and purposes been entirely abandoned, there being no acknowledged owner in existence, or if, being in existence, he omits to come forward to claim it; and when the recorded possessor of an Inám fails, after due notice, to appear to prove his title ; such Inám will, in the first instance, be placed under attachment by the Collector of the District, and after the expiration of one year from the date of the notice, will be held to be liable to be fully assessed to the Public Revenue under the general powers conferred on Collectors by Regulation XXXI of 1802.

Encroachments or excess.

XXVII. Encroachments, or land in excess of the recorded extent, if proved to be of 50 years standing will be dealt with as if it formed part of the original Inám. When of less than 50 years standing the excess will be subjected to a quit rent to be fixed according to the circumstances, but not exceeding two thirds (⅔) of the assessment, except in the case of fraud of the actual holder, when the full assessment will be charged.

Ináms commuted into Freehold, to be exempt from future interference.

XXVIII. Ináms once converted into Freeholds in accordance with the foregoing rules will be subject to no further interference on the part of the Government, except such as may be necessary for the punctual realisation of the quit rent charged thereon ; and even this degree of interference may be avoided, at the discretion of the Inámdár, by the purchase, once for all, of the fee simple of the land by paying a sum equal to twenty (20) times the amount of the annual quit rent.

Enfranchised Ináms to be placed under the protection of the ordinary Civil Courts.

XXIX. Ináms thus enfranchised, either by the payment of an annual quit rent, or of a single fixed sum equal to 20 years purchase of the quit rent, will, like every other description of property be subject to the jurisdiction of the ordinary Courts of Justice in all questions of disputed right, succession, &c. and they may be mortgaged, sold and transferred in any manner, at the will and discretion of the Inámdár subject to the payment of quit rent, if such is not redeemed.

Title deed to be presented to the Inámdár in acknowledgement of his Inám tenure.

XXX. On the validity of an Inám being established by enquiry conducted in accordance with the foregoing rules, a Title Deed, will be at once furnished to the Inámdár,—acknowledging his title to the Inám on its present tenure, and specifying the terms upon which this tenure may be converted into a Freehold.

MADRAS,
July 1859.

Inám Commissioner.

Course of procedure to be observed by the Deputy Collectors in recording claims and in investigating titles to Ináms in the several districts of the Madras Presidency.

1. The investigation into the validity of all Ináms will be made by responsible officers of the rank of Deputy Collectors, who will be carefully selected for the purpose. It will be conducted from táluk to táluk in the presence of the assembled Inámdárs, and the village authorities, in the same manner as the annual settlements of Land Revenue are carried on by the Collector and his Assistants.

2. The officers deputed will enter the results of their enquiry in English, in a tabular form of Register. Printed forms will be furnished to them for this purpose, one for each village. A separate Register in the same form will be prepared of the Shrotriáms, Agraháram, and whole Inám villages in each táluk.

3. To facilitate the preparation of these Registers, printed Vernacular forms will be previously furnished to the village Karnams through the Tahsildars. The Karnams will prepare the statements under the immediate superintendence of a responsible tálûk officer, either the Sarishtadár or the head Gomastah who will be appointed for the purpose by the Collector, and will enter therein all the Inàms at present existing in the village, whether in the possession of the parties, or temporarily under attachment; exclusively of the village service Inàms, for which a separate form of Register will be prepared.

4. The Karnams will fill in all the columns of the Vernacular statement as far as the information at their disposal will enable them to do, and it is believed that very few columns will have to be left blank by the Karnams for want of information.

5. The superintending táluk officer will carefully scrutinise the extent and assessment of the several Ináms as entered by the Karnams, and will further satisfy himself that they correspond with the Jamabandi or other accounts of his táluk which show the extent of the existing Ináms in the several villages. Where the Inám land is unassessed, the assessment of similar Government land in the village shall be entered, and where the Government land also bears no fixed assessment, the assessment shall be entered with reference to the rent paid by the cultivators to the Inámdár, or in such other manner as the Commissioner in communication with the Collector of the District, may consider the best or most practicable mode of exhibiting the annual value of the land.

6. The conversion of the extent of the Ináms from the ordinary local measure, into acres, will be made in accordance with the rates of conversion adopted in the preparation of the revenue accounts of the village. Tables of conversion will, however, be prepared beforehand for each táluk, or division of a District, in communication with the Collector, and furnished to the officer who superintends the preparation of the Vernacular Register.

7. The táluk superintending officer will enter in the column of remarks in the Vernacular Register, the purport of any orders relative to the Inám which may have been passed upon reports of lapse; and these orders will be taken out and kept in readiness by him, for reference by the Deputy Collector. He will also afford the necesssary explanations to the Kranams for filling in the several columns of the Register. Its preparation ought to occupy but a very short time, and on the arrival of the Deputy Collector at the táluk Cusbah, it will be delivered to him, attested by the Karnams and the táluk superintending officer.

