M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2495 Press ~~Mis.~~

A 09-420.

Dated 24—12—1869

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
24th December 1860.

No. 419. Read the following Proceedings of the Board of Revenue, dated 9th November 1860, No 5,206 :—

Read the following letter from J. D. ROBINSON, Esq., Acting Collector of North Arcot, to J. D. SIM, Esq., Secretary to the Board of Revenue, Fort Saint George, dated Tirapathi, 26th October 1860, No. 249:—

SIR,

Proceedings of Government, dated 9th May 1860, *No.* 745.
Board's Proceedings, dated 13th July 1860, *No.* 3,223.

1. I have the honor, with reference to the papers noted in the margin, to state for the information of the Board, that having called for and closely inspected the original document alluded to in the Order of Government, dated 9th May 1860, No. 745, I can detect no erasure or flaw of any kind which should raise misgivings as to its genuineness.

2. In this document (of which I beg to append literal translation) the promise to pay in perpetuity (Nirantaram) 21 Pagodas per mensem is twice repeated. The words "and your heirs and successors hereafter" italicised in the Government order are not in the bond although doubtless implied in the term "Nirantaram." The construction, therefore, which has been put on the words in the 6th paragraph of the same order is perfectly correct, and the obligation they convey cannot, I should say, be set aside.

3. Having satisfied myself respecting the genuineness of this deed, I next called upon the Jáhgírdár to explain on what grounds he had reduced Petitioner's allowance. After several evasive answers, the Jáhgírdár has at length written to say that it has been the practice to reduce such allowances on the occasion of a fresh succession, and in the same letter impugns the validity of the deed produced by Venkat Ráu, on the three following grounds :—

(1.)—That the stamp paper on which this bond is executed was purchased on the 2nd April 1814, whereas that on which the counter-agreement is engrossed, was not bought until the 3rd May of the same year.

(2.)—That as the term Nirantaram does not occur in the counter-agreement, it must have been fraudulently interpolated in the document produced by Venkat Ráu, and

(3.)—That the names of the attesting witnesses differ in the two deeds.

4. As regards the first of these objections, I have only to observe that, inasmuch as both documents were finally signed and attested on one and the same day, the 4th May 1814, the difference noticed by the Jáhgírdár is no argument whatsoever against the validity of Venkat Ráu's bond.

5. The second objection I have already partly disposed of, when I observe that no erasures or interpolations are visible in the document produced by Petitioner. I can only account for the term "Nirantaram" not finding place in the counter-agreement, by supposing that the grant bond being the principal instrument and the other a mere general acknowledgment, the same precision was not considered necessary in drawing it up.

6. The third objection need not either I think affect the validity of Venkat Ráu's bond, as it might have been drawn up at a different place and time of the day, and thus come to have been attested by different witnesses.

7. What, however, indicates to my mind more plainly than any thing else the intentional bad faith of the Jáhgírdár, is the fact that this is not the only instance in which he has attempted to cut down those family allowances, as besides the analogous case of Vedaji Appa Ráu noticed in Government Proceedings dated the 7th July 1860, No. 1,120, several other complaints of a similar character has been preferred by other members of the connection, which depend on the result of Venkat Ráu's and Vedaji Appa Ráu's protests for their solution.

8. As I read the terms of his Sanad the Jáhgírdár has no latitude in this matter, but is bound to pay to his relatives the allowances according to the scale laid down in the statement appended to Extract Minutes Consultation, dated 13th March 1832, No. 269. Any concession to present assumptions might bring hereafter upon the charity of Government the whole connection of a man who holds his Estate on easier terms, and does less for it than any other of the great landholders of the District.

9. The Jáhgírdár himself seems a well meaning amiable youth, but is unfortunately in the hands of his Dewán, than whom by all accounts a more unscrupulous and worse specimen of his class does not exist.

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Proceedings of the Madras Government, Revenue Department, 24th December 1860.

10. Any further appeal to good faith or generosity in this case is, I feel convinced, utterly hopeless, and I beg, therefore, respectfully to solicit that Government will be pleased once and for all to intimate to the Jáhgírdár that he has no such power over the allowances of Venkat Ráu and Vedaji Appa Ráu as he would arrogate to himself, and that he is bound to fulfil his obligations by them and all claimants similarly circumstanced, or failing therein that his estate will be made liable for his shortcomings.

1. Ordered that the above letter be submitted to Government with reference to their Proceedings in the Revenue Department, dated 9th May and 7th July 1860, Nos. 745 and 1,120, respectively.

In Cons. 10*th May* 1860.
In Cons. 9*th July* 1860.

2. The Board see no reason to doubt that the Jáhgírdár is acting in bad faith in the matter of these family pensions at the instigation of his unscrupulous adviser, the so-called Dewán, who is, the Board believe, a man who was dismissed from the post of Tahsíldár in the Government service.

3. It is much to be regretted that a well disposed person in the Jáhgírdár's position should be swayed by so bad an influence, but he is free to choose his agents, and must bear the odium attaching to their administration. The Board trust that efficient means may be found to compel him to fulfil his engagements.

(A true Copy and Extract.)
(Signed) W. HUDLESTON, *Acting Secretary.*

No. 420. ORDER THEREON, 24th December 1860, No. 2,495.

1. The Board of Revenue forward with their opinion a report from the Acting Collector of North Arcot on two petitions from relations of the Jáhgírdár of Arnee, complaining of his having withheld from them the allowances to which, by usage, they are entitled.

