M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 214 Press Mis.

624 items

Dated 30-1-1862

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 30th January 1863.

No. 424. Read the following Proceedings of the Board of Revenue, dated 8th January 1863, No. 98:—

Read the following letters:—

From G. A. BALLARD, Esq., Collector of Malabar, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Calicut, 12th December 1862, No. 247:—

SIR,

1. With reference to the Proceedings* of Government received with the Board's orders† noted, I have the honor to state that the services of Deputy Collector Kanaren can, in my opinion, be well made available for the sale of a considerable portion of the escheats in South Malabar.

* 4th April 1862, No. 751.
† 7th April 1862, „ 2,289.

2. This Deputy Colector, as the Board are aware, is now engaged in the disposal of the Betutnad escheats.

He has hitherto carried out this important and delicate work with success; but many of the cases that remain for settlement are somewhat involved, and will require careful management. The Deputy deprecates any abandonment of the cautious and moderate course hitherto pursued, and represents that the settlement of the remaining cases may extend over some three years more.

3. I agree with him in thinking that it would be injudicious to hurry on the settlement of the Betutnad cases. He should be permitted to go on with them as hitherto, but I propose that simultaneously he should commence and carry on the settlement of some of the other large escheats of South Malabar. I have directed him accordingly to prepare for the sale of the Manapuram escheats in the old Talook of Chowghaut now part of his division, and I propose that he should also commence the sale of the Chenat Nair's escheats in the Palghaut Talook.

The establishments deemed requisite are proposed further on.

4. Kanaren considers that his work will progress more easily if he continues invested with the general charge of his Talook, and consequently I do not propose to relieve him of it.

5. The Board are aware that Deputy Collector Dharmaroyen Mudaliar was lately appointed to Malabar, and I have deputed him to commence the settlement of the Dharamapatanam escheats in the Kotteyom Talook, under the immediate superintendence of the Sub-Collector. This Deputy is new to Malabar, but this would be the case with any officer of sufficient standing that I am likely to get; his general experience in the Inám Commission should be useful to him in the present inquiry; I am endeavoring to supply him with servants of local experience, and under Mr. MacGregor's very able superintendence, I have every hope that the work will be satisfactorily conducted when a proper establishment is provided.

If I find this to be the case, I propose that the other escheats in North Malabar should be similarly disposed of.

6. Government have called for a report on the probable annual proceeds, the sales of the Malabar escheats are likely to realize, and of the time they are likely to embrace.

Past correspondence will abundantly show how very difficult it is even to the most experienced officers to form a correct estimate of escheat proceeds; and until the sales under the arrangements I am proposing have progressed to some extent, I can make no reliable estimate either of annual returns or of time.

But the Board may depend on my giving attention to the subject, and on my submitting as soon as I am in a position to do so, as full and as satisfactory information as it may be in my power to afford. Gradual collection of information, and considerable further experence of the District, will I hope enable me to do this; but I cannot hope to form a reliable opinion very speedily.

7. I have however had a Statement prepared principally by Deputy Collector Kanaren, by which it appears that Government may expect to realize Rupees 20,00,000. From all I have heard there seems every ground for believing that even this is an under statement, and that fully this sum may be expected to be netted after the expenses of an extra establishment have been deducted.

8. After consideration therefore I have come to the determination to apply at once for sufficient establishments to enable the Sub-Collector, and Deputy Collectors, to proceed efficiently with the work entrusted, and proposed to be entrusted, to them as above described; and I solicit that the sanction of Government may be obtained for the entertainment of the establishments noted in the accompanying Statement. The aggregate cost per mensem will be Rupees 987.

9. The salaries proposed for the Gumáshtas may appear high; but considering the very important work that will be entrusted to them, and the amount of discretion that must be accorded to the superior servants in conducting it, I feel sure that the rates are by no means extravagant.

It must be remembered that formerly the Revenue establishments were numerically much stronger than at present, and that consequently servants for special work could be often spared with ease. This is not the case now, and full provision must be made for this escheat duty, or we shall be put to great inconvenience.

