

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1701	Press ~~Mis.~~
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Dated	16-9-191863

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
16th September 1863.*

No. 203. Read the following letter from W. T. BLAIR, Esq., Acting Inám Commissioner, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Coimbatore, 8th September 1863, No. 55:—

SIR,

1. I have the honor to submit, for the approval of Government, a Draft of Instructions for the guidance of the officers who are to be employed in the settlement of Ináms in the District of Malabar.

2. As the several points are fully discussed in the Instructions, no special notice of any of them seems called for in this place.

3. The Government will observe that the total annual value of the Ináms of Malabar does not exceed 30,000* Rupees, and that the individual cases are not more than 300 in number, dispersed over ten Talooks of an extensive District.

* Besides those in Vétátnad.

4. I propose, with the permission of Government, to place the conduct of the Inám settlement in Malabar in the hands of the Collector, who has expressed his readiness to undertake the duty on being furnished with the services of a small Establishment not materially exceeding that of a Deputy Collector attached to this Department.

5. The peculiar circumstances of Malabar require that the settlement of its Inám tenures should be conducted by officers who are familiar with the language and revenue affairs of the District.

6. There is no Deputy Collector in the Commission possessed of a knowledge of Malayalam, and even if there were, it would be hardly worth while employing his services in the task of registering a number of Pagoda Ináms, when the work could be done more conveniently and at less cost by the District agency itself, with the assistance only of a small extra Establishment.

7. Mr. Ballard wishes a monthly sum of Rupees 200 to be placed at his disposal with discretion to entertain hands from time to time as occasion may require.

8. A large portion, if not the whole, of the extra agency will be employed under his orders in making a preliminary rough survey of the Ináms of Vétátnad, which are believed to be the most important in the District. There are no accounts for this Division later than 1810, and the interests of Government imperatively require that a close inspection and measurement should be made of its rent-free tenures.

9. The settlement of Malabar will not probably occupy more than five or six months, nor the cost of the extra agency required, exceed Rupees 1,200. This will be more than re-paid by the additional revenue accruing to Government from the assessment of fraudulent encroachments of Inámdárs, which are supposed to be of the value of at least Rupees 10,000 per annum exclusive of Vétátnad.

† Under the head of Deputy Collectors and their Establishments, viz. :—
The undrawn portion of the salary, Establishment and other charges of the Deputy Collector, who is now Acting for the special Assistant, absent on duty at Calcutta.

10. There will be ample savings in the current year's Budget,† and out of these I propose the additional cost to be met.

11. As Mr. Ballard is prepared to begin the work as soon as he has the authority to entertain the extra Establishment applied for, I solicit the favor of the Government issuing early orders on the subject, so as to admit of the settlement of Malabar being completed within the current official year, that is, within the same period that the work elsewhere is expected to be brought to conclusion.

Proceedings of the Inám Commissioner, dated Coimbatore, 13th August 1863, No. 40.

1. The Province of Malabar formed part of the Kingdom of Mysore, and was ceded by Tippu Sultan to the British Government in 1792. Its division into North and South Malabar is no longer recognized in the public accounts, and is not necessary to be kept in view with reference to the Inám tenures, which are alike in both Divisions. There are in Malabar no Palayems, Zamindaries, or other similar tenures, which are met with in other Districts of the Madras Presidency.

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2. The soil in Malabar is the inheritance of individuals, whose absolute private property therein has been known and recognized from time immemorial under the name of "Jenm." The person, in whom such right vests, is called the Jenmika, who usually lets out his lands to actual cultivators on various subordinate tenures, known as Páttam, Kánam, Otti, &c. The rent, received by Jenmika, is known as Páttam, and the portion of it that is payable to Government, is called Nihudi.

3. The term Inám, therefore, as applied to the District of Malabar, means an assignment of the "Nihudi" to individuals or Institutions, without any further right to the land or its proceeds out of which such assignment is made. Thus, when it is said that certain lands, the annual gross produce of which amounts to 15,030 Paraís (ஹெப) of grain, are Inám, the several proportions, in which such produce would be shared according to local usage, would be as follows:— 3,300 Paraís set apart for seed, 3,300 Paraís to meet charges of cultivation, 2,800 Paraís the share of the actual cultivator, and 5,600 Paraís the Páttam or rent payable to the Jenmika, out of which 3,650 Paraís would be the Nihudi or Mélváram of Government, taken in the proportion of 65 per cent. This last item is commuted in money at $1\frac{1}{2}$ Fanams per Parai, the Fanam being in their turn reduced to Rupees at $3\frac{1}{2}$ per Rupee. In the instance given above, such commuted value would amount to Rupees 697. To this, however, must be added 10 per cent., a cess imposed by

