Revenue Department

No 350

Dated 7—3—1859

No. 25. Read the following Extract from the Proceedings of the Board of Revenue, dated 26th February 1859, No. 724.

Read Extract Minutes Consultation 16th August 1858, No. 1142, R. D., enclosing Despatch No. 26 of 1858, Public Department.

(In Con. 20th September 1858, No. 3723.)

Read also letters from Collector of Tanjore under date 29th November 1858, and 4th January 1859, Nos. 258 and 1.

(In Con. 24th December 1858, and 7th January 1859, Nos. 5144 and 71.)

Government called upon the Board to report after communication with the Collector of Tanjore what arrangement would be practicable regarding the Taruff lands belonging to the Pagodas of that District, instead of restoring them to the Trustees of those Institutions, a measure on which the Honorable the Court of Directors have now called for explanation. This restoration of the Taruff lands was sanctioned after considerable correspondence, in Extract Minutes Consultation 11th September 1856, No. 969, R. D., and Government recently observed on reviewing a report of the Revenue Board on the settlement of Pagoda claims that "matters "would now seem to be fairly in train for the speedy severance of all Government connection "with Native Religious Institutions in the Tanjore District."

In Con. 1*st December* 1856.
Ex. M. C. 26*th in Con.* 30*th Nov.* 1858, *No.* 1586, *R. D., p.* 12.

2. On calling for information from the Collector as to how far the surrender of the Taruff lands had been carried out and what other measures are now practicable, the Board learnt in the letters recorded at the head of these Proceedings that the transfer of these lands has been fully effected. The Board must therefore hesitate to propose any fresh arrangement, especially since the supposition expressed by the Honorable Court in the seventh para. of their Despatch is correct. The Taruff lands are "lands "paying revenue to Government the Mirasewarum (or private proprietary right) of which vests "in the Trustees." Unless therefore the Government propose, as the Board can hardly anticipate, that the religious Institutions of the country are not to be allowed to acquire lands assessed to the revenue, either by purchase or gift, there appears no objection to the Tanjore Pagodas receiving back their own private lands.

See Ex. M. C. 26*th in Con.* 30*th Nov.* 1858, *p.* 10.

3. A passage of Mr. Phillips' first letter, seemed to imply that in his opinion there was some peculiarity attaching to these Taruff lands, which would connect Government with the Pagodas after their surrender. He was therefore requested to explain his meaning and his second letter shews that his observation was not directed to these lands in particular but extended to all cases in which a Native Religious Institution holds land upon which revenue is due to Government. Mr. Phillips considers such a state of things undesirable, and advocates the resumption of all Pagoda lands and the grant of money allowances in their stead, as the policy best calculated to disconnect Government from these Institutions. But the Board do not feel called upon to enter into that question on this occasion.

4. The information called for by Government regarding the endowments in Masulipatam and South Arcot was forwarded with the Board's Proceedings dated 23d November and 4th October respectively, and a report on the endowments of Tinnevelly will be submitted shortly.

(A true Extract.)

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

No. 26. ORDER THEREON, No. 350; dated 17th March 1859.

In their Despatch dated 12th May 1858, No. 26, the late Court of Directors adverted to the Pagoda Taruff lands in Tanjore, which, under the orders of Government of the 11th September 1856, had been transferred to the Trustees of those Institutions; and for the reasons stated in paras. 8 and 9, they desired that the case of those Pagodas should be again taken into considera-

tion, in view to some other arrangement being substituted for that which had been sanctioned. The Board of Revenue were accordingly requested* to report what other arrangement could be adopted ; and in their proceedings now before Government, they state that as the transfer of the lands has been fully effected, they must hesitate to propose any fresh arrangement.

* *Ext. Mins. Cons.* 16*th August* 1858, *No.* 1142.

