M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2045	Press ~~Mis.~~
63 64	
Dated 5 11	1860.

Not to be folded or roughly handled

J.F. 73.

Date taken

P. L. B. Rd. of Revenue and L

Proceedings of the Madras Government, Revenue Department, 5th November 1860.

No. 63. Read the following letter from G. N. TAYLOR, Esq., Inám Commissioner, to J. D. BOURDILLON, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Camp Palmaner, 10th October 1860, No. 369 :—

SIR,

1. In the Guntoor Division of the Kistna District there are 464* cases of Ináms and Inám villages, as shown in the margin, the quit-rent upon which (Kattubadi and Srotriyam) is objected to be paid, on the ground of its having been either newly imposed or raised by the Zamíndárs ; and which, though included in the demand since the reversion of the Zamíndáries to Government, has been allowed to lie over, pending inquiry and settlement by a Special Commission. It does not appear† that any considerable number of these disputed cases have been subsequently disposed of by the District authorities.

* *From Collector, dated 11th February 1856, paragraphs 9, 23, 25.*

	No.	*Annual Quit-rent.* Rs.	*Amount of arrears.*
Ináms... ...	398	2,429	28,503
Inám villages...	66	8,674	71,815

† *Board's Proceedings, dated 19th November 1858, No. 4,312.*

2. In the Proceedings of the Commissioner for the Northern Circars, dated 19th October 1854, paragraphs 5, 6, 7, 8, some general instructions were given for conducting an inquiry into the above cases, and these instructions appear to have been approved by Government in Extract Minutes of Consultation, dated 7th December following ; but this order is not to be found amongst the papers forwarded to me by the Board of Revenue. No definite principles however were laid down for the final settlement of these cases. The well known incorrectness of Kanís Registers of 1799, and the absence generally of any other detailed accounts connected with the Permanent Settlement, presented the chief difficulty in the endeavour to distinguish the quit-rent existing at that period from that which was subsequently imposed. Accounts subsequent to the Permanent Settlement. Commencing from Fasli 1216, which are available for different parts of the District, show the amount of Jodi or Kattubadi as it now stands.

3. It appears to me, that as the question is no longer one between the Inámdár and the Zamíndárs, but between the Inámdár and the Government, it is unnecessary at the present time to refer to the state of things existing at the period of the Permanent Settlement ; at least in the case of all Ináms the right to which is derived from prescriptive enjoyment, rather than from any legal title. The liability to quit-rent can be treated on the same principles as are applicable for determining the validity of the Inám itself, and disposed of with reference to the length of time it has been paid without demur. Under this view of the case, and adopting the principles of the present settlement, I beg to propose the following rules for approval of Government :—

(1.) In the case of Ináms held on Sanads of a date prior to 1768, which alone are valid under Regulation XXXI of 1802, the claim to exemption, from quit-rent absolutely, or from additional quit-rent, will be admitted if supported by the original Sanads ; and provided that subsequent exemption from the demand at the date of the passing of Regulation XXXI of 1802, is proved by means of Kanís Register, or other accounts or Dumbal as of the same period. There are but few Ináms of this description on which quit-rent is disputed.

Kattubadi or Srotriyam.

(2.) In regard to other Ináms held on the strength of prescriptive enjoyment, if the quit-rent‡ is supported by an account fifty years old or the earliest account in existence after the Permanent Settlement, and if the same has not subsequently been remitted authoritatively, but has continued to be paid interruptedly and without demur, till the reversion of the Zamíndári, it will be confirmed ; notwithstanding that the exemption of the Inám from the quit-rent§ may be claimed on the strength of Kanís Register, and on the plea of its having been newly imposed subsequent to the date of the Permanent Settlement.

