

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 366	Press ~~Mis.~~
285.286	
Dated	Do. 2 - 19 1863

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
20th February 1863.*

No. 285. Read the following Proceedings of the Board of Revenue, dated 4th February 1863, No. 686:—

Read the following letter from A. SHESHAIYA SASTRYAR, Special Assistant to the Inam Commissioner, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Coimbatore, 29th January 1863, No. 2.

SIR,

At the request of the Collector of the Godavery District, communicated to this Office by telegraph, I have the honor, in the absence on tour of the Commissioner, to forward herewith an extract from the Register containing the particulars of the inquiry, and the decision of this Department, regarding the lands of Turpulanka, a hamlet attached to the village of Mogallamuri in the Talook of Amalapuram in the above District.

ENCLOSURE No. 1.

Extract from the Register of the village of

[illegible][illegible]

First is an order of the chief in Council at Masulipatnam dated 1775 to Vadapalli Subbannu (said to be renter) directing that "the village of Turpulanka and Mogallamuri be made over to Musalakuriti Ramaya," apparently after temporary sequestration, II are authenticated copies of Puttah and other five documents registered under Regulation XXXI of 1802. The Puttah is dated 1759, and granted by Bhapaterazu Baperaiza, &c., (said to be renters), and confers the "Village of Turpulanka" as Inams; the registry of these documents under the above Regulation what is called the receipt for those documents granted to the Inamdar after Registry is as follows:—"Land held by you (Inamdar) "Turpulanka belonging to the village of Komaragiri-patnam cist Pagodas 25th. No extent is mentioned, but the Turpulanka is described as belonging to the village of Komaragiri-patnam and not to Mogallamuri. *Another* Registry said to be extracts of 3 of the 5 documents is also produced of which the words do not agree with those of the registry just described. The registry runs as follows:—"Lands in your enjoyment." Turpulanka belonging to the village of Turpulanka; *land situated within 4 boundaries now* yielding 25 Pagodas." What the informant has all along contended is that all these documents were forgeries which Uppa Venkatachalam Puntulu who was translator in the Collector's Cutcherry and possessed extraordinary influence in those days managed to concoct and get signed by the authorities. He also pointed out the apparently strange fact that two registries for the supposed same set of documents were procured by N. Venkatachalam Puntulu to serve some deep hidden purpose and the difference in the wordings of the two registers. Uppa Lakshmebhayamma the present Inamdar was asked by the Collector to explain why two registries were obtained and she has expressed herself unable to account for it. At any rate the "Turpulanka is described in the registry as belonging to Komaragiri-patnam though not to Mogallamuri; but the accounts of Komaragiri-patnam do not take any notice of this Turpulanka; nor does tradition justify the supposition that it ever formed part of Komaragiri-patnam. These inconsistencies and the absence of any record of the *extent* of land in these registered documents are pointed out by the Curnum as the schemes of a deep designing impostor who wanted to fall back on different resources according to circumstances, when the Zemindars disputed the right of the Inamdar. It will be seen that Mr. Deo's order of 1775 mentions two villages, viz., Mogallamuri and Turpulanka. The Zemindar of Peddapur brought a suit for the recovery of the former in the year 1810, as Jeroyeti and did recover it as such from Mosalakuriti Ramaya Puntulu. A subsequent proprietor of the Mutta of Kadali seized on this Turpulanka, on the ground that it was part of his Mutta Uppa Venkatachalam Puntulu brought a summary suit for recovery of possession in 1814 and obtained a verdict in his favor for restoration of possession, the right to the land being left to be fought out by a regular suit. The dissented party however does not seem to have followed up the litigation. In the summary suit then brought by Uppa Venkatachalam Puntulu, he stated the extent of the Turpulanka as follows. "Cultivated land 6 Puttis, waste jungles and 25 Puttis whereas the present ascertained extent exceeds it beyond all reasonable limits. The Inamdar contends that the 31 Puttis stated in the suit in question was not intended to indicate the whole area of the village, but only the part then under dispute; this is a groundless contention. The suit was for the whole village, and there is nothing whatever to warrant the conclusion that a part only was then under dispute. My impression from the whole of the Proceedings and documents connected with the case is that the manner of the acquisition of the grant was not particularly honest, that under an undefined grant, if a grant was ever really made, a large extent of land has been taken possession of. I would not however advocate measures at any severity. The Inamdar has been in possession for upwards of fifty years. Sir Henry Montgometry, Commissioner, a high authority, declared the title good; and the authorities that succeeded him have in a manner kept the question open for the long period of seventeen years.