I believe that the establishment I have proposed can be fully and efficiently worked, and as long as that point is secured it is bad economy to employ smaller establishments, as the cost of superintendence becomes of course proportionately more heavy.

Rupees 12,000 have been entered in my original Budget. Rupees 6,000 will be entered in the Supplemental Budget to be rendered before the close of this month.

10. The charges on this account up to the 30th April 1863, can be met by savings effected from the sanctioned Budget for 1862-63, and the charges for the next official year by provision made in my Original and Supplemental Budgets for 1863-64.

NOTE.—Mr. Conolly, in his letter to Board dated 3rd November 1852, No. 125, estimated the probable proceeds of the Betutnad Escheat at Rupees 60,000. The sales hitherto made have realized more than 3 lacs. Mr. Grant* estimated the value of the other escheats at 5 or 6 lacs. The present calculation it will be seen, anticipates some 20 lacs.

* Letter dated 10th January 1862, No. 5.

And I may add that since it was prepared I have received statements from the Tahsildars of Cherikal, Kotteyom, and Kurumbranad, in reply to a Circular calling for returns of escheats. These returns exhibit considerable variations on those prepared here, but show an increase of no less than of 4 lacs by the Talook estimates in these three Talooks alone.

	Hoozoor Estimates.	Talook Estimates.
	Rs.	Rs.
Cherikal...	33,000	76,377
Kotteyom...	3,63,200	7,00,827
Kurumbranad...	1,05,150	69,232
Total.	4,41,350	8,46,436
Net Increase...		4,05,086

ENCLOSURE No. 1.

STATEMENT showing the estimated value of Escheats, &c., in Malabar.

Talooks.	Estimated value of the Government right in the Escheats.						Remarks.
	Nunjah on wet land cultivation.		Punjah on dry land cultivation.		Bagayet or Garden.	Total.	
	Acres.	Rupees.	Acres.	Rupees.	Acres.	Rupees.	Rupees.	
1. Cochin... ...	56	13,000	70	1,50,000	132	50,000	2,13,000	These places belonged to the Dutch. In 1795 they were ceded to the British. Particulars of the cession will be found in the report of the Malabar Commissioners.
Lands situated in the Travancore and Cochin States...	250	98,120	...	.....	205	93,380	1,91,500	
2. Ponany (southern portion)	...	2,50,000	...	.....	...	1,00,000	3,50,000	Escheated to Government by the extinction of the heirs of the late Betutnad Rajah. The value entered has been assumed with reference to the lands which remain yet to be sold.
Do. (Northern portion)...	...	1,50,000	...	.....	...	1,00,000	2,50,000	Escheated to Government by the extinction of the heirs of Chenat Nair in 1806 (*Vide* paragraphs 1, 2, 3 and 15 of Mr. Robinson's letter to the Collector dated 9th July 1852.
3. Palghat	1,400	2,10,000	...	.....	...	.....	2,10,000	
4. Valuvanad ...	432	70,000	106	1,000	14	500	71,500	Forfeited to Government from certain rebel Moplas.
5. Ernad... ...	1,600	2,40,000	650	7,000	460	23,000	2,70,000	
6. Calicut ...	108	1,500	...	.....	64	4,000	19,000	
Total...	...	10,46,120	...	1,58,000	...	3,70,880	1,57,500	
Northern Division.								
7. Kurumbranad... ...	461	46,100	...	.....	1,181	59,050	1,05,150	This consists of three different portions; first, Darmapatam taken from Cherikel Rajah, and second from Kurungot Nayeri both by way of fine imposed. The last on the third portion being forfeited to Government from the rebel Rajah of Pych and his family.
8. Kotteyom... ...	1,310	2,00,000	626	3,200	986	1,00,000	3,03,200	
9. Cherikal	165	16,500	...	.....	165	16,500	33,000	The property of Government on account of money advanced to the Ryots.
10. Wainad	574	2,870	...	.....	860	8,600	11,470	Property forfeited to Government from the rebel Raja of Kotteyom and his adherents.
Total...	...	2,63,470	...	3,200	...	1,84,150	4,52,820	
Grand Total...	...	13,11,590	...	1,61,200	...	5,55,030	20,27,820	

(Signed) G. A. BALLARD, *Collector.*

ENCLOSURE No. 2.
Statement.

