Rowne Department

No 180

Entered 10-2-1859

180

Fort Saint George, Revenue Consultation of 15*th February* 1859.

No. 16. Read the following Extract from the Proceedings of the Board of Revenue, dated 2d February 1859, No. 378.

Read letter from the Head Assistant Collector in charge of Guntoor, dated 27th November 1858, No. 153.

(In Con. 28th December 1858, No. 5459.)

In Consultation 1*st January* 1855. In Extract Minutes Consultation dated 7th December 1854, No. 1597, R. D., para. 4, the Government directed that unless the arrears of quit-rent outstanding against the Guntoor Inamdars were liquidated within the 31st December of that year, their Inams should be resumed and incorporated with the Government lands: and under these instructions, the Inam of G. Soobbiah, amounting to Acres 4 and Goontahs 34 assessed at Rupees 6-8-4 and bearing an annual quit-rent of Rupees 5-4-0 was, in 1855, formally resumed for arrears amounting to Rupees 9-11-0 alleged to be due for Fuslies 1244 A. D. 1834-35 and 1245, A. D. 1835-36, but of the existence of which demand the Inamdar declares himself to have been wholly ignorant.

2. The Inamdar was absent at Nagpore, when the notice requiring payment of the arrears, under the penalty of resumption was issued. The ryot in the occupation of his Inam received intimation of the notice, but failed to communicate the circumstance to him.

3. On the 5th March 1855, a few days after the resumption of the land, the Inamdar presented an urzee to the Commissioner for the Northern Circars, stating his ignorance of the existence of the demand, and his readiness to pay the amount claimed if his Inam was restored to him. The urzee was referred to the Collector who declined compliance as the Inam had been resumed and the arrears remitted under the orders of Government.

4. While the quit-rent for Fuslies 1244, A. D. 1834-35 and 1245, A. D. 1835-36, was left unadjusted, those for subsequent years appears to have been collected and carried to account for the years in which the payments were made.

5. The Board are of opinion that this case is deserving of consideration. The arrears claimed are of old date, and it is not to be supposed that if aware of their existence the Inamdar would have left them unpaid and so hazarded his possession while he continued paying the quit-rent of the succeeding years with regularity. In a similar case, in which the Inam was resumed for non-payment of arrears, the Government were pleased to order its restoration. Under all the above circumstances, the Board resolve to submit this case to Government with their recommendation that the Collector be authorized to restore the resumed Inam to its former possessor on his paying the arrear actually due, and will instruct the Collector to adjust the accounts accordingly up to the present time.

Pro. to Govt. 4th Nov. 1858, *No.* 4103.
From Govt. 18*th in Con.* 20*th Nov.* 1858, *No.* 1546, *R. D.*

(A true Extract.)

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

No. 17. ORDER THEREON, No. 180; dated 10th February 1859.

Before complying with the Board's recommendation to restore this Inám to *G. Subbaya*, the Government request information when the notices referred to by the Head Assistant Collector were issued, and in what terms, and where they were posted. If these were issued in legal form and manner their reaching the Inámdar is of no consequence. His absence was *suo periculo.* It should likewise be stated, when *Subbaya* came into possession of the Inám.

2. The Government would remark that in passing their order quoted by the Board in para. 5, they had no intention of allowing it to be converted into a precedent.

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

Revenue Dept

No. 180.

Extract from the Minutes of Consultation

Under date the 10th February 1859.

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

/Received 2d February 1859 No 378./

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Before complying with the Board's recommendation to restore this Inam to G. Subbaya, the Government requests information when the notices referred to by the Head Assistant Collector were issued, and in what terms, and where they were

Should be referred to the Collector for report

were posted. If these were issued in legal form and manner their reckoning the Jamadar is of no consequence. His absence was sine periculo. It shd likewise be stated, when Sahbaya came into possession of the Inám.

2 The Government would remark that in passing their order quoted by the Board in para 5 they had no intention of allowing it to be converted into a precedent.

W.N
Feb 5.

3 Copies to the Bd of Revr. Dated 11th inst. with enclosures
1 — " — " Account Genl
1 — " — " Genl Audr

Revenue 1859 Sept.
Dft to Cons: 15th February.

No 180

3-4
12-12-54
23-4
23-4-58

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Extract Mins of Cons:

Dy 10th February 59.

From the Secty to the Bd of Rv.
Dy 3d June 59 & No 1030 on Cons.

Before restoring to G
Soobbayee his Inam requesting to be informed when the notices referred to by the Pr Asst Collector of Guntoor were issued and in what terms and where they were posted. and observing that if these were issued in legal form and manner their receiving the Inamdar is of no consequence Hon

No 16 & 17.