* Only in South Malabar. Tippu Sultan* on account of charges of collection, and the sum of both, viz., Rupees 766, represents the commuted "Nihudi" or annual value of the Inám tenure to be dealt with by this Department. In Arshed Beg's settlement (1874-75) of South Malabar the general rates given are as Rayat's share ... 55 Jenmi Varom 45 per cent. of the gross produce; and the Nihudi payable by the Jenmi as two-thirds of his Varam, or we may take as a not uncommon division

	Gross produce	...	...	...	100
Rayat ...	Sowing seed	...	...	10	
	Expenses of cultivation	...	...	10	
	Cultivator's share	...	...	26 $\frac{1}{2}$ —46 $\frac{1}{2}$	
	Jenmi	...	...	18 $\frac{1}{2}$	
	Government assessment	...	...	34 $\frac{1}{2}$	
				100	

Considerable minor varieties prevail. In many instances the Jenmi of the Inám lands also vests in the Institutions to which they are assigned. This circumstance; however, for obvious reasons, does not alter the nature of the Inám tenure, as described above.

4. Ináms in Malabar consist almost exclusively of endowments for the support of Pagodas, Chattrams and Mosques. Their number is about 300, and their estimated value, according to the latest returns, is not quite 30,000 Rupees, as shown in the margin.† Under the name of Koilagams are certain lands of the annual rental of Rupees 800, occupied as sites of ancient Palaces and Aghahams, which are exempt from assessment by long prescription. There are also said to be several Ardhamáníyams, held for personal benefit; one by the Bibi of Cannanore and the others by Nairs of good family.

	Rs.
† Pagodas	20,087
Chattrams	4,344
Mosques	3,570
Koilagams, &c.	401
	28,402

5. In the above return, however, the value of the Ináms of Vétátnad (usually called Betatnad in correspondence) is not included, as that Division was not measured when the return for the rest of the District were compiled in 1853. The Ináms of this Division are said to be the most important in the District, but no data were at hand from which to ascertain their probable value or extent.

6. The Records of the District do not show that any investigation into, or formal registration of, the titles of Ináms was ever made. But returns of such tenures, containing more or less detailed information, appear to have been obtained from time to time by the District

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authorities, and these will prove generally sufficient for the purposes of registration and settlement, required by the rules of the Inám Commission. The chief of these statements are enumerated below:—

A. The oldest Return is dated 1794, and known as Giriappaier's Jamabandi. This Return is said to contain a mention of the Ináms. But being very incomplete it may not be of much use to the settling officers.

B. The next is known as "Jenma Paimaish, compiled in Mr. Smith's time, dated 1798, and giving particulars of Circar and Maniem fields with the number and description of the trees standing thereon. This account, like the preceding, is said to be available only for portions of the District.

C. The Maratti Paimaish account, dated from 1807 to 1809, is a valuable register of lands embracing the results of a rough Native survey of all descriptions of land, distinguishing those liable to assessment from those held as Inám, and giving the following particulars regarding both:—

1. The names of the Hobalis (Sub-Division), Amsams (i. e. Karnam's Vattam) and Désams (i. e. village).
2. Ditto of the Jenmis.
3. Ditto of cultivators.
4. Ditto of field.
5. Quantity of seed (நெடுவிலத்து).
6. Páttam.
7. Quantity of seed as stated by the Rayat.
8. Páttam as stated by ditto.
9. Total superficial contents in Gubis.
10. Deduction on account of Porambók.
11. Remainder or net area.
12. Whether one or two crop.

D. Next in order of date are two statements of Ináms, one for South Malabar, dated 1810, the other for North Malabar, dated 1811. Besides the usual information of names of Hobali, Amsam, Désam, number and name of field and its sub-divisions or Khandums; quantity of seed, Wáram or Páttam, name of Paramba or Cocanot topos, all of which particulars are contained in both the Returns under notice; the former gives the names of the granters and grantees, date of grant, number of seed-beds attached to the fields and the sub-tenure or Kanam. These statements being in fact returns of Ináms as they stood fifty years ago, are of much importance in the present settlement.

E. The latest return of Ináms is that of 1857-58, when all Maniem lands in the District (with the exception of Vétátnad) were measured and valued, as they then stood, without any formal scrutiny into their titles. Much useful information is furnished by this account, which it is unnecessary to detail here.

7. Although these accounts profess to furnish authentic information regarding the Ináms, their evidence is of a very conflicting nature, and hence none of them can be adopted as the only trustworthy one to the exclusion of the others. A rough comparison made between the old accounts and the return of 1858, showed that at the latter period there were 2,054 fields with an estimated revenue of Rupees 10,000 or 12,000, enjoyed as Inám in the whole District (with the exception of Vétátnad which, as already observed, was not measured on this occasion), which are not mentioned in the old accounts, and must have been either omitted in them or have had their origin at a more recent period.

