

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	<i>962</i>	Press Mis.
Dated <i>22nd July</i>		<i>1859.</i>

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
from 16th to 22d July 1859.*

No. 33 Read the following letter from G. N. TAYLOR, Esq., Inam Commissioner for the Madras Presidency; to the Secretary to Government; Revenue Department, dated Madras, 28th March 1859, No. 34.

1. In continuation of the papers which I submitted on the 22d February last, and pending the receipt of any official communication from Bombay describing the plan proposed for the future treatment of the Inam Tenures of that Presidency, it will not be premature to consider what should be the nature and extent of the machinery to be employed to carry out the contemplated measures in this Presidency.

2. The Preliminary proceedings will necessarily be of one and the same character, whether the project be adopted of charging a quit-rent and a succession duty upon all Inams, or whether it be determined to institute a summary investigation into titles, on the principles of the late Court's despatch. That the procedure should, under any circumstances, be of a summary nature, I think there can be no question. It is evident that the protracted mode of inquiry which has hitherto obtained in Bombay, but which is now to be abandoned, will not answer in this Presidency, where the number of Inams, exclusive of service grants and religious and charitable endowments probably exceeds 300,000. If there is to be any investigation of titles or examination into the validity of sunnuds, the simpler the process the better will it be for all parties.

3. Since my former paper was written I have given the matter my earnest consideration and with the insight I have been able to obtain, by conferring with public officers in the Provinces as well as the Presidency, into the working and results of the Bombay Commission; and in view of the general feeling of apprehension and alarm that prevails on the subject throughout the country, I am led to the opinion that a separate and distinct Department for the purpose of the Inam inquiry is not absolutely necessary; neither is it desirable, if, as I believe, the declared aim and object of the measure, viz. the confirmation of actual titles, can be attained with the means and agency already in existence.

4. It is clear that if the proposal now under discussion be approved and adopted the judicial functions of the Inam Commissioner will not be called into exercise. His labors will be limited to the more recording of claims, the perusal of such Sunnuds and title deeds as may be produced, the classification of tenures and comparison with existing lists, the formation of a Register, and the summary settlement of the amount of quit-rent to be assessed to each Inamdar. All this, and the collection of a succession duty are within the Province of the Revenue authorities, and could be more properly and certainly more cheaply performed by the District officers under the direction of the Board of Revenue.

5. I am aware that it has been very generally urged by Collectors that their District Establishments are unable to cope with the Inam question, that the necessary inquiries involve an amount of time and labor that cannot be bestowed upon them either by the Native or European officers. And it was this consideration that led the Government to recommend, and the late Court of Directors to sanction, the distinct Department of which I have been constituted the head. The treatment of Inam tenures is however intimately associated with the management of the Revenue, and if a plan can be devised by which this important work can be carried out simultaneously in every District on simple and uniform principles, it will, according to my view, be more safely committed to those who are already charged with the general administration of a province than to any separate officer.

6. I believe it to be true that the Native officers employed in every District from the head Sheristadar to the village Moonsiff are almost without exception Inamdars. And this without doubt has been one of the main causes of the difficulty and opposition that have attended the efforts of every successive authority, from the time of Sir Thomas Munro to the present day, to effect a satisfactory settlement of Inam claims. Popular feeling has ever been hostile to inquiry into the titles upon which alienated land is held, and this feeling has not been confined to the Inamdars. The local Government has from time to time issued orders on the subject, and once, I observe, in 1843 with special reference to the Inams of the Ceded Districts, where they are far more numerous than elsewhere. But the matter has been put aside both by the local officers and the authorities at the Presidency, as one that appeared objectionable on grounds of policy and

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impracticable to deal with satisfactorily with the ordinary establishments. Another powerful motive for non-interference with rents free tenures, has been the knowledge that the former exorbitant rates of assessment on Sircar land were only met by the assistance derived from the Inam lands. The holders of exempted land in the Ceded Districts are I believe to this day compelled to cultivate a certain proportion of Government land.