‡ *Kattabadi or Srotriyam.*

§ *Kattabadi or Srotriyam.*

(3.) If the quit-rent,‖ though appearing in the accounts as above stated, was subsequently remitted, or not actually collected for longer or shorter periods under the Zamíndár's administration, or was objected to at the time ; the Inám will in such case be exempted from the impost,

‖ *Kattubadi or Srotriyam.*

provided the prior exemption can be proved by means of Kanís Register, the Permanent Settlement accounts if available, or Dumbalas or other documents in the Inámdárs possession, otherwise, the quit-rent* as entered in the above accounts, will stand good.

* *Kattubadi or Srotriyam.*

(4.) On Ináms originating subsequent to the Permanent Settlement, the quit-rent† imposed by the Zamíndárs at any subsequent period, and not remitted by them, will be continued; as it is a reasonable impost charged upon the land at the pleasure of the Zamíndárs by whom the Ináms were given.

† *Kattubadi or Srotriyam.*

(5.) Arrears on account of Quit-rent altogether abandoned under the above rules, will be remitted entirely. Those on account of quit-rent confirmed, will also be remitted except for the last five years, in consideration of the difficulty and hardship of enforcing such old arrears, which have accumulated in consequence of the non-settlement of the disputed claims. Arrears due on account of quit-rent which forms no portion of that under dispute, will be left to be recovered by the District authorities, or recommended for remission according to the circumstances, of each case; because to proceed upon any other principle may lead to numerous claims from Inámdárs, who have quietly paid their quit-rent for the last forty or fifty years.

Kattubadi or Srotriyam.

4. The arbitrary imposition and enhancement of quit-rent in the Malráz Estate formed the subject of some correspondence in 1833. The quit-rent was reduced by the Collector with reference to Kanís Register when the estate was temporarily under Government management, from Fasli 1228 to 1236, and the attempt of the Zamíndár to reimpose it in Fasli 1237 led to the correspondence above referred to. But the Board of Revenue and Government, after considerable discussion, were not able to arrive at any definite conclusion, for want of detailed accounts of the Permanent Settlement; and while questioning the correctness of Kanís Registers as an authority, and condemning the proceedings of the Collector, were obliged to leave matters in the state in which he had placed them, except in those cases on which the quit-rent was again raised by the Zamíndárs with the consent of the Inámdárs. These will not be now disturbed under the rules above proposed.

Board's Proceedings, 2nd December (1853) *No.* 479. 1833

1833

5. I beg the favor of early instructions on the subject of the present reference, in order to enable me to close the investigation in Guntoor.

No. 64. ORDER THEREON, 5th November 1860, No. 2,045.

1. The Inám Commissioner reports the case of certain Ináms and Inám villages, 464 in number, in the Zamíndáries which have reverted to Government in the late Guntoor District, the quit-rent of which is alleged to have been imposed or raised by the Zamíndárs since the Permanent Settlement, and is therefore objected to by the holders. Mr. Taylor states his opinion (paragraph 3) that as the case is now between the Government and the Inámdár, the Ináms should be dealt with on the basis of actually existing circumstances, without going back to the state of things at the time of the Permanent Settlement, and he proposes for approval certain rules to be the guide in thus dealing with them.

2. The Government concur in the general principle thus stated by Mr. Taylor. They also approve and sanction, as fair and reasonable, the rules which he proposes, with the exception of part of the 5th Rule. The quit-rent on the Ináms in question has been left uncollected for a number of years, pending the settlement of the dispute respecting it. Mr. Taylor proposes in the 5th Rule that the arrears of quit-rent now abandoned under any of the preceding Rules shall be remitted, and this is approved. But he proposes also that in the case of quit-rent now confirmed five years arrears shall be levied. The Government are unwilling to bring into the settlement a condition which would be felt to be hard, and which probably in many cases could not be enforced; they resolve therefore to restrict the levy of arrears to those of the year preceding that of the settlement; that it is to say, the arrears prior to Fasli 1269 shall be remitted.

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

Board's Proc. 2nd Dec. 1858 No. 479.

