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MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1991

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Dated

5th Novr.

1863.

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*Proceedings of the Madras Government, Revenue Department,
5th November 1863.*

No. 56. Read the following Proceedings of the Board of Revenue, dated 19th October 1863:—
Read letter from the Collector of Tanjore dated 26th September 1863, No. 319.
(In Cons. 30th September 1863, No. 6,315.)

1. Ordered that the letter above recorded be submitted for the consideration and orders of Government, with copy of the Board's C. O. quoted by the Collector.

2. The Board judging from past usage cannot doubt that Government has the power to assign its revenue rights at pleasure to private individuals, or in other words, to confer Inám grants out of occupied land, in which case the public revenue is alone assigned, or out of waste land, when the grant conveys proprietary rights as well as freedom from taxation. Numerous instances of the exercise of this right in all parts of the country could easily be adduced; but the Board do not suppose that the Government have any wish to insist on exercising it when the transfer will be really distasteful to the Ryots concerned.

3. The principle involved is identical with that on which the Zemindary and Mutahdary systems, and the village rents were carried out; but the Board can easily understand that irrespective of any doubts connected with the subject of remissions, Ryots will often prefer to remain in direct relation to Government.

4. In making the proposed commutation of cash payments for assignments of Land Revenue, it is intended that the terms shall be sufficiently liberal to enable the Temple Trustees to exercise all due consideration towards the Ryots, and it would not be difficult to arrange a settlement that should fully effect that object and should place the right of the Ryots on a secure basis, although perhaps a somewhat wider margin than the 10 per cent. named by Government in G. O. dated 2nd July 1863, No. 1,166, Revenue Department, may be necessary for the purpose.

5. The Board presume that it is the intention of Government that every actual assignment shall receive express sanction from Government, but as in the present state of the Law, revenue assigned as Survamaniem to Temple trusts cannot be realized save by regular Suit, it will be desirable to defer any actual assignments until the defect has been cured.

6. The Board have instructed Collectors of Districts in which the revision of the assessment is in progress, or is immediately contemplated, to suspend any action under the Government Order until the revenue value of the lands has been decided.

No. 57. ORDER THEREON, 5th November 1863, No. 1,991.

1. The Government consider that their right to assign the public revenue is unquestionable, but whenever practicable the lands of Ryots who are willing to hold under the Trustees of Religious Institutions should be selected.

2. The Trustees of course will have no power to raise the assessment above the Government standard, and this should be expressly stated in the deeds of assignment. The only disadvantage under which the Ryots will then labor, in consequence of the transfer, will be the chance of not receiving as liberal remissions in adverse seasons as Government might grant, but this might be remedied by revising the assessment prior to transfer, where its amount renders this precaution necessary so as to meet such contingencies.

3. The disability to which the Board allude in paragraph 5 will shortly be remedied.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Board of Revenue.