	For the southern Escheats under Deputy Collector C. Kanaren.				For the sale of Manaparam or Chowghat Escheats.				For the sale of Betutnad Escheats.				For the sale of Dharmapatam Escheats.				Total amount per month.	Remarks.
	Rate of pay.	No. of hands.	Amount.		Rate of pay.	No. of hands.	Amount.		Rate of pay.	No. of hands.	Amount.		Rate of pay.	No. of hands.	Amount.			
Head Accountant...	70	1	70	0 0	70*	1	70	0 0	70	1	70	0 0	70	1	70	0 0	210 0 0	* 1. This is to be given to the party who acts for the Kotteyom Tahsildar as long as the latter is employed on Escheat work.
Gumashtas...	55	1	55	0 0	55	1	55	0 0	55	1	55	0 0	55	1	55	0 0	165 0 0	2. It may be necessary to employ a few more of these servants in one party, and a few less in another, but the total gives the general strength required.
Do.	40	1	40	0 0	45	1	45	0 0	40	1	40	0 0	40	1	40	0 0	125 0 0	
Do.	20	3	60	0 0	35	1	35	0 0	20	3	60	0 0	20	3	60	0 0	155 0 0	
Do.	15	4	60	0 0	15	1	15	0 0	15	4	60	0 0	15	4	60	0 0	135 0 0	
Do.	0	0	0	0 0	12	4	48	0 0	0	0	0	0 0	0	0	0	0 0	48 0 0	
Duffadar	0	0	0	0 0	8	1	8	0 0	0	0	0	0 0	0	0	0	0 0	8 0 0	
Peons...	6	8	48	0 0	6	6	36	0 0	6	6	36	0 0	6	6	36	0 0	120 0 0	
Attenders	7	1	7	0 0	7	1	7	0 0	7	1	7	0 0	7	1	7	0 0	21 0 0	
			340	0 0			319	0 0			328	0 0			328	0 0	987 0 0	
Total per year...																	11,844 0 0	

(Signed) G. A. BALLARD, *Collector.*

From the same Officer, dated Calicut, 15th December 1862, No. 250.

1. I have the honor to acknowledge the Proceedings of the Board on Government Order dated 6th instant, instructing me to notify that the forests claimed by the Tirunalli and Trichelleri Pagodas are the property of Government. The necessary notification shall be made immediately, and the spirit of the Government Order attended to.

2. In Government Order 28th November 1862, No. 2,501, Government while sanctioning the entertainment of a demarcation party at a monthly cost of Rupees 379 for employment in Wainad observe that the extension* of these operations will be taken into consideration when the claims of the Temples are disposed of.

* i. e., the extension of the inquiry into Escheats in Wainad generally.

3. As I do not observe any allusion to the subject in the Order of the 6th instant just acknowledged, I venture to submit the following remarks.

4. I fear the employment of a demarcation party such as that just sanctioned, without some provision for its efficient superintendence, will be a mere waste of public money, and I must venture to doubt that Mr. Stuart's presence for a month will at all meet the requirements of the case.

5. I would further submit that I think it exceedingly desirable, if settlement operations are resumed in Wainad at all, that the object should be not only to mark the Government lands already declared and acknowledged to be such, but also to discover and mark *all* the Government lands in the Talook, and thus put an end to the present unsatisfactory and objectionable uncertainty.

