

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 533	Press ~~Mis.~~
65	
Dated	11. 3. 1862

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
11th March 1862.*

No. 165. *PROCEEDINGS OF THE MADRAS GOVERNMENT.*

Dated 11th March 1862, No. 533.

Read again letters from the Inám Commissioner, dated 18th November and 20th December 1861, Nos. 62 and 73, recorded in Proceedings, 23rd December 1861, No. 2,316 and 9th January 1862, No. 34:—

1. With the first letter recorded above the Inám Commissioner forwards a draft of the Instructions which he proposes to issue for the guidance of the Deputy Collectors about to be employed in the Inám Settlement in the Tanjore District.

2. The principal point on which the orders of Government are required, relates to the course to be adopted in enfranchising Ináms held on Sanads, of which there are three kinds, viz.:—

- (1.) Sikka Sanads, or original grants under the Royal Seal.
- (2.) Dafter Ruka Sanads.
- (3.) Arzi Ruka Sanads.

3. The total estimated area of Ináms of all descriptions amounts to 34,000 Velis and of this rather more than two-thirds or 23,000 Velis are held under Sanads of one kind or the other.

4. Mr. Taylor points out that under the present rules all these Sanad Ináms are valid, and he discusses at length the plea raised on the part of the Inámdárs that their Ináms are already freeholds which need no further enfranchisement, and that therefore there is no reason for imposing any quit-rent upon them.

5. His Excellency in Council will not follow the Commissioner through his argument. He agrees in the conclusion at which Mr. Taylor has arrived, viz., that the reversionary right to these Ináms has never been formally relinquished by Government, and it only now remains to be considered whether or no any modification should be allowed in applying the existing Rules to the settlement of the Ináms held on grants.

6. By Section V of the Rules an Inámdár, who is a descendant of the original grantee, can convert his tenure into a freehold by paying a quit-rent of one-eighth, one-fourth or one-half of the existing or estimated Assessment of the land according to his position as to heirs, i. e. if he has, or is likely to have competent heirs he pays the first named sum: if he has only terminable heirs, the second; and if without heirs of any kind or the possibility of having any, the third sum is demanded.

7. On the ground that the foregoing Rule was only intended to apply to the large mass of Ináms held on the strength of mere prescription, or of Sanads of questionable validity, Mr. Taylor would, in cases of Ináms held on Sanads issued by competent authority, allow the actual tenure to be explained by the terms of the grants. He points out in paragraph 2 of his letter that it was always intended that where perfect titles of a permanent character exist, an exception should be made in their favor. Regarding the Ináms held on the *Sikka* Sanads of the Tanjore Rajahs, as coming within this exceptional class, on account of their hereditary and permanent nature, he would confirm their holders, when *unwilling* to enfranchise, not on the limited terms as to succession, escheat, and adoption, prescribed by Clause 1, Section V of the Rules, but on the broader tenure specified in Clause 1, paragraph 11 of the Instructions now under review, i. e. succession will not be confined to direct lineal heirs and undivided brothers but will include lineal, collateral and adopted, divided or undivided, male or female heirs and only on failure of all such can the Inám revert to Government.

8. Where *willing* to enfranchise, Inámdárs holding under *Sikka* Sanads and possessing heirs as above mentioned, "who are capable of continuing the family" will pay a quit-rent of one-eighth; if they have only "terminable" heirs they will pay a quit-rent of one-quarter, and if they are "not possessed of heirs of any kind" they will pay a quit-rent of half according to Clauses 3, 4 and 5 of Section V of the Rules. Mr. Taylor also proposes that the rate of one-eighth should be applicable to cases of childless widows holding *Sikka* Sanad Ináms and having heirs of any of the descriptions referred to in paragraph 7, provided, the Government presume, they are not terminable.

(5) *original*

3 The total estimated

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11th March 1862.

9. These privileges Mr. Taylor would not extend to Ináms held on Daftar Rukas and Arzi Rukas. He thinks that these, like other Ináms held on imperfect Sanads, should come under the general rules. Mr. Cadell, however, who has had an opportunity of inspecting the Commissioner's draft Instructions, observes,* in a communication which Mr. Taylor has forwarded with the second letter recorded above, that the reason for making a distinction between Ináms supported by Sikka Sanads and those supported by grants in other forms, is not very obvious, "inasmuch as the objections which might be raised in the case of the one" would in his judgment be equally applicable to the other. Mr. Taylor adheres to his previously formed opinion for reasons stated in paragraph 2 of his letter dated 20th December last, No. 73, and on due consideration of all that has been stated the Government decide upon adopting the Commissioner's view of the case.

10. The settlement of these Ináms will therefore proceed in the manner proposed in paragraphs 11 and 12 of the draft Instructions.