8. Again the entries in the Maratti Paimaish accounts cannot be entirely relied upon, as determining the Maniem tenure. It was found, during the settlement of the revenue in recent years, according to these accounts, that some lands classed as Maniem in them have been paying revenue to Government without demur for years past, while others again classed as Circar have been exempt from assessment.

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9. But for the conflicting character of the accounts and the questions arising therefrom, the work of the Inám settlement in the District of Malabar, would be of a very easy description, the Ináms being mostly Dévādáyem or charity grants requiring, under the Rules, no more than mere registration. As matters stand, however, the question of the treatment of Ináms, which are quite unsupported by the earlier accounts, becomes an important one, and will require considerable care and attention, and probably involve frequent measurement and inspection by the officers entrusted with the work.

10. With the materials, the nature and value of which have been described in the preceding paragraphs, the inquiry into, and the registration of, the Ináms will be conducted according to the following general principles of settlement:—

(a) Fields which are registered as Maniems in any or all of the Returns marked A. B. C. and D., and are enjoyed up to the present day, will be treated as valid Ináms.

(b) Those which, though registered in the above Returns, have nevertheless ceased to be enjoyed as Maniems, and have been assessed to the revenue without protest for a period of twelve years or upwards, will no longer be considered Ináms, and claims to such lands now brought forward, will be summarily rejected.

(c) Those which, though registered in the Maratti Paimaish as assessable land, are now enjoyed exempt from payment of revenue, will be treated as fraudulent Ináms, and charged full or two-thirds of the assessment under Rule XVI, according to the discretion of the settling officer, unless Sanads or orders of competent authorities are produced in support of the title.

11. The valuation of the Ináms as given in the Returns of 1853 may be adopted, unless in particular cases (in having to charge excess) any reasonable grounds should appear for presuming the valuation of that account to be incorrect, when a fresh assessment may be fixed with reference to the Nihudi paid on adjoining lands.

12. The extent of each Inám field, as given in the Maratti Paimaish account, will be adopted in the Register. A comparison of the results of a rough measurement of all revenue lands made in Faslis 1270, 1271 and 1272 with the Maratti Paimaish, showed the difference to be very inconsiderable. The Paimaish may, therefore, be presumed to represent correctly the extents of the Maniems also, and there can be no hardship in acting upon the account and considering any land now enjoyed in excess of it to be *prima facie* an encroachment, leaving the onus of proving the contrary upon the Inámdar.

13. The measurement account of 1853 will not be allowed to be pleaded as establishing any title either as to tenure of the land or its correct extent. An excess of measurement in the return of 1853 over the Paimaish for the same field must arise either from an absolute error committed at either measurement or a positive encroachment on neighbouring land, whether waste or cultivated. In a District like Malabar, where property in all lands, is so valuable, it is not probable that the Inámdar would have been permitted to take with impunity or through connivance, possession of cultivated lands. Encroachments on waste or jungle land are more likely to have occurred, and the facts and probabilities of each case should be carefully ascertained.

14. With reference to the Ináms of Vétátnad, of which there is no account of a recent date, to serve for purposes of comparison, this want must be supplied by a rough measurement to be now made by a special agency, and when this is done the registration and settlement of these Ináms will proceed under the principles already laid down in the preceding paragraphs.

15. Cases of misappropriation of charity or religious grants should also be enquired into and disposed of by the officers entrusted with the settlement.

16. The few personal Ináms, alluded to in paragraph 4, will be dealt with under Rules V, VI and VII, and enfranchised at the option of the holders or compulsorily as the case may be, and at the rates of quit-rent applicable to them with reference to their position in respect of heirs.

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17. The lands classed as Koilagams may, in consideration of their character and long prescriptive enjoyment, be treated as personal grants and enfranchised accordingly.

(Signed) W. T. BLAIR,
Acting Inám Commissioner.

No. 204.

ORDER THEREON, 16th September 1863, No. 1,701.
Forwarded to the Board of Revenue for early report.

(True Extract.)

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

To the Board of Revenue:

Exd. S. T. Augustin.

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within the current Official year, that
is within the same period that the
work elsewhere is expected to
be brought to conclusion.—

I have the honor to be
Sir,

Your most Obedt. Servant

W. W. Wain
Ag. Ins. Com. Missions

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Dr. W. Secretary to Govt.

Revenue & Expenditure

Aaled 8th
 Decr 14th 1863
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 September 13th to Oct 23rd 1863
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proposed to give for the
settlement of slaves in
the District of Malabar.

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Thos. W. Green
100- Bedford St.

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Office of the Board of Directors
of the Board of Directors of the
City of New York



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