7. I refer to these facts to show that an enquiry into alienated tenures has never been prosecuted in earnest in any District, and that the general question of the disposal of Inams has never until now, been taken up by the controlling authorities in a comprehensive form. The rules of 1848, issued for the guidance of Collectors on occasions of lapse, prescribe indeed the mode of treatment for each description of Inam, but the action of these rules in the different Districts depends upon the degree of attention which the Collector is able to spare to the matter from his other more congenial duties. It may with certainty be presumed that a considerable proportion of actual lapses in some Districts is not reported, because the village officers who are alone capable of giving the information are usually interested in its suppression. Great diversity of practice prevails in the disposal of cases each is decided upon what appear to be its merits to the authority of the time being, and one decision has rarely formed a precedent for the treatment of other cases of a similar character.

8. It is not then, I submit, the inability of Collectors to undertake the extra work involved in deciding Inam claims but rather the absence of any systematic and uniform plan, based on the principles of liberality and concession, that has prevented the earlier settlement of the question. Under the present liberal orders of the Home Government, the inquiry will be of the most simple and summary character, whether the several classes of Inams are confirmed to the holders for life or to their heirs in perpetuity unconditionally, or subject to quit-rent or other tax.

9. What, in either case, will be primarily required, is a correct record a classified list or Register of all alienated lands in each District. This is provided for in para. 17 of my former memo. At present there is scarcely a list of alienations in any District that can be depended upon for accuracy since assuming charge of my office I have even failed to obtain from Collectors

2 Cawnies and under..... 1,14,403
Above 2 Cawnies..... 1,35,947

Total... 2,50,350

* Large as it is it does not include
the Inams of more than 2 Cawnies
in four Districts namely.

Ganjam, Masulipatam, Bellary and
Salem.

Which if added would I have little
doubt raise the number to 300,000.

See para. 2.

and probably does, exist in some form or other in every village.

10. The recent appointment of Deputy Collectors supplies at once the agency by which these lists and Registers could be prepared in every District. I would suggest that one of these officers with the establishment allotted to him be in the first instance employed in each Province in collecting, and arranging the required information. The whole of his work should be recorded in English for submission to his superior, the vernacular Registers being prepared by his subordinates, or in the Talook Cutcherry. In some Districts it will probably demand the whole of his time and attention, but in others he will have leisure for the ordinary duties of his appointment, and in all cases it would be desirable that he should retain the general supervision and magisterial authority in each succession talook as his work progress. The character of the officer so employed should be above suspicion, and he should be chosen for his peculiar fitness for the work. He would bring to the task the weight and authority of his position, and hold-

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ing an office permanently attached to Districts would pursue his labors firmly and quietly under the control of the Collector and without exciting the distrust and suspicion which might attend a similar enquiry by a separate officer.

11. The work should proceed in every District under the general direction and control of the Board of Revenue. If I may venture to make the suggestion, one of its members might be specially deputed for this particular duty. It would occupy but a small portion of his time and most beneficial results might be expected to attend his occasional visits to the different Districts for the purpose of personally ascertaining how this and other important revenue matters were progressing. A few general rules for the guidance of Collectors and the Deputies might be laid down and printed Statements supplied to each District for the classification of tenures and giving the form in which the information is sought to be obtained. The list would be taken in the Tahsildar's Cutcherry or other convenient locality in each Talook where the Curnums would attend for the purpose. The Village officers should be required to supply any omissions and warned against withholding information. On the completion of this rough list of Inams in each Talook a copy would be posted in the Talook Cutcherry and every Chief Town of a Firka or Samut. A notification would be annexed proclaiming to all Inamdars, that the object of Government being to confirm and give permanent titles to every holder upon conditions to be hereafter explained. All persons are required to register their claims within a given date in the office of the Deputy Collector; failing which the published list will be taken as the correct Statement of the entire Inams in each village and no claims not appearing in the list, or which have not been subsequently recorded, will be hereafter admitted without sufficient cause being shown by the claimant.