8. Previously to the arrival of the Deputy Collector at the taluk Cusbah, a general invi tation will have been issued, through the Collector of the district, calling upon all the Inámdars to be in attendance at the expected time, with their Sanads and title deeds, and with a written statement giving their name, age, place of residence, relationship to original holder, the particulars of their family or heirs, and the manner and date of their acquiring the Inám; and the Tahsildar will be instructed by the Collector to secure their attendance in the same manner as hat of the ryots for the Jamabandi settlement.

9. After ascertaining that these necessary preparations are made, the Deputy Collector will proceed to the tâluk Cusbah with his establishment, carrying with him all Registers and other standard accounts relating to the Inàms of the táluk, which may have been furnished to him, from the Collector's Huzúr records. The táluk officer who superintended the preparation of the Curnums' statements will be in attendance upon him with all necessary tálûk records, and the Tahsildar, who will have been previously instructed to give his prompt assistance, will attend to all requisitions for records, &c., will procure the attendance of such persons and witnesses as may be requisite, and will generally act in subordination to the Deputy Collector as regards the Inàm inquiry in the same manner as he would obey the orders of an officer deputed for the settlement of his talook.

10. Being thus provided with every information in the táluk or Huzúr records, with a statement containing all required particulars ready prepared by the Karnam, and checked by a responsible táluk officer, having the village officers and Inámdárs in attendance, and the Tahsildár at hand to clear all doubts, an intelligent and responsible officer in the position of a Deputy Collector, whose undivided attention will be devoted to the work on the spot, may be expected to prepare these cases with a rapidity, a clearness, and exactness, quite unknown under the present system of reporting lapses.

11. He will prepare them from the Karnams' statements and the Huzúr records, checking and verifying the one by the other, and ascertaining by a verbal inquiry all points which are not to be found in the records—such as the relationship to predecessors, existing family, and actual title of the present incumbent. He will also examine and satisfy himself of the authenticity of the Sanad, and other title deeds which may be produced, and which in cases of doubt will be forwarded to the Commissioner with the reports of the cases. In the column of the Register set apart for remarks, he will enter succinctly the nature of, and circumstances relating to, the Inám and its present claimant, with the purport of any orders which may have been passed regarding it on the occurrence of any former lapse; and he will give his own recommendation clearly and briefly.

12. The Register when forwarded to the Commissioner's Office, should be complete in itself. The headings have been so prepared as to include all information of importance. None of the other columns need be here referred to; but if there be any other circumstances which the Deputy Collector may consider proper to be recorded, in order further to elucidate or explain his own recommendation,—he will of course enter such additional information, in the appropriate column, to enable the Commissioner to dispose of each case without further reference.

13. Should any of the Inámdárs neglect to appear either in person or by an authorised agent in compliance with the invitation issued under Rule 8, a list of such absentees shall be furnished by the Karnams to the Deputy Collector immediately upon his arrival in the táluk, who will thereupon issue individual notices through the Tahsíldár to the absentees, calling upon them to appear in person or by an authorized agent with the required information within a period of 15 days, under the penalty provided by existing Regulations, *viz.*, the attachment by the Collector of their Inám lands for default, and the full assessment of the Inám after the expiration of one year if the default continue. The notice shall be served upon the Inámdár or, if his place of residence be not known, upon his representative or the person in possession of the Inám, or it shall be posted in the village choultry or in any other public building or place in the village in which the Inám is situated.

14. If the Inámdár or his agent fail to appear in obedience to this notice, the Deputy Collector will note the same in the Register, entering in it all the information that can be obtained regarding the Inám to enable the Commissioner to dispose of the case. If the information is found to be insufficient for this purpose, the Commissioner will forward a list of such cases to the Collector calling upon him to attach the Inám lands in question pending the appearance of the Inámdár. The proceeds of the lands during the period of attachment will, as a general rule, be carried to the credit of Government and will not be repayable to the Inámdár.

15. After the Commissioner's departure from the District, should the Inámdár or the party claiming the Inám, appear before the Collector or his Assistant within the period of one year from the date of the notice, it will be the duty of the Collector to investigate the case and forward

it with all the required information for the disposal of the Commissioner—and failing the appearance of any claimant within that period before the Government Officers, the fact should be reported by the Collector to the Commissioner in view to the full assessment of the Inám.

