M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1676 Press ~~Mis.~~

9—10

Dated 12- 12- 1859.

Not to be folded or roughly handled

No. 9. Read the following Extract from the Proceedings of the Board of Revenue, dated 27th January 1858, No. 389.

Read letter from the acting Collector of Masulipatam, dated 29th August 1857, reporting on the claims of Sambarauze Ram Ráo, to certain Inám land in Ganapavaram.

In Consultation 27th January 1858.

(Here enter No. 165.)

Sambarauze Ram Ráo was a Gumasta on the establishment of the Collector of Masulipatam and the Inám, the subject of report, was attached in 1851, by the Special Assistant Collector on the ground of fraudulent enjoyment.

2. The Inám in question was granted in the year 1761, or before the permanent settlement to one Boochenna Pundit, and appears from the translation of the Purwanah under which it was held, to have been a personal grant to the individual named, for the purpose of securing the efficacy of his prayers. Strictly speaking, the land should have reverted to Government on the death of Boochenna Pundit. It has, however, continued in the family ever since. Boochenna Pundit had 2 wives, who bare him three sons; viz. Poorshottam, Govinda Ráo and Gopaul Ráo. These persons, who are no longer living, divided the family lands, embracing 40 cutties, among themselves, but no portion of the Inám under consideration seems to have fallen to Govinda Ráo. At the period of attachment the Inám was enjoyed as follows. Six cutties remained with the daughter-in-law of Poorshottam, and three cutties with the petitioner Sambarauze Ram Ráo, which came to him after the death of the childless widow of Gopaul Ráo, the widow having previously sold 3 cutties to another individual.

3. The history of the Inám and the circumstances attending its attachment were fully reported by the Special Assistant Collector in his letter to the Commissioner for the Northern Circars, dated 19th February 1852. From this it appears that the succession to the 3 cutties, the subject of present claim, was contested between. Kistniah, the son of Govinda Ráo, as heir of the widow of Gopaul Ráo, and Sambarauze Ram Ráo, who is the son of the younger brother of Gopaul Ráo's widow. The claims of the two parties were settled by mediation, Ram Ráo paying Rupees 3,000 to Kistniah, on the renunciation by the latter of all claim to this land, and "other real property which had been at first allotted to him as his rightful share of the property of the deceased." For reasons stated, the chief of which appear to have been the invalidity of the claim under the terms of the grant and the omission of the local authorities, apparently through the collusion of the then Head Sarishtadar, Ramanja Ráo, to report the lapse on the death of the widow of Gopaul Ráo, the Special Assistant was of opinion that S. Ram Ráo's enjoyment of the 3 cutties in question, had been fraudulently obtained. The Commissioner in reviewing the report of the Special Assistant was of opinion that there was no room for doubting that the land in Ganapavaram had been improperly obtained by S. Ram Ráo, through corrupt official influence, and he expressed his readiness to recommend its resumption if the Collector, Mr. Lushington, concurred in the view taken by the Special Assistant.

In N. C. Dy. Cons. 26th February 1852.

From Special Assistant Collector, paragraph 11.

24th In N. C. Dy. Cons. 26th February 1852, *No* 85.

4. The case does not appear to have been taken up by Mr. Lushington, and is now finally reported on by Mr. Knox in the letter recorded above, whose opinion is adverse to the continuance of the Inám as a matter of right.

5. Looking to the amicable adjustment effected between Kistniah and S. Ram Ráo the Board concur in the view taken by Mr. Knox, that the acquiescence of the former must be taken as binding him to the terms of the arrangement, supposing the claim of the latter to be otherwise good. But the claim itself as Mr. Knox observes, is inadmissible, as the land ought to have escheated to Government on the death of the original grantee. Adverting, however, to the long period the family have had possession and chiefly to the fact of S. Ram Ráo having paid so large a sum as Rupees 3,000 to Kistniah for the surrender of all claim to the portion of the land

under consideration, with other property, the Board resolve to support Mr. Knox's recommendation that the enjoyment of the 12 cutties referred to be left undisturbed during the lives of the present holders respectively. On the death of each, his portion will revert to Government

6. Should Government be pleased to concur in this view S. Ram Ráo will be put in possession of the 3 cutties, to which he refers, for life. The profits that may have accrued since the date of attachment will also be made over to him. These the Board gather from the papers before them, are held in deposit.