But the Board of Revenue and Government, after Considerable discussion, were not able to arrive at any definite Conclusion, for want of detailed accounts of the permanent Settlement; and while Questioning the Correctness of Kanis Register as an authority, and Condemning the Proceedings of the Collector, were obliged to leave matters in the State in which he had placed them, except in those Cases on which the Quitrent was again raised by the Zamindar with the Consent of the Inamdars. These will not be now disturbed under the Rules above proposed.

Yes well

5. I beg the favor of early instructions on the subject of the present reference, in order to enable me to close the investigation in Guntoor.

I have the honor to be
Sir,
Your most Obt. Servant
Signed
Inam Commissioner

Letter Incomplete

Note. The rules proposed are fair & reasonable; except that with respect to the 5th I think it will be hard, under the circumstances, to levy even five years arrears. I would exempt I think, & levy those due for last year. The letter [illegible]

The rules - are I think fair - & under all the circumstances that can be done for the quarters of years enacted - but the last must cannot be adopted - I would have 2 or 3 quarters there - ~~I would not be for~~

I will

- I concur in the rules - but collecting only 2 years arrears under Rule 5 - [illegible]

Cons. 12th December 1854
No 3-4

14-9-14

207-68

No 63.

Revenue 860 Department.
Pro. of Govt [illegible] Govr.
2265

From G. A. Taylor Esqre
Inam Commissioner

To J. D. Bourdillon Esqre
Secretary to Government
Fort St. Geo.

Dated 10th Sept. } 1860
Rec'd 15th October
No 369

Proposes rules for the treatment of certain Inams and Inam villages the Kattubadi (Quit Rent) upon which is demanded to be by the Inamdars as having been unjustly imposed or raised by the Zamindar subsequent to the Permanent Settlement.

No 2045. 5 Inv.

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Read 20 October 1860

R. D.

No. 2045

Proceedings of the Madras Government

Under date the 5th October 1860

Read the following letter
from G. N. Taylor Esqr Inam
Commissioner

Proposes rules for
the treatment of certain Inams
and Inam villages in the Guntoor
Division of the Kistna District
the Quit Rent upon which is de-
manded to by the Inamdars.

(Here enter 10th Oct 1860 No 369)

The Inám Commis-
sioner reports the case of
certain Ináms and Inám vil-
lages, 46 in number, in the
Zamindaries which have re-
verted to Govt in the late
Guntoor District, the quit rent
of which is alleged to have been
imposed or raised by the ex
Zamindars since the Permanent
Settlement, and which is there-
fore objected to by the holders

Mr

Mr Taylor states his opinion (Para 3) that as the case is now between the Government and the Inamdar, the Inams should be dealt with on the basis of actually existing circumstances, without going back to the state of things at the time of the permanent Settlement, and he proposes for approval certain rules to be the guide in thus dealing with them.

2. The Govt. concur in the general principle thus stated by Mr Taylor. They also approve and sanction, as fair and reasonable the rules which he proposes, with the exception of part of the 5th Rule. The quit rent on the Inams in question has been left uncollected for a number of years, pending the settlement of the dispute respecting it. Mr Taylor now proposes in the 5th Rule that the arrears of quit rent now abandoned under any of the preceding Rules shall be remitted, and this is approved. But he proposes also that in the case of quit rent now confirmed perpetuated, five years arrears shall be levied. The Government are unwilling to bring into the settlement a condition which would be felt to be hard, and which as probably in many cases could not be enforced; they resolve therefore to restrict the levy of arrears to those of the year preceding that of the settlement, that is to say, the arrears prior to Fasli 1269 shall be remitted.

4 Copies Inam Commr. Dft. 6
12 " Board of Revr. "

Adjustment of Quit rent on certain Inams in the Villages in Kistna

4-9-14

Revenue 1860 Dept.
Pro: of Govt for Nov.

No 2045.

Pro: of the Madras Govt
Dt 5th Novr 1860.

Passing orders on the report regarding certain Inams and Inam Villages in the Guntoor Division of the Kistna District, the Quit rent of which is objected to by the holders.

No 63 & 64.