6. The returns I believe of acreage in the enclosure to the letter of the Director of Revenue Settlement to the Board (as regards forest land at least) throw no light on the extent that has been marked, for I am given to understand that it is allowed that the 2,000 odd Acres in column 10 *may* represent 20,000 odd. It is hardly possible therefore to form an opinion how far the Government rights have been brought to light, or how much remains to be discovered. Mr. Robinson's report alludes to a great deal of doubtful land. But slow progress has been made towards clearing matters.

7. I much desire to see the question actively taken up, and settled in a liberal spirit. The task will require energy and judgment; but its efficient disposal will be a great boon to Wainad.

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1. Ordered that the above papers be submitted to Government with reference to the correspondence quoted by the Collector, and with the Board's recommendation that the Collector be authorized to proceed with the disposal of the Jennom or proprietary right in all the escheated Estates in Malabar on the principles and system adopted in the Betutnad Escheat, and to entertain the necessary establishment for the purpose according to the proposed scale involving a total monthly charge of Rupees 987, which can be met from the savings effected in the District Budget for the current year, and will be provided for specially in the Budget for 1863-64. Mr. Ballard will be requested to submit the necessary Tabular Statement of the new establishment, in the prescribed form without delay.

NOTE.—Viz. that the arrangement be made only with the present holders (where such exist), and that their occupancy is not under any plea to be disturbed.
E. M. C. dated 19th February 1853, No 196, R. D.

2. The Board have no more than one occasion expressed their opinion of the expediency of disposing of these Jennom rights wherever they vest in Government, involving as they do, landlord's duties which the Government cannot adequately fulfil, and the Government themselves have admitted that the measure is highly desirable in order to set at rest the minds of the present occupants, and thus to encourage enterprise and the outlay of capital.

3. As to the time likely to be occupied in carrying out this proposed settlement, or as to the probable financial result, Mr. Ballard is unwilling to commit himself to an opinion without

further experience, bearing in mind how far the actual results in the case of the Betutnad Escheat have surpassed anticipations, the sales which were estimated by Mr. Conolly to produce Rupees 60,000, having already realized more than three lacs of Rupees, but he states that his experienced Deputy Kanaren has superintended the preparation of the Statement submitted, which estimates the value of the Jennom right in these Escheats at 20¼ lacs of Rupees, while the Tahsildars' estimates of a portion of the lands exceeds that in the Statement by nearly one hundred per cent., and he observes that from all he has heard on the subject there seems every ground to believe that the net gain to Government clear of expenses will be at least 20 lacs of Rupees.

4. That so valuable a property should lie dormant in the hands of Government is greatly to be deprecated, and the Board would deem a change desirable even were the result likely to be less directly profitable; but under the circumstances stated there is every reason to press the matter to an early settlement.

5. The Board would submit for the consideration of Government the expediency and propriety of devoting a large proportion of the net sale proceeds of this landlord's right, to the formation of good cross roads in the part of the country in which the lands are situated. A guarantee to this effect would probably enhance the selling value of the Jennom right, while it would result in the attainment of an important political and social advantage at a cheap cost to Government and the people.

(True Copies and Extract.)

(Signed.) W. HUDLESTON, *Secretary.*

No. 425. ORDER THEREON, 30th January 1863, No. 214.

1. With reference to the Proceedings of Government 4th April 1862, No. 751, the Board of Revenue submit for orders a letter from the Collector of Malabar proposing arrangements for the more rapid sale of the Jenm rights of Government in the Malabar Escheats.

2. The *net* proceeds of these rights are considered to be moderately estimated at 20¼ lacs of Rupees.

3. The Betutnâd Escheats have been already taken in hand by the Deputy Collector C. Canaren, and have already produced more than three lacs where only 60,000 Rupees had been anticipated.

4. These lands have escheated to Government at various periods, and there can be no moral doubt of the rights of Government; but their revival and reassertion after the lapse of many years requires judgment and forbearance.

5. The Deputy Collector, C. Canaren, appears to have acquitted himself very satisfactorily hitherto in this delicate duty, and the Government resolve to sanction the establishment proposed for him at a cost of Rupees (659) six hundred and fifty-nine monthly; which will be met, as proposed, out of savings in the District Budget for the current year. The requisite Tabular Statement should be laid before Government without delay.