According to the last measurement of traci in question it contains 118 Puttis, 7 Tums of which

Under cultivation Puttis.....	40	8
Waste fit for cultivation.....	3	3

43 11

Under channel tank, &c..... 16

Under channel tank, &c..... 73 8 of which about 13 puttis are stated to be reclaimable
Waste not fit for cultivation..... 73 8 in course of time.

7414

The lands of this village are certainly not of very good quality; a small portion of the cultivated land is black. Rigadu and the rest Chann Rigadu, they are not far superior to the lands of Bendamurilunka where on cultivated land, I have generally imposed a rate of Rupees 2. Taking into consideration that there is a general water rate of Rupees 2 on all Mamul wet land to which class these lands appertain, I would assess them as follows:—

No. I. 24 Puttis supported by the accounts, and which I take to be the original extent of grant. Being under cultivation at Rupees 2 an Acre.....Rs. 384	
" II. 16 Puttis of excess also under cultivation at Rupees 1 with one-eight Quit-rent, and the rest one-fourth considering the latter an encroachment and taking into account the circumstance that so high an authority as Commissioner Sir Henry Montgomery apparently on due inquiry declared the title to the whole good. My recommendation therefore is that the whole tract known as Turpulunka of about 118 Puttis be confirmed as a freehold on a consolidated Quit-rent of Rupees 161. The Inamdar requests that the said Turpulunka "may hereafter at least be treated as a separate village independent of the village of Mogallamuri." The question came before Mr. Master, the Deputy Director of Revenue Settlement, at the time of the demarcation and he resolved to treat it as a separate village.	Quit rent proposed rate 1 st Rs. 48 do. 2 ^d " 113
" III. 3 Puttis fit for cultivation (excess) at 1 Rupee..... " 52	452
" IV. 13 Puttis reclaimable from waste in course of years at 8 Annas an Acre..... " 161	
" V. 60 Puttis (about) pronounced unfit for cultivation that is within any reasonable time, of which however portions may not improbably be brought under culture. About 2 Puttis may be deducted on account of channels, &c., leaving 116 Puttis available for cultivation..... " 120	
	836

I do not think the above valuation below the mark. Rough accounts of demand and collection produced by the Inamdar show that about 700 Rupees a year are per average receipt on a demand varying from 8 to 900 Rupees I would charge No. 1 with one-eight Quit-rent, and the rest one-fourth considering the latter an encroachment and taking into account the circumstance that so high an authority as Commissioner Sir Henry Montgomery apparently on due inquiry declared the title to the whole good. My recommendation therefore is that the whole tract known as Turpulunka of about 118 Puttis be confirmed as a freehold on a consolidated Quit-rent of Rupees 161. The Inamdar requests that the said Turpulunka "may hereafter at least be treated as a separate village independent of the village of Mogallamuri." The question came before Mr. Master, the Deputy Director of Revenue Settlement, at the time of the demarcation and he resolved to treat it as a separate village.

1st May 1860.

(Signed) M. SADASIYA PILLAI, Deputy Collector.

This is an important case. The Inam does not appear in the Public accounts till Fasli 1230, and even then it appears in some and not other accounts. The land is entered as jungle in the accounts of Faslis 1204, 1205 and 1207 and in the face of these entries, the orders of the Chief in Council, and other Sanads produced appear suspicious. The Inam was further reputed to be only 24 Puttis, whereas it is now found to be 118 Puttis. The whole is claimed because Turpulunka is a separate village according to the order of the Chief in Council. If that order was genuine "Turpulunka" would have been distinguished as a separate Inam village in the permanent settlement accounts. On the whole however whether Turpulunka is a separate village or only a part of Mogallamuri its tenure is evidently the same as that of Mogallamuri also mentioned in the Chief in Council's order, and as Mogallamuri was supposed to be included in the assets and made over to the Zemindar by the Courts, Turpulunka whether a part of it or not must be regarded as being equally held on the same invalid tenure. There has been no doubt possession of fifty years, but the possession was unauthorized and even concealed, for, instead of the reputed area of 24 Puttis there are now 118 Puttis. On the whole, I propose to confirm the Inam on one-half assessment or Rupees 418. The whole tenure is of a questionable character, no portion of it can be considered as valid Inam. The Deputy Collector does not explain on what grounds Mogallamuri was resumed though it is presumed as one of that class of service grants attached to various public offices which were included in the assets. This will however be ascertained. The valuation made by the Deputy Collector is irrespective of any charge for Anicut water.