12. An order of Government and existing Regulations will suffice for the purpose of obtaining this Register, and I am disposed to think that the information so recorded by the Deputy Collector checked as it will be by existing lists and Jumabundy accounts in the Collectors office will be as complete as can be desired. The notifications would be issued by Collectors under the express authority of Government and the Board of Revenue and if the matter is taken up in earnest by each Collector, as of course it would be, and at the same time in a quiet and conciliatory spirit, the people will I feel very confident regard the measure without that degree of suspicion and alarm which must attend the operations of a separate Commission.

13. The time occupied in preparing this record would vary in different Districts according to the number of Inams; in some a few months would suffice, and I think it might be completed in every District within two years. In these parts of the Presidency where the Survey is in progress the required record would be obtained by the demarkation officers under the Director of Revenue Settlement.

14. My present remarks are to be taken in connection with the scheme proposed in the former paper, and I make the above propositions, not with the desire to evade the labor and responsibility of conducting any enquiry or of initiating any mode of procedure which may be held to be necessary; but because I believe the record and settlement of Inam claims in the manner proposed will be the most simple, the most satisfactory, and at the same time the least expensive of any that could be adopted. If the Government see cause to dissent from this view, and should be of opinion that a separate Department is, under all circumstances, desirable, I need scarcely say that I am quite prepared to undertake at once the superintendence of the preliminary measures I have above described. But I would still respectfully recommend that the local enquiry be committed to the Revenue officers employed under the Collector in each Province and while, I retained the general supervision in my own hands I cannot doubt that in a matter which would improve the revenue, and simplify the administration, I should receive from Collectors the most cordial co-operation.

15. If it be objected that one out of the three Deputy Collectors provided to each District cannot without inconvenience be spared for this particular work, an objection which considering the relief recently afforded to Collectors in several Departments seems to be of little force; it will rest with me to organise a subordinate Establishment for the conduct of the necessary enquiry and preparation of Registers. In this case I should desire to avail myself of agency of a

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precisely similar character, because the services of four Uncovenanted Assistants on the average pay of 300 Rupees a month would be more useful for the preliminary work to be accomplished than the assistance of one Deputy on 1,200. I would propose three rates of pay for these assistants viz. 250, 300, and 350, and the establishment allowed to each would cost about 100 Rupees a month, as proposed in the margin, but subject to modifications if found desirable.

1 Clerk...	35
1 „ ...	21
1 „ ...	15
1 Moochee and Stamper...	10-8
Peons &c....	18-8
	100

16. The monthly expense involved would average therefore 400 Rupees for each District and for 19 Districts (excluding Malabar and Canara where there are no rent free lands) the total expenditure would be $400 \times 19 = 7,600$ Rupees a month, or 91,200 for one year.* I estimate the probable cost of my own Establishment at 1000 Rupees a month. I would place an Uncovenanted Assistant at the head of it, and I would solicit permission to form it gradually as the work proceeded. The total charge for the separate Inam Department for the first year or two would therefore be about $1\frac{1}{2}$ lac of Rupees as follows, an expense which will be saved to the State if the work is performed, as I believe it can be, by the existing machinery.

	Monthly salary.	Annually.
Chief Commissioner ...	2,500	30,000
Travelling allowance or tentage, for say 6 months, at 300...	300	1,800
Establishment ...	1,000	12,000
19 Assistant Commissioners at 300 ...	5,700	68,400
Travelling allowance or tentage at 50 Rs. a month...	950	11,400
Establishment at 100 ...	1,900	22,800
	<u>Rs. 12,350</u>	<u>1,46,400</u>