16. As the Deputy Collector during the progress of his inquiries will have both leisure and opportunity for unreserved communication with all classes of Inámdárs, he will carefully explain to them the liberal intentions of the Government on the subject of Ináms, and the principles upon which it is proposed to convert their tenure into an absolute Freehold; and he will note in the column of remarks those cases in which they may express a desire to avail themselves of the option allowed them for the purpose. This course, however, is only preliminary to the formal consent which will be ultimately accepted in each case by the Commissioner, on the occasion of conferring the title deed.

17. In the event of the production of false accounts, or fabricated documents of any kind, the Deputy Collectors will try the cases on the spot and punish the offenders under the provisions of Regulation IX of 1822.

18. A brief progress report in the printed form provided, showing the class, number and value of cases inquired into and recorded, will be furnished by the Deputy Collector to the Commissioner at the close of every week.

19. Immediately on the completion of the Inám Register for each village, and after the recommendation of the Deputy Collector has been recorded in each case, it will be forwarded to the office of the Commissioner. The final decisions of the Commissioner or of his special Assistants, will be entered in the last column; and in accordance with these decisions title deeds under the signature of the Commissioner, acknowledging the validity of their present tenure and specifying in each case the terms upon which it may be converted into a Freehold, will be presented to the Inámdars assembled according to previous notice at the Commissioner's camp, which will be conveniently held at a central station in respect of two or more táluks.

20. After the title deeds have been given as above described, the consent of those Inámdars who are desirous of availing themselves at once of the option of converting their tenure into a Freehold will be taken by the Commissioner and the alteration of the tenure will be entered, in the form printed on the Deed, under the seal of the Government and the signature of the Commissioner.

21. The results of the decisions of the Commission, so far as their enforcement may be necessary by the Revenue authorities, will be communicated from time to time by the Commissioner or his Assistants to the Collector who will carry them into effect accordingly.

MADRAS,
July 1859.

Inám Commissoner.

9³
9³
... in a Letter to E.
... 9th August 1859 No. 39

12/[illegible]

16/12/84

21-11-93
7-5-94
JMcE.

Revenue 1859 Dept.
Pro. of Govt. 12th Augt.

No. 1447

From the Inam Commis-
-sioner.

Dated 6th July &
Recd. 9th August 1859.

Submits a draft of
Rules &c. for the guidance
of the officers to be employed
in the adjudication of the
Inams of this Presidency.

No. 28.

Rev Dept

No. 1069

Proceedings of the Madras Government
under date the 9th Augt. 1859.

Read the following papers

From the Inam Commissioner	(Here enter 6th July /59 No. 71)
Minute by the Hon. Walter Elliot	(Here enter 27th " ")
do by the Hon: the President	(Here enter 30th " ")
do by the Hon. Walter Elliot	(Here enter 4th Augt. ")
do by the Hon: the President	(Here enter 8th " ")
do by the Hon: W. Morehead.	(Here enter 8th " ")

W
JG

Well

With ~~this~~ letter above recorded the Inam Commissioner lays before Govt. for approval the rules which he has drawn up for the purpose of giving practical effect to the general policy laid down in the President's minute of the 13th May for the investigation & adjudication of Inam titles; as well as a draft of instructions prepared for the guidance of his assistants in their ... forms of title ...

to be given for the names
of the several classes –

3 The Honble. ~~the President~~
~~has already very carefully~~
~~considered all these~~
~~papers with Mr Taylor,~~
~~& little more is now~~
~~necessary on the part~~
~~of~~ the Governor in Council takes this opportunity
~~there~~ to record his
sense of the clearness
with which the Inam Commissioner ~~that gentleman~~
has seized the general
ideas set forth in the Presidents
minute, & the ability
& sound judgment with
which he has drawn
up the detailed rules
required for giving them
practical effect.

~~2nd~~ The draft instructions
have been already approved
by an order of the 11th
September ~~Inst.~~ No. 919 The rules
& forms of title deeds have now been carefully considered
~~are now also~~ approved by the Governor in Council, &
& confirmed. they also are now fully

4 In pursuance of the
order of Govt of 14th

& Copies to Inam Commr
101 — " — to Bd. of Rev

[illegible] 99

relate

5 These papers will
be immediately trans-
mitted to the R. Honble
Sec. of State for
information – ~~&~~
Inam Commissioner
[illegible] of Rev for their
information & for
communication to all
[illegible] Ctrs.

Editors table –

No. 9 [illegible] inform. Comm. [illegible]
for their inf. Ctrs. –
Inam Commr Letter – 5 10

15/11/11

1-12-11

17-1-17

18/1/20

N° 28 at 34-

Revenue 1859 Dep^t^

Pro: of Gov^t^ 12^th^ August

N° 1069

Pro: of the Madras Gov^t^

19^th^ August 1859

Draft of Rules ~~&c~~

submitted for the guidance

Officers to be employed

adjudicating Inams

this Presidency and

papers connected with it,

be transmitted to Home

Government-