6. With reference to the proposal to employ Officiating Deputy Collector Dharmaroyen Moodelliar in the settlement of the Northern Escheats, the Collector will be informed that Government are not prepared to entrust a duty of this nature to an officer who, though possessed of other qualifications, is a comparative stranger to Malabar, and ignorant of its tenures and usages and even of the vernacular language; and he will be requested to suggest some other arrangement.

7. The Board, it is observed, recommend that a portion of the sale proceeds should be devoted to the construction and improvement of cross roads in the escheated tracts. This proposal is contrary to rule, and the Government regret that in consequence it cannot be sanctioned.

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

Memorandum.

An extension of C. Kanarens work were desirable. The cases that remain are tough ones that require time and settling down - C. Kanaren could work them quietly while he settles off hand the lighter and easier cases at Palghaut - Nair & Chirakal Escheats and Ponany - and Chowghaut Mana - piram cases.

Both these he could command easily, and supervise a really efficient establishment at work in both places. —

The actual work at Palghaut has been greatly relieved by the ~~removal~~ ranches of Mr. Drummonds Jennom Bonds which was effected in 1849/50.

The Escheats were examined, surveyed and carefully measured

3 Lacs Price of Wood R.

Malabar Jrem.

C 20 Jan/63
R 26

The Gd submits for the orders of Govt a letter from the Collr of Malabar recommending arrangements for the more rapid Sale of the Jrem rights of Govt in the Malabar Escheats.

The Govt net proceeds of these rights are considered to be moderately estimated at 20/4 Lacs of Rupees.

The Escheats have been already taken in hand by the Collr C. Canarese and have already produced more than 3 Lacs, there only 6000 R.

here anticipated.

These Lands be escheated to Govt at various periods & there can be no Right of ~~Govt~~ the Right of Govt; but at the Expiry of many years the legal presumption Govt Right is with the Party. In dealing with these there fore, great judgment & forbearance is requisite - the settling officer lays the case as well as he can - fixes a fair price as well as he can - ~~Govt~~ & treats with the tenant in occupation. The latter knows well enough that the land really belongs to Govt a fair price is tendered to him - if he accepts it he becomes permanent tenant of the Govt plus altra of a Malabar Landlord; for this opinion is against him & the object is that he accept the offer - he is not to the Collector's confirmation - he can't become permanent tenant and Govt retains under all circumstances a fair sum paid for a right lying dormant and not available otherwise except by a series of doubtful Suits in Court - The price of land is well known in Malabar & this is regulated by Govt -

strength or weakness of persons & similar considerations guides the Chief Officer in his original proposition and the Court in confirming or changing the same.

Should he far more satisfactory if some guide could be laid down. My first object every officer conversant with Malabar and with the difficulty of making fresh these old titles, declares such a course to be impracticable.

There is no resource therefore but to be careful in selecting officers to execute this delicate & confidential task.

By all accounts Cannanore has acquitted himself admirably and it seems fortunate that this office at once & varieties the Estate; himself proposed for him- which will cost Rs. 65. monthly-

Dharmarayen is an intelligent useful man- but I am not prepared to recommend him for promotion & do not suppose he would accept of promotion

yes- file

- Dharmarayen should not be employed in the work, at least not for the present- Speed is less essential than to get the work settled smoothly & with the good will of the people - Cannanore can be left to look after it - at least for some time longer

file

and a temporary civil Judicature and Police among them at the same time ignorance of the language of Malabar and of its peculiar terms usages & allowances & a fatal bar to his employment on such a duty as this - In fact he had need of Malabar interpreters & Peons & Cutcherry Canarese for ordinary work, in order that the latter might devote himself to the Escheats.

I should observe here that the Collr. be informed that suits are not prepared & entered on a duty of this nature & an officer who, to the best of his other qualifications is a comparative stranger & Malabar & Ignorant of the vernacular language - and that he be relieved to the greatest possible arrangement.

