

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 760

Press
~~Mis.~~

9/

Dated

3-10-1862

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
5th April 1862.*

No. 91. PROCEEDINGS OF THE MADRAS GOVERNMENT.

Dated 5th April 1862, No. 760.

Read again letters from the Inám Commissioner, dated 11th and 22nd February, Nos. 5 and 6, and recorded in Order of Government 24th March 1862, No. 647 :—

1. In the first of these letters the Inám Commissioner submits draft of his instructions to his Deputy Collectors in Vizagapatam and Ganjam.

2. The following are the points on which the orders of Government are required.

3. (I.) The postponement of the Settlement of Ináms in the Zamíndári of Jeypoor. The Government are satisfied that this is unavoidable under present circumstances.

4. (II.) The treatment of some grants made by the Chiefs in Council in Waltair, in or about 1790. The grants were for 99 years for building purposes and as gardens, the quit-rent not generally exceeding one Rupee on each holding, and the condition being the reversion of the land, with all buildings and improvements at the end of the lease. Mr. Taylor proposes, however, to enfranchise them on a quit-rent of $\frac{1}{4}$ and $\frac{1}{2}$ of the improved value of the land, $\frac{1}{2}$ where the leases have less and $\frac{1}{4}$ where they have more than 30 years to run, adding where there are buildings, 5 per cent. of their present value. These proposals are approved. There are similar tenures in Madras and elsewhere, which may with advantage be similarly treated.

5. (III.) In paragraph 9 of his Instructions, dated 25th January 1862, Mr. Taylor notices some Ináms improperly charged with quit-rent payable to the Zamíndár of Vizianagram during the period the Estate was managed by the Officers of Government. The Zamíndár has received this quit-rent since 1835, and Mr. Taylor proposes not to disturb it. Under the circumstances this seems the best course, as the act was that of Government Officers.

6. (IV.) Some Mukhasas which ought to have lapsed to Government, have been appropriated by the Zamíndárs on failure of heirs. Mr. Taylor (paragraph 12 of his Instructions referred to above) proposes to treat these under Clauses 2 and 3 of paragraph 16 of the Rules, i.e. like Ináms granted by persons having no power to make such grants. By this rule, if the Inám was founded on fraud it is to be fully assessed; but if the present incumbent was not a party to the fraud only $\frac{2}{3}$ rd assessment is to be charged. Clause 3 prescribes that when the Inám was not founded on fraud and there has been length of possession, $\frac{1}{2}$ assessment is to be imposed. As the Zamíndárs must have been perfectly well aware that the reversionary right in these Mukhasas vested in the Government, Clause 3 seems inapplicable and too liberal. The Mukhasas in question should all be dealt with under Clause 2.

7. (V.) The treatment of the Mukhasa tenures in the ancient Zamíndáris of Ganjam.

8. It has always hitherto been held that the quit-rent only of these was taken into consideration when the Peshkash of the Zamíndáris was fixed. Mr. Taylor, however, has arrived at a different conclusion.

9. There were no fixed assets and no proportion of the value of each Estate was taken as the Peshkash. The Board had certain accounts before them and on these framed a Peshkash for each property. It is, therefore, mere matter of inference whether the full value or only the quit-rent of these Mukhasas was taken into consideration.

10. One of the accounts regarded by the Board was prepared by the Circuit Committee, but it was set aside as too high. In this the full value of the Mukhasas was entered. Another account was the value of the Zamíndáris as returned by the owners. This also evidently included the Mukhasas in full, but on the other hand the valuation of the villages was extremely low. The Board's Peshkash in one instance is above, in all the rest below, the values thus assigned; so that no safe inference can be drawn one way or the other.

C.F. 73.

DEPARTMENT.

Paper taken out of the Records from the charge of the Referencer.

Press
Miscellaneous No. 760, dated 5-4-1962
Routine.