17. It remains to consider whether pending the completion of the new Registers and the introduction of a summary settlement, any change is desirable in the present mode of treating Inams on occasions of lapse. If, as I have ventured to recommend, the Board of Revenue should continue to be the controlling authority in Inam matters as in other branches of Revenue, all cases of lapse will be reported to them by the Collectors as hitherto; liberal principles of the late Court's despatch should be the guide for the disposal of all claims. Collectors might be informed by Circular that it is the wish of Government that Inams should, as a general rule, be confirmed to the heirs of the last incumbent on payment of partial or full assessment according to the terms upon which the land was held, whether the grant was conferred, or only continued, by the British Government. Their recommendations should be made accordingly, but the orders passed on each case of an Inam confirmed to the family should be made conditional and subject to future modification upon the principles of the general measures which may hereafter be adopted. At present all reported cases of lapse after being reviewed by the Board go up to Government for final decision. In constituting a responsible head of the Inam Department, either in an individual officer, or in the Board of Revenue, Government might for the future be relieved of the consideration of all cases except such as come before them in appeal. An annual progress report would of course be submitted giving full information regarding the work of the department.

18. Mr. Ricketts as Finance Commissioner proposed that the Inam enquiry should be entrusted to the Director of Revenue Settlement and that the two operations should proceed together. Under the impression that a judicial enquiry into titles would be necessary, Mr. Newill, in reply to a communication from the Board of Revenue, expressed his inability to undertake the double duty. If the more simple plan now under consideration be adopted the same objec-

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tion will no longer exist, and it is certain that no satisfactory treatment of encroachments on Temple and service lands, or indeed any description of Inam, can be pursued without the survey and measurement of the lands.

19. The propositions contained in this communication have reference, it will be seen solely to Inams of a personal character which are now subject to report. The question of service lands stands on quite a different footing, and the most satisfactory solution of the difficulties connected with these tenures, would undoubtedly be their commutation to a ready money payment for actual performance of service in every District, which has been already done in South Arcot and some other Provinces, an accurate Register would however be taken of all service Inams and endowments in common with other tenures.

No. 34. ORDER THEREON, 19th July 1859, No. 962.

The Government having furnished the Inam Commissioner with full instructions for the conduct of the enquiry entrusted to him, no orders are necessary on his letter above recorded.

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

of the name of Mary
is now in the hands of
me.

This letter though dated
March 20, only reached me
yesterday evening the 5th April.
I told us in this in writing of
to Mr. S. the Govt, as he has
already other papers in the
subject of Emma's name.
Mr. Taylor has been

an entire reversal of what
has been deluding us,
in view of the investigation
of Emma's title, and the
-ation of the Emma Commission,
at the formation of a Register

of Exams by means of the Comm.
& one Dep. Comm. in each dis-
trict, that Dep. Comm. to
have also the ordinary duties
of a Dep. Comm. - The whole
to be supervised by a committee
of the B. of R. who will make oc-
casional tours of inspection.

I cannot but think
that such a plan will end in
total failure - The Comm. at
large are too few to prevent any
things like a faithful or
impartial measure of Exams,
though prevented by law about
half a century ago (in 1802,
& essentially & universally called
for since, & which have been

ventured & still prevent the
investigation of Exam abuses
in any District, are still
severely diminished portions
& will be under Mr. Tarsni's
plan - If a regular of Exams
is really wanted, I am con-
fident that a separate agency
must be maintained to make
it self the rule of century
ago & the present time
quite as good a measure of
the purpose it may be
done - The Comm. at large
cannot be at all large & will
certainly prevent the Exam
closing, & the present
state of the Comm. at large

of Evans to means of the
controlled by the Comm. & of
period 2 of the Comm. The
Regist. will probably be con-
sidered in a number of years,
on even more
especially of 2 or 3. Cases
were employed in the war
heavy & in Coddish.