17th April 1862.

(Signed) C. RUNGA CHIARLU, Special Assistant Inam Commissioner.

Decision of the Commissioner.

Although as stated by the Special Assistant, the tenure of the whole or any portion of the Inam is of questionable validity; still, as the whole Inam has been in the undisturbed possession of the family for more than fifty years; it would be hard to claim the high rate of one-half Quit-rent upon the entire extent from the present incumbent at this distance of time, especially as the title of the family to the supposed extent of 24 Puttis was recognized as undeniable by a high revenue authority about eighteen years ago. The charge of one-eighth upon the 24 Puttis and of one-half upon the remaining extent will be a fair compromise, and not too high a commutation of the doubtful terms. The entire Inam is confirmed accordingly on a future Quit-rent of 274 Rupees.

25th April 1862.

Inam Commissioner's Office,
Coimbatore, 29th January 1863.

(True Extract)

(Signed,) G. N. TAYLOR, Inam Commissioner.

(Signed) A. SASHIAH,
Special Assistant Inam Commissioner.

*Proceedings of the Madras Government, Revenue Department,
20th February 1863.*

1. Ordered that the extract received with the above letter be communicated to the Government Pleader, and that copy be submitted for the information of Government.
2. It appears that the validity of the claim to any portion of the Turpulanka as Inam was considered not unimpeachable, but was allowed to the extent of 24 Puttis as held under grant and the remainder was also confirmed on the ground of long enjoyment, "the whole Inam having been in the undisturbed possession of the family for more than fifty years."
3. The rate of assessment which was deemed appropriate to the land was Rupees 2 per Acre, and then "taking into consideration that there is a general water-rate of Rupees 2 on all Mamul wet lands, to which class these lands appertain," the Deputy Collector proposed a Quit-rent of one-eighth of the full assessment of Rupees 2 per Acre on the 24 Puttis, and of one-quarter of that rate on the excess in cultivation, the same proportion being charged out of the reduced assessment on the uncultivated excess.
4. The Inam Commissioner raised the Quit-rent on the excess beyond the 24 Putties to one-half the full assessment proposed, and confirmed the entire Inam on a Quit-rent of Rupees 274. His decision is dated 25th April 1862, and was probably passed before the receipt of the orders of the Home Government on the subject of excess in Inam holdings.
5. The Deputy Collector has not stated on what evidence he considered the land entitled to be classed as Mamul wet land, and the Board must assume that the Collector is correct in his facts on this point.
6. In other respects the inquiry in the Inam Commissioner's Department appears to support the line of defence proposed, inasmuch as the validity of the claim to be admitted as an Inam at all is shown to be open to much question; the existence of extensive encroachments in which special privileges could not be asserted is established, and the Quit-rent charged on the land, to enfranchise it from liability to lapse, expressly contemplated the imposition of an additional charge for water.

(True Copies and Extract.)

(Signed) W. HUDLESTON, Secretary.

No. 286.

ORDER THEREON, 20th February 1863, No. 366.

The Governor in Council observes that the Despatch of Her Majesty's Secretary of State, directing full assessment to be charged on all excess, beyond 10 per cent., found in the extent of Inams was communicated to the Commissioner with G.O. 7th August 1860; while his decision in this case, allowing a very large excess in a very questionable claim to be commuted at half assessment, is dated 25th April 1862. Mr. Taylor will be requested to report why he acted in contravention of the explicit orders of the Home Government. The case as stated in the record of inquiry seems singularly deficient in claims on indulgent consideration.

(Signed.) J. D. SIM,

Secretary to Government.

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Mont-Vt. Geny
20th July 1868

14 Ques. Lett. B. of Rev. (Sept 20th)
5 - Main Commr

Pro: 7 August/60 No. 70-71
- 28 Jan/63 " 381-382
Copy in a Letter to England
of 20th May at 37 of 1864

No. 366.

Rev. 1863. Department.
Pro: of Govt for February

From Inam Comm
28 Feb/63 No. 531.

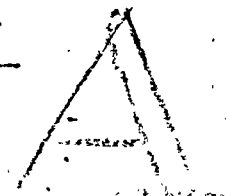
No. 356.

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 4th February 1863.

Despatched 9

Received 10



No. 686.

With Order

Communicating to the Government Pleader,
with observations, letter from the Special Assist-
ant to the Inam Commissioner, furnishing cer-
tain information regarding the lands of the Tur-
pulunka, a hamlet in the Godavery District.

No. 366. 20 Feb/63

N. 285+286.

213 Feb/63 No. 17