Date taken out.	FOR WHAT PURPOSE.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
29/6/83	10754					
20/6/83						
29/12/83						
23/12/83	Rd					
15/9/83	R.O					
3/9/83	Rd					

*Proceedings of the Madras Government, Revenue Department,
5th April 1862.*

11. The third account was one of the average collections of 17 years. This only included the quit-rent of the Mukhasas. In some cases the Peshkash was above, and in others below these averages, so that this account also forms no sure guide. The fourth account comprised similar averages for 34 years, and also included only the quit-rent of the Mukhasas. Mr. Taylor however gives no abstract of this.

12. Here then the matter rests so far as certainty is considered.

13. Mr. Taylor makes no allusion to the Sanads if such documents are still forthcoming, on which these estates are held. If these do not specially reserve Lakhiray lands, then it appears to the Government that they have no right to these Mukhasas; if however they do, the fairest inference seems the reverse of Mr. Taylor's conclusion, for the Regulation is clear that such lands shall be excluded from the assets; and probably the Board attached little consequence to the inclusion of these old grants in the Zamindar's accounts seeing that the Zamindars largely reduced the value of their other assets. The question will be referred to the Board who will be good enough to confer with Mr. Taylor personally at an early date and report whether he satisfies them as to his view being sound.

14. The want of a survey of known land measures and even of fixed assessments, render it necessary that the proceedings of the Deputy Collectors in these Districts should be carefully scrutinized by the Commissioner.

15. Mr. Taylor's second letter of 22nd February refers to three villages in Vizagapatam. Under the circumstances therein reported nothing can be done in regard to these at present.

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

Memorandum

Mr. Taylor in this letter submits drafts of his instructions to his Deputy Collectors in Vizagapatam and Ganjam.

The following are the points on which orders are required:

I. The postponement of the Settlement of Ariamoo in Sappoor. This is unavoidable - there are no accounts and it will be well to leave matters as they are till the country is brought under rule.

II. The treatment of some grants made by the

Wm
is not done -
is not done -
is not done -

the Chiefs in Council
in Wallair in or about
1790 - The grants were
for 99 years for building
purposes and gardens -
the quit rent not gene-
rally exceeding 1 Rupee
in each holding, and the
condition being the re-
version of the land, with
all buildings and im-
provements at the end
of the lease - These are
not Incans, but leases.
Mr Taylor proposes
however to enfranchise
them on a quit rent
of $\frac{1}{4}$ and $\frac{1}{2}$ of the im-
proved value of the land -
 $\frac{1}{4}$ where the leases have
less and $\frac{1}{2}$ where they

have more than 30 years - I would deal with these
to piece, adding where there lands as the Commissioner
and buildings, 5 per cent of the present value of
these -

proposes & then end the
matter. Ely.

These should be looked at
W.D.

much better with the matter now
yes
W.D.

page 10 of 10

There are some similar
leases in Madras - with
a quit rent and fines
on renewal after each
period of 33 years - The
Govt have abandoned the
fines but have come to no
decision as to the condition
that land and buildings
shall ultimately lapse
to the state -

Private individuals
may and do enforce such
conditions but whether
the Government can do
so remains to be seen -
The present question how-
ever is only whether the
Government will treat
these leases, as Incans,
on the terms proposed
by Mr Taylor, or leave
the whole question to
be dealt with by the
Government of the day
when the terms expire -
In para 9 Mr Taylor
notices some Incans
improperly charged.

with

clause 3 seems inappropriate and too liberal.

The treatment of the Mucasa houses with the ancient zemindaries of Ganjam.

It has always hitherto been held that the Quit Rent only of these was taken into consideration when the Peshkash of the zemindaries was fixed. Mr. Taylor however has arrived at a different conclusion.

There were no fixed rates and no proportion of the value of each estate was taken as the Peshkash. The Board had certain accounts before them and on these framed a Peshkash for

yes. Clause 3 is too liberal & they should be dealt with under clause 2.

W M

for each property. It is therefore merely a matter of inference whether the full value or only the Quit Rent of these Mucasa houses was taken into consideration.