2. The Right Honorable the Governor in Council continues of opinion that the arrangement ordered on the 11th September 1856, and now reported to have been fully carried into effect, is the natural and correct one; and he is decidedly of opinion that no change should be made. The late Court of Directors appear to have been under some misapprehension as to the real nature of that arrangement, when they alluded to† the Pagoda Trustees as "Managers and Collectors for the Government." This description of the Trustees is incorrect ; and the Governor in Council resolves, in replying to the Court's despatch, to explain to the Home Authorities that the position of the Trustees, as representing the Pagodas, in relation to the taruff lands is that of proprietors of those lands, and that they are no more Managers and Collectors for the Government than other Meerassidars in Tanjore. They pay the rent of their own land, like other proprietors, and have no further connection with Government.

† *End of para.* 8 *of their Despatch.*

3. Ordered that a copy of the Board's Proceedings and of this resolution be forwarded to the Home Authorities, and that the Board be requested to expedite the submission of their report on the Tinnevelly endowments, together with the information called for by the Court in para. 11 of their Despatch ; respecting money allowances to religious institutions.

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

No. 71. From H. D. PHILLIPS Esq., Collector of TANJORE,
dated Vullum, 4th January 1859, No. 1.

1. In reply to the proceedings of your Board dated the 24th ultimo, No. 4785, enquiring whether the observation made by me in paragraph 3 of my letter of the 29th November last, No. 258, was called forth by any peculiarity which attaches to the landed endowments of the Pagodas in Tanjore.

2. I have the honor to express my ignorance of any peculiarity in connection with these lands, which does not equally belong to Meerassy lands in other districts where Meerassy prevails and which, being the property of Pagodas, yield revenue to the Government through the agency, as now arranged, of the institution. Trustees acting as middle men for the realization of the demands of the State.

3. The force of the Board's observation in regard to the position of any private proprietor who holds land on which an assessment is due to Government, is not lost on me. There appears to me, however, to be a strong probability that this similarity of position will not be appreciated by the Hindoo public of the country. A mere private proprietor might, as an individual seeking to realize his landlords rights, enforce coercive measures against another individual his tenant, or even against a religious institution of the country holding under him through its trustees, and by such measures would elicit no more than the ordinary remarks of sympathy or commisseration due to a tenant whose property is sold for an arrear of rent.

4. Very different, however, will be the remarks, and much more powerful will be the sympathy excited when a necessity arises for selling the landed property of a Pagoda for the recovery of rent due to the proprietor, the Christian Government of the country, and I apprehend that such remarks as may be made in respect of these processes, will lose nothing of their acerbity when it is recollected that the engagements under which the actual cultivators hold the lands thus sold, are engagements concluded in almost every case between the latter and the officer of that Christian Government, whilst the lands were under management by the State.

5. From paragraph 8 of their dispatch dated 12th May 1858, No. 26 P. D., the late Honorable Court of Directors were, it is obvious, sensible of the incomplete severance between these institutions and the existing Government which present arrangements have produced; and, to my mind, they most correctly doubt whether in the eyes of the people, a clear disconnection has been effectually secured.

6. I am, however, quite unable to suggest an arrangement better calculated to bring about the end which the authorities have desired to attain and my remark to which the Board have adverted, was offered principally with reference to the recent orders directing that the money payments now made to Pagodas be commuted into land, as though the mere periodical disbursement from a Government Treasury of allowances to which the institutions are entitled, was indicative of a connection with the heathen institutions of the country, any more than is the payment in the same manner, of money allowances to heathen pensioners and yeomiahdars, to Mosques, Makkans, Durgahs, and Choultries.

Board's Proceedings 8th November 1858, No. 4154. Extract Minutes of Consultation 26th November 1858, No. 1586.

7. On the mere score of a connection which it has been determined at all cost to abandon, I cannot help feeling that this connection subsists in a much more marked degree and is far more palpable and open to exception when, under the circumstances above set forth, the Government revenue due on Pagoda assessed lands, is collected through the individuals who publicly represent these Pagodas, than when there takes place a simple money payment through a heathen Thasildar at a talook Cutcherry.

8. There seems to me to be no advantage in commuting the money payment into lands. On the contrary, I believe that on the score of policy, good faith and justice to the institutions interested and concerned, it will be better that the old allowances be continued, rather than that real property endowments be substituted. For although in the position of other landed proprietors, as observed by the Board, it is notorious to all who have seen even the partial result of the change lately introduced, that the Trustees do not feel or exhibit the same interest in the lands they manage for the Pagodas, as private owners do in the lands they hold on their own personal account.