7. In paragraph 6 of his letter Mr. Knox observes that, "the late Head Sarishtadar was, in Mr. Bird's opinion, so bad that every thing he touched became polluted." The Board regret that this remark should have been made, as its tendency, in their opinion, is to cast an undeserved imputation on the character of Mr. Bird's proceedings.

(A true Extract.)

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

No. 10. ORDER THEREON, 12th December 1859, No. 1676.

Ordered to be referred to the Inám Commissioner for disposal under the general rules furnished for his guidance.

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

Memo.

Mr. W. C. Bird's report of 26th November 1852 and two of the papers referred to in para 24 of that report are submitted as required in the pencil note of the Hon'ble Mr. Ellis. The Office of the Board of Revt. are applied to for any other papers connected with the Revt. Trial No. 31 but nothing further could be found in their Office. it was stated

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Extract from the Minutes of Consultation
Under date the 2nd February 1858.

Read the following
Extract from the Proceedings of
the Board of Revenue.

(Here enter 27th January 1858, No 389)

P.P. These proceedings refer to a claim advanced by one Samburanze Ram Row, formerly a Gomastah on the establishment of the Masulipatam Collectorate to certain Enam land attached in 1851 by the Special Assistant Collector on the ground of fraudulent enjoyment.

2. The Enam in question is a part of 12 cutties of land originally assigned in 1761 by Hussun Ali Khan, Styled Nabob of Masulipatam, to one Boochenna Pundit, to secure the

the efficacy of his prayers. It does not appear when Boochenna died, but it must have been at a very early period, and the grant should have ~~ceased~~ ceased on the death of that individual, instead of being allowed to continue in the family ever since.

3. It seems unnecessary to recapitulate the particulars respecting this grant given in the Reports laid before Government; it will be sufficient to notice that, at the date of the attachment six Cutties were in the possession of the daughter-in-law of Poorshottun one of the sons of Boochennal; three Cutties were with Sambaranze Ramarow, who is represented by Mr Bird to be connected with the original Grantee by a female branch, and who appears by the

the correspondence to have come into possession partly by inheritance, and partly by purchase; and three Cutties had passed to another individual by sale effected by the widow of the third son of Boochenna-

4. The question at issue does not refer merely to the claim of S. Rain Row to the land attached by the Special Assistant Collector, but affects the claims of all the parties holding shares in the original grant. That grant should certainly have ceased on the death of Boochennah, but as it has been allowed to continue in the enjoyment of the family, and monetary transactions have taken place ~~with respect~~ in connection with it ~~to the same~~, the Government think with the Acting Collector of Masulipatam and the Board of Revenue, that the

that the parties should be
left in undisturbed possession
during their lives ~~of the present~~
~~tenure~~. The three Cutties of
land belonging to P. Rain Row
will be restored to him, together
with the profits that may have
accrued from the date of
attachment, and all the parties
will be warned that the
portions of the Enam in their
respective possession will
lapse to Government on
their death.

Returned to
Office 23rd
November 1859

Claim to the Enamees of
the Enam in Manchpalle

Revenue 1858 Dept
Pro. of Govt 20th Decr
N: 142

Extract from the Proceedings of the Board of Revenue.

Dated 27th Nov 30th } January 1858.

10. Enclo.

No. 389

No. 1676. 12th December

Submitting with the Board's opinion, the Report of the Dy Collr of Masulipatam on the claims of Sambaravuze Ram Row to the Enam land in Ganapavaram.

No. 9 to 10.

With an order

No. 1676

Ordered to be referred to the Inam Commissioner for disposal under the general rules furnished for his guidance.

Fort St. Geo. 12th Decr 1859.

5 Copies. To the Inam Commissioner with 10 orig & Enclo
6 " " Board of Revenue

Dispd 13

9 Feby 18 2 1 March 24
28 Nov 1859 8 Decr