The Minute I am about to record on the
subject with regard to
order on these papers I
unnecessarily. I entirely
agree with Mr Bondillon
that there ought to be a
separate agency for the
settlement of the claims
Wm. Bondillon

6
Sunday 15th February 1859.

My dear Bondillon. The Bondillon Govt. has
not yet decided their view regarding the
future prosecution of the inquiry into
Lucius in this proceeding. This I hope
will be done in the course of a few days.
I have already shown the
matter to the entire until very
recently. In conversation I have
communicated with the former. Rev.
Secretary & Minister. I have
I have ascertained pretty well what
it is proposed to recommend to the
Govt. of Lucia. I do not know Govt. The
fact is their past proceedings have
been a great mistake. I hope

They will not admit it - the injuries
have been conducted in ~~the~~ haste &
spirit - great dissatisfaction has been
created through the country - and the
is leaving an official uncommenced
Warren Department who speaks with
of his working - His progress is so slow -
withstanding the vast establishment
employed - that it would take centuries
to complete it - and the numerous
cases of business in the Govt. Secretariat
connected with revenue & appeals
in administrative matters, enquiries
of claims & labor ~~appeals~~ which
might be better given to other subjects
of importance, the extent of the
machinery of Govt. Office to deal

with - The amount of revenue recovered
is not so large as to justify the maintenance
of inquiry in many of the bills - and
remedy proposed is an entire change
of system - The idea suggested in para
is of the Govt. Department to be conducted
Govt. appears that have been ready
adopted - as an escape from the
difficulty - and the plan of change
a necessary duty - as indicated
sent sent upon all matters without
sent per is that which they have decided
the matter - I have long thought that
an arrangement of this kind was
well adapted to the circumstances 7

to I have done in the preceding. I
to information I have obtained here.
Therefore the opinion that preparation
of a land assessment should be demanded
as just and. Substantially the change should
be uniform on all descriptions of
land now subject to the tax. How
system is the applied to various
land. Religious endowments are
matters for careful consideration.
It has also the consideration whether
a succession duty should be levied
only in cases of intestacy of testamentary
last: or from all owners of real
property throughout the country. But
I think seems the a sound one.

I have thought to bring into
practical operation in all the various
under this arrangement formal - hexa-
lions. It is a very simple into little
into be unnecessary. This note to
a summary statement of all
claims almost as soon as they are
received: but with the taken in
any of the companies with which
connected. The legislation is to be
made as complete as possible &
note to be prepared by an account
means to be of land as the
living persons. Every Indian
with the law firm. Whether or possible
history - dispositive of note. But subject.

The entire amount of the cost -
I desire to transfer - all interference
with the act and the proceedings of
the Commission with the material
simplification of the cost unsparingly
diminished. Modifications with
of course support themselves &
this with the others in the question
has in regard to the ratio both of
the cost & of success in duty - which
will have the consistent with the
circumstances in the proceeding.
But I give you merely the outline
of the plan proposed - and this
which shall be followed in a
day or two by a memorandum

which you take in line to foot - though
what I would propose by way of a com-
mencement of proceedings in the case.
I shall be glad to have your views of
the matter & that of the foot as soon as
possible. In any case the first business
of the Commission will be to obtain
complete information with in every
particular. An act will not be necessary
to come in at least. & if it were
this is not the slightest chance of getting
it passed into Law - but only in the
vicinity of the United States to oppose
it - but Mr. L. says: Remember of the day
when violent blows in the same line.
Lord St. John has written Lord Curzon

Bombay 15. February 1859.

My dear Bourdillon,

The Bombay Government have not yet recorded their views, regarding the future prosecution of the Inquiry into Anand in this Presidency. This I hope will be done in the course of a few days though they appear to have allowed the matter to lie over entirely until my arrival here. In conversation and personal communication with the Governor, Revenue Secretary and Alienation Commissioners, I have ascertained pretty well what it is proposed to recommend to the Government of India and to the Home Government. The fact is their past proceedings have been a grand

mistake

on the subject & seems I have little doubt that the plan will meet with approval. I am however at least must elapse - I probably six - before the views of Lord Stanley & the Council on the communication. Meanwhile we are proceeding as the purpose is within contingency. I am most anxious to return by land - but fear that I cannot get away by the 25th in which case I shall accompany Sir H. Davis on the first steamer of March. Arriving probably about 6-10th or 11th. I trust there is no chance of Lord Harris' leaving before April. I shall try to get to see him before he goes. Believe me