9. Partially, or I might say, most inadequately protected as the endowments of this class are under the existing law, it is not surprizing that there seems a near probability of the Government rents falling into arrears for collecting which, sales of Pagoda lands will be made. Thus in process of time they will be entirely lost to the institutions; and the impression already abroad that such a consummation is covertly desired by the authorities, must inevitably gain ground and strength.

10. It is not my province, I am aware, to enter upon a discussion of a matter already to all appearance finally decided, though from the 11th paragraph of the Honorable Court's Dispatch before referred to there may be reason for assuming the question still to be an open one ; and I have ventured these observations in regard to the proposed commutation of the money allowances, simply in consequence of your Board's call for an explanation of the meaning of part of my former letter.

No. 350.

Extract from the Minutes of Consultation

Under date the 17th March, 1859.

Read the following

Extract from the Proceedings of

the Board of Revenue.

Fort St. George 26th February 1859 No. 724

In their Despatch

A dated 12th May 1858 No. 26, the

late Court of Directors adverted

to the Pagoda Tariff-lands in

Tanjore, which, under the orders

of Government of the 11th Sept.

1856, had been transferred to the

Trustees of those Institutions,

and for the reasons stated in

paras 8 & 9, they desired that

the case of those Pagodas

should be again taken into

consideration, in view to some

other arrangement being substituted

for

for that which had been sanc-
tioned. The Board of Revenue
were accordingly requested to
report what other arrangement
could be ~~introduced into that~~
adopted; and in their proceedings
now before Government, they
state that as the transfer of
the lands has been fully
effected, they must hesitate
to propose any fresh arrange-
ment. ~~especially as the~~
~~supposition expressed by the~~
~~Court in para 7 of their Despatch,~~
~~as to the proprietary right of the~~
~~Trustees to these lands, is correct~~.

2. The Right Honorable
the Governor in Council continues
of opinion that the arrangement
ordered on the 11th September 1856,
and now reported to have been
fully carried into effect, is the
natural and correct one; and
~~He is~~ decidedly of opinion
that

*Ext. Mins. Cons. 16th Aug. 1858 N° 1142.

is the correct [illegible]

End of para 8 of their Despatch.

that no change should be
made. The late Court of
Directors appear to have been
under some misapprehension
as to the real nature of that
arrangement, when they
[illegible] alluded to the Pagoda Trustees
as "Managers and Collectors for
the Government." This des-
cription of the Trustees is
incorrect; and the Governor
in Council resolves, in reply-
ing to the Court's Despatch,
to explain to the Home Au-
thorities that the position of
the Trustees,
as representing the Pagodas
in relation to the tanjore lands
is that of proprietors of those lands, and
that they
are no more managers and
collectors for the Government
than other Merasedars in
Tanjore. They pay the rent
of their own land, like other
proprietors, and have no
further connection with
Govt

Government.

3. Ordered that a copy of the Board's Proceedings and of this resolution be forwarded to the Home Authorities; and that the Board be requested to expedite the submission of their report on the Tinnevelly endowments, together and the information called for by the Court in para 11 of their Despatch, respecting money allowances to religious institutions.

Copies to the Bd of Rev.
Dec 5 18[illegible]

Revenue 1859 Departt.
Dº to Cons 22d March.

N. 350.

Extract Mins of Cons:
Dd 17th March 59.

Observing that the arrange-
ment ordered on the 11th
September 1856 - regarding the
Pagoda Tarnff lands in Tanjore,
is the natural and correct one
and that therefore no change
should be made pointing out
the misapprehension under
which the late Court of Directors
were regarding the Pagoda
Trustees; and requesting the
Board to expedite the submission
of their report on the Tinnevelly
endowments and also the
information

information called for
by the Court respecting money
allowances to religious in-
stitutions -

Copy in a Letter to E.
d/ 18th March 1859. Nº 7

Dd to Cons 30th March/58 Nos 26-27
—"— 17 August —"— 57
—"— 16 September/56 — 11 & 12.