One of the accounts was prepared by the British Committee but it was set aside as too high. In this the full value of the Mucasa houses was entered. Another account was the value of the zemindaries as returned by the owners. This also evidently included the Mucasa houses full but on the other hand the valuation of the villages was extremely low. The Board's Peshkash

in our instance as above,
in all the rest below,
the values thus assigned,
so that no safe infer-
ence can be drawn one
way or the other.

The 3^d account was one
of the average collection
of 17 years. This only
included the Quit Rent
of the Mocrasals. In
some cases the Quit Rent
was above, and in others
below these averages,
so that here also we
have no pure guide.

The 4th account comprised
similar averages for 34
years, and also included
only the Quit Rent of
the Mocrasals. Mr.
Taylor however gives us
abstract of this.

There, then, the
matter

matter rests, so far as
certainty is considered.

Mr. Taylor makes
no allusion to the sum
if ^{such} documents are still
forthcoming - on which
these estates are held.
If there do not specially
reserve Lakhiraj
lands, then the Govt. have
no right to these Mocras-
als - if however they do,
the fairest inference is,
I think, the reverse of
Mr. Taylor's conclusion -
for the regulation is
clear that such lands
shall be excluded from
the assize, and probably
the Board attached
little consequence to the
inclusion of these old
grants in the preceding
accounts seeing that they
largely

largely reduced the value
of their other assets.

There were altogether
250 of these Moossats
and all but 4 had by
1852 passed into the
hands of the zemindars who, Mr. Taylor
says, would resist any
interference now with
"which class is the majority."

They order therefore
whether as a matter
of policy, Government
will waive their claims,
or whether they would
wish the question looked
into by the Board.
The Board may throw
some light on the subject.

The want of sur-
vey of known land
measures, and even
of fixed assessment
will render it necessary
for

The Board can be desired
to examine Mr. Taylor to a
personal conference & report
whether he satisfies them
as to his views being sound.

Wm. M.

for the Commissioner
carefully to scrutinize
the proceedings of his
Deputies in these
Districts.

Mr. Taylor's second
letter refers to 3 villages
in Vizagapatnam. Under
the circumstances nothing
can be done in regard
to these at present.

J. D. S.

Memo
On Mr. Topley's draft instructions
to his Deputy Collectors
in Vizagapatnam and Ganjam.

Rev Dept.

No 760.

Proceedings of the Madras Government
under date the 5th Oct. 1862.

Read again letters
from the Madras Commis-
sioner dated 11th and
22nd February 1862 and
and recorded in order
of Government 24th March
1862 No 647.

1. In the first of
these letters the Madras
Commissioner submits
draft of his instructions
to his Deputy Collectors
in Vizagapatnam and
Ganjam.
2. The following are
the points in which
the orders of Govt are
requred.
3. (1) The postponement
of the settlement of land
in

Draft to be sent
to Secy

3752 B 22d June
Q 22 March 1862

in the Zamindari of
Leyport. The Govt are satisfied that
this is maintain-
able under present cir-
cumstances -

~~at 433 rupees, and the
Government think that
it will be well to leave
matters as they are till
the country is brought
under rule.~~

4. (II) The beatments
of some grants made
by the Chiefs in Council
in Molkait in or about
1790. The grants were
for 99 years for building
purposes and ^{as} gardens -
the quit rent not gene-
rally exceeding Ru-
pee on each holding,
and the condition being
the reversion of the land
with all buildings
and improvements to

at the end of the term.
~~There are no grants~~
~~of this kind~~ Mr Taylor
proposes

proposes however to en-
franchise them on a
quit rent of $\frac{1}{4}$ and
 $\frac{1}{2}$ of the improved
value of the land $\frac{1}{2}$
where the leases have
less and $\frac{1}{4}$ where they
have more than 30
years to run, add-
ing where there
are buildings, 5 per
cent of their present
value. These proposals
are ~~granted~~ approved.

There are similar tenures
in Madras and else-
where which may
with advantage be
similarly treated.

