M.R.O. 14—10,000—21-4-32.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1244 Press Mis.

Dated 16th September 1859

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, from 10th to 16th September 1859.

No. 53. Read the following Proceedings of the Board of Revenue, dated 30th August 1859, No. 3401.

Read letter from the Collector of Nellore, dated 4th July 1859, No. 102.

(In Con. 7th July 1859, No. 3285.)

Resolved that the letter above recorded be submitted for the consideration and orders of the Honorable the Governor in Council.

2. With their Proceedings, dated 18th October 1858, No. 3925, the Board submitted for the sanction of Government, certain proposals made by the Collector of Nellore regarding the assignment of fresh lands in exchange for the Ináms taken up for the new roads constructed in the Sub-division.

3. To this reference the Government replied, directing that the claims should be re-submitted after enquiry had been made into the tenure of the Ináms.

4. The Collector now represents that the total number of Ináms taken up for roads in the Sub-division amounts to 98, each case requiring a separate investigation of the same nature that held in the case of lapsed Ináms, and that such numerous enquiries could not be completed in a short space of time, more especially as the Tahsildars of the two talooks in which most of the Ináms are situated are at present otherwise engaged. He, therefore, recommends that lands in lieu of those taken up for public purposes be granted to the Inámdars without a formal previous enquiry into the title in each case.

5. The Board beg to support the above recommendation. As the Inamdars were in undisputed possession of the lands before they were taken up by Government, and under the Inám rules, no enquiry can be made into a title, until a lapse occurs, the Board consider that the applicants have a fair claim to be placed in the same position as regards the occupancy of *fresh* lands as they held in respect of the lands which they surrendered for public objects, without being subjected to the great delay this enquiry is likely to cause; of course, such occupancy will not in any way strengthen or weaken the title they had before, and this will be clearly explained to them, in making the transfer.

6. The Board may add also that the new lands temporarily granted will be as subject to the investigation of the Inám Commissioner as the old ones would have been; and that the Sub-Collector reports that in not a single instance will the enquiry probably lead to resumption.

(A true Extract.)

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

No. 54. ORDER THEREON, 15th September 1859, No. 1244.

The Board of Revenue submit for the consideration of Government a proposal regarding the assignment of fresh lands in lieu of certain Ináms to the number of 98, taken up for roads in the Sub-Division of the Nellore District. In the order of 8th November 1858, No. 1504, the Government directed a previous enquiry as to the titles of the inám land so taken; but it is now pointed out that the Inámdars were in undisputed possession of the lands at the time they were taken by Government, and that, under the rules, no enquiry can be made into the title of an Inám until a lapse occurs. And it is recommended accordingly that land in lieu should be made over to the Inámdars at once, leaving the validity of the titles to the inám to be investigated in due course by the Commissioner.

2. The Government are of opinion that the view taken by the Board is sound. It is resolved therefore that the measure now recommended be sanctioned; and that arrangements be at once made for giving the fresh lands as soon as possible. The Board will accordingly call on the Collector to submit a statement for approval. Compensation must also be paid to the Inámdars for the time that they have been out of possession, and a statement of the amounts should be submitted at the same time for sanction.

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

IN CON. 7TH JULY 1859, No. 3285.

From F. B. ELTON, Esq., Collector of NELLORE,

dated Nellore, 4th July 1859, No. 102.

With reference to Extract Minutes of Consultation, under date the 8th November 1858, communicated by the Board on the 15th idem, directing me to forward a statement in the prescribed tabular form, showing the tenure and claims by which the Inam lands taken up for public purposes in the sub-division were held, I have the honor to state that having been requested by you to forward a reply to the same in your Official Memorandum of the 21st ultimo, I called on the Sub Collector to send me the information required, or to explain if there was any difficulty in furnishing it.

2. The Sub Collector states in reply that the total number of the Inams taken up for roads in his division amounts to 98, each case requiring a separate investigation of the same nature as that recently held in the case of lapsed Inams, and that such numerous enquiries could not be completed in a short space of time, more especially as the greater number of cases fell within the limits of two talooks, the Tahsildars being moreover occupied by the Jummabundy, and numerous cases of lapsed Inams having been investigated simultaneously; in clearing off the arrears of which great progress had been made, previous to the operations being closed, under the recent orders of Government, communicated by the Inam Commissioner.

3. As the enquiry into all titles of Inams has been transferred to the Inam Commissioner, I beg to recommend that lands, in lieu of those taken up for public purposes, be granted to the Inamdars, without a formal previous enquiry into the title in each case.

4. The temporary grant of new lands, in lieu of those taken up, need give the Inamdars no new rights, which on the enquiry of the Commissioner they may not be found entitled to, but there is, I am assured by the Sub Collector, not an instance among them in which the enquiry is likely to lead to resumption.

5. The lands were taken up in the year 1856, and the first report requesting that fresh lands might be given instead, was prepared after careful detailed measurement, at which time no order directing an investigation into titles was in force.

6. I trust, therefore, that under all the circumstances of the case Government may be induced to dispense with the same, and sanction the grant of lands to the Inamdars on the revised statement last sent; and that the Board will recommend this view of the subject to their favorable consideration.

Revenue Department

No. 1244.

Proceedings of the Madras Government

Under date the 18th September 1839

Read the following

Proceedings of the

Board of Revenue

Submitting a letter from the Collector of Nellore, and supporting for the reasons given, his recommendation that fresh bonds in lieu of those taken up for the new roads constructed in the Sub Division granted to the Purchasers above mentioned a power of Attorney into the Collectors hands

(Accounts 30th Sept 1839 No. 3401)

The Board of Revenue having called for the opinion of the Law Officers of Government on the objections stated by the Collector to the Bonds executed by the Purchasers of the Nellore Division

&c

In the order of 8th Nov. 1888, No. 1504, the Government directed a previous enquiry as to the titles of the inam land so taken, but it is now pointed out that the Inamdars were in undisputed possession of the lands at the time they were taken by Government, and that, under the rules, no enquiry can be made into the title of an Inam until a lapse occurs, and it is recommended accordingly that lands as these should be made over to the Inamdars at once, leaving the validity of the titles to the Inams to be investigated in due course by the Commissioner.

2 The Government are of opinion that the view taken by the Board is sound. It is resolved therefore that the measure now recommended be sanctioned, and that arrangements be at once made for giving the fresh lands as soon as possible. The Board will accordingly call on the Collr. to submit a statement for approval. Compensation must also be paid to the inamdars for the time that they have been out of possession and a statement of the amounts should be submitted at the same time for sanction.

[initials]

Copies to the Bd. of Rev. Desp. 16
4 " Inam Commissioner.

Received 18th Sept.

No. of Cor. 16th Sept.

No. 1244.

No. of the Madras Govt

Dated 15th Sept. 59

No. of the Rep. 29th

Ans. No. 1473

Arrangements to be made for giving fresh Water to certain Vessels on Coast of Sumatra taken up for road at Bencoolen.

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