Yours very sincerely

Frederick

should be demanded as quit rent
and whether the charge should be
uniform on all descriptions of land
now subject to report and how
the system is to be applied to
service lands and Religious
endowments - are matters for
careful consideration - It has also
to be considered whether a succession
duty should be levied only in the
case of the holders of alienated
land, or from all owners of
real property throughout the
Country. But the principle seems
to me a sound one and one that
might be brought into practical
operation in all the Presidencies.
Under this arrangement, formal
verification and tedious inquiries
into titles will be unnecessary.
There will be a summary settlement
of

of all claims. almost as soon as
they are recorded. Lists will be
taken in every District - compared
with Collectors accounts. The
Registration will be made as
complete as possible and will
be followed by an accurate
measurement of the land as
the survey proceeds. Every
Inam will be confirmed to the
holder as private property - dis-
posable at will - but subject
to the conditional payment of
the rent and duty on transfer.
all interference will be at an
end - the proceedings of the
Inam Commission will be
materially simplified and its
cost considerably diminished -
modifications will of course
suggest themselves and there
will

except on any
transfer & suc-
cession

will doubtless be discussions here in
regard to the rates both of quit
rent and of succession duty. which
have to be considered with reference
to circumstances in our Presidency.
But I give you merely the
outline of the plan proposed.
and this letter shall be followed
in a day or two by a Memorandum
for submission to Govern-
ment showing what I would
propose by way of a commence-
ment of proceedings in Madras.
I shall be glad to have your
view of the matter and that
of the Government as soon as possible.
In any case the first business
of the Commission will be to obtain
complete and accurate lists in
every District. An Act will not
be necessary for some time at
least

13
least; and if it were - there is not
the slightest chance of getting it
passed into Law. Not only is
Mr. Dickson steadily resolved
to oppose it - but Mr. Le Gey
the member of Bombay holds
violent views on the same side.
Lord Elphinstone has written to
Lord Canning on the subject and
seems to have little doubt that
the plan will meet with approval.
Three months at least must
elapse and probably six - before
the views of Lord Stanley and
the Council are communicated.
meanwhile we may so shape our
proceedings as to be prepared
for either contingency. I am
most anxious to return by
land - but fear that I cannot
get away by the 25th in which
case

case I shall accompany Sir H.
Davidson by first steamer of
March. arriving probably about the
10th or 12th. About there is no
chance of Lord Harrie leaving
before April. With very kind

regards to Mrs. Bourdillon

Believe me

Yours very sincerely

John P. Taylor.

33934

a letter of appeal letter
from the District
Commissioner

Consent for the information
of members of the District
Commissioner as they
may wish to make

I am anxious that
nothing should be done on
this subject before
the arrival of Sir
Charles Macpherson

St

C24 Feb 28 March 15 1891

have reference, it will be seen solely to Inams of a personal character
which are now subject to Report. The question of Service lands
stands on quite a different footing, and the most satisfactory
solution of the difficulties connected with these Tenures, would
undoubtedly be their commutation to a ready money payment
for actual performance of service in every District, which has
been already done in South Arcot & some other Provinces. an accu-
-rate Register would however be taken of all Service Inams and
endowments in common with other Tenures.

I have the honor to be
Sir

Your most obedient servant

Madras
Inam Commissioner's Office
28th March 1891

Edmund
Inam Commissioner

Copied in a letter to G
21st August 1859. MS 9

95701

954-701

10. 2. 66

Dec. 1859. Report

from the Commission
of the 22nd July.

No 582.

From the Commission
to the Secretary to Govt.
Proc. Rept.

Date 28th and

Received 21.5 1859

No 962. 19th July 1859.

With an order

Referring, in course

with the decision

decided in his previous

Memorandum, the

necessity by which

the necessity for the

measures for the

No 962

The Government

having furnished the

Commissioners with full

information for the

conduct of the

being entrusted to him, no

action are necessary on his

part above recorded.

21st July 1859.

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Copy. The Commission

every be carried out -
The Commission to the
Secretary to Govt.

21st July 1859