5. (III) In para 9
of his Instructions
dated 25 January
1862 Mr Taylor notes
some Inams improp-
erly charged with
quit rent payable
to the Zamindars of
Vijayanagram during
the period the State
was

was managed by the
Officers of Government.
The Zemindar has re-
ceived this Dist Dist
since 1835 and a Mr
Taylor proposes not
to disturb it. Under
the circumstances
this seems the best
course, as the Govt
was that of Govern-
ment Officers

6. (iv) - Some Mocapsahs
which ought to have
passed to Government
have been appropriated
by the Zemindars on
failure of heirs. Mr
Taylor (para 12 of his
Instructions referred to
above) proposes to treat
these under Clauses
2 & 3 of para 15 of the Rules
i

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by persons having no power
to make such grants. By
this rule, if the Inam
was founded on fraud
it is to be fully assessed
but if the present incumbent
was not a party to the fraud
only $\frac{2}{3}$ assessment is to be
charged. ~~This rule may~~
~~well enough be applied,~~
~~but~~ Clause 3 prescribes
that when the Inam was
not founded on fraud and
there has been length of
possession, $\frac{1}{2}$ assessment
is to be imposed. As the
Zemindars must have
~~been perfectly well aware~~
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in these Mocapsahs was
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3 seems inapplicable and
too liberal. The Mocapsahs
in question should all be
dealt with under Clauses
7. (v) The treatment of
the Mocapsah tenures in
the ancient Zemindaries
of Ganjam.

8. It has always hitherto been held that the Quit Rent only of these was taken into consideration when the Teshench of the zemindaries was fixed. Mr. Taylor however has arrived at a different conclusion.

9. There were no fixed assets and no proportion of the value of each estate was taken as the Teshench. The Board had certain accounts before them and on these framed a Teshench for each property. It is therefore mere matters of inference whether the full value or only the Quit Rent of these Mocafaks was taken into consideration.

10. One of the accounts regarded by the Board was prepared by the Circuit Committee but it was set aside as too high. In this the full value of the Mocafaks was

was entered. Another account was the value of the zemindaries as returned by the owners. This also evidently included the Mocafaks in full but on the other hand the valuation of the villages was extremely low. The Board's Teshench in one instance is above, in all the rest below, the values thus assigned, so that no safe inference can be drawn one way or the other.

11. The 3^d account was one of the average collections of 17 years. It only included the Quit Rent of the Mocafaks. In some cases the Teshench was above, and in others below these averages so that this account also forms no sure guide. The 4th account comprised similar averages for 36 years, and also included only the

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however gives no abstract
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The question will be
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sound.

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of known land measures
and even of fixed apais
renders it necessary
that the proceedings of
the Deputy Collectors
in these Districts should
be ^{carefully} scrutinized, ^{by the} ~~and the~~
~~Commissioner~~
~~Government~~ trust that
Mr. Taylor will carefully
attend to this duty.

15. Mr. Taylor's second
letter of 22nd February -
refers to three villages

in

in Vizagapatnam. Under
the circumstances in
there is reported nothing
can be done in regard
to these at present.

Id

14 Copies to the Rajah
with 5 Copies of letter.

24. From Commission
with 15 do do
+ 6 already sent
21

Copy in a Letter to England
of 2^d May 1862

On Mr. Taylors Draft in
instructions to his Dy. Collectors
in Vizagapatam and Ganjam

Revenue 1862 Department
Pro. of Govt for April

5760

Pro. of the Madras Govt.
of 5th April 1862.

From 30 May 1862 (No. 1617)
Muzkhasa tenures in the District
Zamindars of Ganjam (No. 5 Aug. 62)
No 1736.

Passing orders on
letters from Inam Commis-
sioner submitting draft
instructions to his Deputy
Collectors in Vizagapatam
and Ganjam.

11-10-92
10/2/96

7-11-15

1-6-07

29-12-10

26-8-11

24-7-17

13-11-19

1-7-20

22-3-21

v.91.

5-11-11