The sale of the Jenm right does not affect the payment of the regular assessment on the lands sold -

The Bd. it will be seen recommend that a portion of the

sale proceeds should be divided & the Govt. Instructions & reimbursement of exps incurred in the Escheated tracts. No doubt this would be done. Little but it is opposed to the principle on which first grow out - and should be revising the plan adopted in the above when the People Party has furnished. I doubt of the Govt of India should entertain it - and the arguments & facts favor would apply equally to the proceeds of Waste Land sold - Same Communications &c.

I enclose a letter from Mr Robinson whom I consulted on the Escheat business. I &c.

This cannot be done
EBC

This certainly should not be
WD

Revd Despatch
No. 214
1863

Proceedings of the Madras Government
Under date the 30th January 1863.

Read the following
Proposal of the Bd of
Revenue

Submitting letters from the Collr of Malabar with the Bds recommendation that the Collr be authorized to proceed with the disposal of the Jenm right in the escheated Estates in the District & to entertain the necessary establishment for the purpose -

(Here enter 8th Jany 1863 No)

With reference to the Proceedings of Govt 4th April 1862 No 357 the Bd of Revenue submit for orders a letter from the Collr of Malabar proposing arrangements for the more rapid sale of the Jenm rights of Govt in the Malabar

Malabar Escheats.—

2.— The net proceeds of these rights are considered to be moderately estimated at 20¼ lacs of Rupees.—

3.— The Returns of Escheats have been already taken in hand by the Deputy Collr. of Canaren, and have already produced more than 3 lacs where only 60,000 Rs. had been anticipated.—

4.— These lands have escheated to Govt. at various periods, and there can be no moral doubt of the rights of Govt.; but after the lapse of many years their revival & realization

years the legal proof of these rights, so not so easy. In dealing with them therefore, great

requires judgment and forbearance are requisite.—

5. The Deputy Collr. of Canaren appears to have acquitted himself very satisfactorily in this delicate duty hitherto and the Govt. resolve to sanction the proposed establishment required for that office for the Southern Escheats at a cost of Rupees (659) Six hundred and fifty nine monthly; which will be met, as proposed, out of savings in the District Budget for the current year.—

The requisite Tabular Statt.

statement should be laid before Govt. without delay. —

6. — With reference to the proposal to employ Offg. Dy. Coll. Dharmarayan Moodelliar in the settlement of the Northern Escheats, the Coll. will be informed that Govt. are not prepared to entrust a duty of this nature to an officer who, though possessed of other qualifications, is a comparative stranger to Malabar, and of its tenures & usages & even ignorant of the vernacular language. & he will be requested to suggest some other

other arrangement. —

7. — The Board it is observed recommend that a portion of the sale proceeds should be devoted to the construction and improvement of cross roads in the escheated tracts. This proposal is contrary to the fundamental rule, and cannot in consequence it cannot be sanctioned. —

J. D. S.

14 Copies Tahsildars B. of Rules with 4 orig. Enclosures Dupd. 31
3 Asst. Govt.
3 Civil Paymasters

5960.

30/8/64
16-9-64

Revenue 1863 Sept.
Pro: of Govt for Savy:

No 214.

Pro: of the Madras Govt.
Dy 30th Savy: 63.

Endorsement from the under
Secy to the Govt of India Dy 30 Sept 63
Pro of Boards of Revenue 63 Ld 25
February Ler 523

Pro of the Board of Rev. dy 3d March
1863 & No 532 in Pro.

Proceedings Board of
Revenue suggesting certain
arrangements for the sale of
the Jenm rights in Malabar
with orders thereon.

Pro of the Board of Rev. dy 6th
March 63. & No 557 in Pro.

L.K.
fm

Pro. Financial Despy: 6 Savy: 63.
No 288

Pro. No. 26-27
17-2-53

" 74-75
4-4-62

No 424 & 425.