2. These complaints formed the subject of the orders of Government of 9th May and 7th July last Nos. 745 and 1,120, respectively. In the former of those orders, the Government examined into the clauses of the Sanads granted to the present Jáhgírdár and his father, and found that their authority to interfere in such cases was distinctly laid down. They observed also that in previous instances, matters had been arranged amicably without their intervention, and they therefore directed the Collector, besides satisfying himself on certain points in connection with the claim, to call upon the Jáhgírdár to state why he did not continue the allowance as usual.

3. The Jáhgírdár in reply has attempted to impugn the validity of the deed on which the claim was based. This allegation the Collector and the Board agree in thinking, is not borne out by the evidence adduced, and they therefore recommend that means be taken to compel him to fulfil his obligations.

4. Regarding the claim alluded to in the order of 7th July, the Collector does not appear to have made any specific enquiry; but he implies that the Petitioner has rights which, in common with those of others, must be settled in accordance with the decision arrived at in the case of Venkat Ráu, referred to in the order of 9th May.

5. With regard to Venkat Ráu's claim, the Governor in Council is quite satisfied that it is a fair one, and that the objections of the Jáhgírdár are merely put forward with the hope of evading his just debts. He resolves therefore, to authorize the Collector, through the Board of Revenue, to inform the Jáhgírdár that unless a settlement is come to in the present instances as well as in the cases of other claimants who have right on their side, within a month from receipt of this order, such further steps will be taken as may seem to the Government just and proper.

6. The Governor in Council will only remark in conclusion that in deciding a claim of this kind it is by no means necessary that documentary evidence such as Venkat Ráu possesses, should be invariably expected. A list such as that contained in Extract Minutes Consultation of 13th March 1832, No. 269, is quite sufficient to establish the claims of the parties therein mentioned or their direct descendants.

7. The Government are of opinion that it would be advisable for the Jáhgírdár to employ some other person as his Dewán.

(Signed) C. G. MASTER,
Deputy Secretary to Government.

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Revue Deptt.

No. 2495.

Proceedings of the Madras Government
Revenue
Under date the 24th ~~June~~ December 1860

Read the following Proceedings of the Board of Revenue.

Submitting with the Board's observations a letter from the Acting Collr. of North Arcot furnishing the information required by Govt. as to the genuineness of certain Document alluded to in their order dated 9th May 1860 No. 745.

(Here enter 9th Novr. 1860 No. 5206)

1. The Board of Revenue forward with their opinion a report from the Acting Collector of North Arcot on two petitions from relations of the Jáhgírdár of Arnee, complaining of his having withheld from them the allowances to which, by usage, they are entitled.

2. These complaints formed the

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the subject of the orders of Govt. of 9th May and 7th July last Nos. 915, and 1120, respectively. In the former of those orders, the Government examined into the clauses of the Sanads granted to the present Jahgirdar and his father, and found that their authority to interfere in such cases was distinctly laid down. They observed also that in previous instances, matters had been arranged amicably without their intervention, and they therefore directed the Collector, besides satisfying himself on certain points in connection with the claim, to call upon the Jahgirdar to state why he did not continue the allowance as usual.

3. The Jahgirdar in reply has attempted to impugn the validity of the deed on which the claim was based. This allegation the Collector and the

the Board agree in thinking, is not borne out by the evidence adduced, and they therefore recommend that means be taken to compel him to fulfil his obligations.

4. Regarding the claim alluded to in the order of 7th July, the Collector does not appear to have made any specific enquiry; but he implies that the Petitioner has rights, which in common with those of others, must be settled in accordance with the decision arrived at in the case of Venkat Rau, referred to in the order of 9th May.

5. With regard to Venkat Rau's claim, the Governor in Council is quite satisfied that it is a fair one, and that the objections of the Jahgirdar are merely put forward with the hope of evading his just debts. He resolves

therefore,

Relating to Petitions from the relatives of the Jahgeedar of Arnee.

therefore, to authorize the Collector, through the Board of Revenue, to inform the Jahgeedar that unless a settlement is come to in the present instances as well as in the cases of other claimants who have right on their side, within a month from receipt of this order, such further steps will be taken as may seem to the Govt. ~~right~~ just and proper.

6. The Governor in Council will only remark in conclusion that in deciding a claim of this kind it is by no means necessary that documentary evidence such as Pentah Raw possesses, should be invariably expected. A list such as that contained in Ex: Mins: Cons: of 13th March 1832, No. 269, is quite sufficient to establish the claims of the parties therein mentioned or their direct descendants.

* Para 7. The Government are of opinion that it would be advisable for the Jahgeedar to employ some other person as his Dewan.

Copies to Board of Rev. Dis. 26 ult. I would advise submitting to the Govt. for an opinion whether it was advisable that he should be allowed to employ some other person as his Dewan

6th Dec. 37

19-9-07
22-12-17
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Revenue 1860 Dept^t
Pro: of Govt for December —

№ 2495

Pro: of the Madras Govt.
Dt 24th December 1860.

Further Proc^s 5th March 1861
№ 531.

Extract Board of 23d April 61 & Dl 61
& Nos 1045 & 2490 in Pro 23 Dec 61
& No 2029 —

On two Petitions from
relations of the Jagirdar
of Arnee in North Arcot
respecting their allow-
ances.

Pro of the Bd of Rev Dt
17 July 62 Cl № 2436

R. No. 39-40
13-3-1832
128-129
10-5-1860
73-74
7-7-1860