11. The adoption of the mode of dealing with excess found in the extent of Ináms which is laid down in paragraph 4 of the Despatch from the Secretary of State, dated 29th June 1860, No. 38, as proposed in paragraph 15 of the Instructions, is also approved.

12. The remaining paragraphs call for no remark.

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

Rev. 7 500 P. S.
W-533.

Proceedings of the Madras Government
under date the 11th March 1862

Had again letter from the
Comr. of 18th Dec or 20th Dec 61 No 62973
recorded in No. 23 Dec 61 No 234649
Jan 62 No 34 — first

With the foregoing
recorded above
letter the Commissioner forwarded
a draft of the instructions which he pro-
poses to issue for the
guidance of the
Deputy Collectors
about to be employed
in the Inám Settlement
in the Tanjore Dis-
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2. The principal point
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Govt are required relate
to the course to be adopt-
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Ináms held on Sanads,
of which there are three
kinds viz.

- (1) Sikka Sanads, or
original grants under
the Royal seal.
- (2) Daftar Nukh Sanads
- (3) Arzi Nuka Sanads.

3. The total estimated

Influence of this

to the

the

area of Inams of all
descriptions amounts
to 34,000 Kedis, and
of this rather more
than two-thirds or
23,000 Kedis are
held under Sanads
of one kind or the
other.

4. Mr Taylor points
out that under the
present rules all
these Sanad Inams
are valid, and he
discusses at length
the plea raised on
the part of the Inam
Dars that their Inams
are already freeholds
which need no further
enfranchisement
and that therefore
there is no reason
for imposing any
quit rent upon
them.

5. His E. in Council
will not follow
the Commissioner

through his argument.
He agrees with him in the
conclusion at which
Mr Taylor has arrived
viz - that the rever-
sionary right to
these Inams has
never been formally
relinquished by
Government, and
it only now remains
to be considered
whether or no any
modification should
be allowed in apply-
ing the existing Rules
to the settlement of
the Inams held on
grants.

6. By section V of
the Rules an Inamdar
who is a descendant
of the original grantee
can convert his tenure
into a freehold by
paying a quit rent
of one-eighth, one-fourth
or one-half of the

existing or estimated
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land according
to his position as
heir - i.e. if he
has, or is likely to
have competent
heirs, he pays the
first named sum;
if he has only termi-
nable heirs, the
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1
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conform their holders, whether
childless or

of competent heirs when unwilling to enfranchise, not on the limited terms as to succession, escheat, and adoption, prescribed by clause 1 Section 4 of the Rules, but on the broader tenure specified in clause 1 para 11 of the instructions now under review. i.e. succession will ^{be} not confined to direct lineal heirs and undivided brothers but ^{will} include lineal, collateral and adopted, divided or undivided, male or female heirs and only on failure of all such can the main reversion to Govt. 8. Where willing to enfranchise, Indians holding under Sikka Samads and populating

8. Populating heirs as above mentioned, who are capable of continuing the family, will pay a Dist Rent of $\frac{1}{8}$ if they have only "terms" noble" heirs they will pay a Dist Rent of $\frac{1}{2}$ if they are not populated of heirs. i.e. to parties possessing of any kind" either competent or terminable heirs. Mr Taylor also proposes that the foregoing rate should ~~be~~ be applicable to cases of children widows, who have hitherto ^{only} been allowed to enfranchise their widows on payment of half assessment, but he states in para 2 of his letter under review that such cases will not be found to be numerous. 9. These privileges Mr Taylor would not are not terminable extend to Indians held

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in other forces, is
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tions which might be
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13 Dec 1861 R.

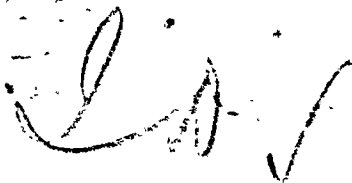
6
Mr Taylor adheres to
his previously formed
opinion for reasons
stated in para 2 of
his letter d/20 Dec
last No. 43. and on
due consideration
of all that has been
stated the Govt de-
cide upon adopting
~~Mr Taylor's~~ the Com-
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10. The settlement of
these Indians will
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cgw



John A. George
11th March 1862

of Capt. the Hon. Comd. } with Pro. 34/62.
11th March 1862

Pro: 23^d December 1861 N^o 210-211
" 9 January 1862 " 65-66.

Copy in a Letter to England
of 17th April 1862

Regarding the instructions
proposed to be issued to Dy.
Collectors to be employed in the Shan
settlement in Yangon.

Revenue 1862 Depart^t.
Pro: of Gov^t for March.

N^o 533.

Pro: of the Madras Gov^t
of 11th March 1862.

From the Shan Commission
of 13th August 1863. C. N^o 1927.

Passing orders on
Shan Commission's revised draft
instructions which he pro:
posed to issue for the guidance
of Dy. Collectors about to be
employed in the Yangon Dist^t.

N^o 165.