M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 153 — Press ~~Mis.~~

301.302

Dated 28-1-~~19~~ 1864

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
28th January 1864.

No. 301. Read the following Proceedings of the Board of Revenue, dated 9th January 1864, No. 102:—

Read the following letter from the Acting Collector of the Godavery District, dated Cocanada, 9th December 1863, No. 403.

Board's No. 7,305, 17th November 1863.

1. In acknowledging the receipt of the Order of Government, No. 2,019, dated the 10th ultimo, directing the discontinuance of the distribution of food in the Choultries at Peddapur and Wontimamidi, and the resumption of the Ináms by which they have been hitherto maintained, I think it my duty to bring the subject again to the notice of Government, and to remonstrate most respectfully but firmly against an exceedingly unpopular measure. I have considered it right to abstain from carrying the Order of Government into effect, until I had brought the whole circumstances of the case before them: but the mere rumor of their intentions has already created a most unfavorable impression on the Hindu community in this District.

2. These two Choultries have been very useful. They are situated on the two high roads leading to the north; and, on an average, 1,500 persons frequent each of them every month. The Order of Government prohibiting the distribution of food will be most deeply felt, for the convenience experienced has been very great, and thousands of travellers have been benefited by the benevolence of the Zemindar who founded the Choultries, and of the Government who have hitherto supported them.

3. I do not wish, however, to remonstrate against the suppression of this public good, severely as it will be felt, so much as against the resumption of the Ináms by which the Choultries have been so long maintained, and which have been invariably recognized by Government.

4. The following is a brief account of these Ináms. Rajah Vachavaya Buchi Sitayya, Zemindar of Peddapur, purchased two houses at Peddapur and Wontimamidi in A. D. 1829 for the purpose of founding two Choultries, and she set apart 511 Acres of Jirayati land in four villages for their perpetual endowment and support.

Mr. Crawley's letter to the Board, No. 16, dated 25th April 1835.

5. In A. D. 1835 the Estate of Peddapur was under attachment for arrears of revenue, but the Zemindar having made repeated representations to the Right Honorable the Governor, while on a progress through the District, the Collector was directed to report to the Board of Revenue regarding her desire to be put into possession of her Zemindary, under an engagement to pay the balance against it by instalments. He was also directed to report that she desired to retain possession of her Sairy land, and that she wished certain lands which she had appropriated to the support of the two Choultries to be continued available for that purpose.

6. In accordance with these instructions the Collector forwarded a report to the Board, in which he stated that, according to the accounts of Fasli 1243, the extent of the land appropriated to the support of the Choultries was Puttis 63-18-9¾, of which the Shist was Rupees 3,145-15-6; and he recommended that the lands should still be appropriated to the support of the Choultries, as there were very few Choultries in the District, and those at Peddapur and Wontimamidi had been represented as very useful to native travellers. He also recommended that the Sairy lands should be placed in her possession, although he could not recommend the restoration of the whole Estate.

Letter from the Board, May 18th 1835.

7. The Board in their reply gave the Collector permission to place the Sairy lands and the lands which she had appropriated to the support of the Choultries in the Zemindar's possession at once, and at the same time required some further information regarding the arrears of revenue due from the Estate.

Mr. Lewin's letter to the Board, September 24th 1835.

8. In the September following Mr. Lewin, who had succeeded Mr. Crawley as Collector of Rajahmundry, reported that thsse lands had been delivered over to the Zemindar in accord. nce with this permission; and after furnishing the information required by the Board, recommended that the whole Estate should be restored.

Proceedings of the Board, November 16th 1835, enclosing Extract from Minutes of Consultation, November 10th.

Collector's letters to the Board, November 22nd 1835, and December 2nd 1835.
Letter from the Board, March 10th 1836.
Collector's letter to the Board, March 21st 1836.
Letter from the Board, July 25th 1836.
Collector's letter to the Board, August 12th 1836.
Letter from the Board, August 22nd 1836.

9. On receipt of this letter the Board recommended and the Government approved the restoration of the Estate, and orders were subsequently issued on the subject to the Collector. Meanwhile, however, Rajah Vachawaya Buchi Sitayya died, and the Estate was finally placed in the possession of her successor, Buchi Bangarayya in September 1836.

10. Buchi Bangarayya died in 1838, and was succeeded by her nephew, the present ex-Zemindar Surayanarayana Jaggapatirazu, who neglected the Choultries and misapplied the proceeds of the lands which had been appropriated for their support.

Order from Sir H. Montgomery to the Acting Amin of Peddapur, dated October 19th 1843.

11. Upon this coming to the knowledge of Sir Henry Montgomery, the Commissioner in charge of the District, he issued an Order on the 19th October 1843 to the Acting Amin of the Talook, directing him at once to attach the land, to eject those who were residing in the Choultries with the Zemindar's permission, and to collect the Shists from the Ryots entirely for the maintenance of the Choultries. A few months afterwards Mr. Prendergast, the next Collector of Rajahmundry, adverting to that Order,

Order to the Acting Amin of Peddapur, dated 11th July 1844.

gave explicit directions on the 11th of July 1844 regarding the arrangements to be made for the management of the Choultries.

Minutes of Consultation December 2nd 1846.
Proceedings of the Board, December 24th 1846.

12. Surayanarayana Jaggapatirazu soon permitted the Estate to fall into arrears, and it had been several years under attachment, when the Government ordered that it should be sold for arrears of revenue. It was consequently put up to public auction, and bought on account of Government in 1847; but, in giving their consent to the sale and purchase of the Estate, the Government particularly excluded the Choultry lands, adding that it would "be the duty of the Col-

Paragraph 7.

"lector to enforce the appropriation of the "proceeds of the Choultry lands to the purposes for which they were intended."

Collector's letter to the Board, February 11th 1847.
Board's Proceedings 27th May 1847.

13. On the 11th of February 1847, the Collector submitted for the approval of the Board an Advertisement for the sale of the six Estates comprising the Zemindary, including

Minutes of Consultation, September 21st 1847.
Board Proceedings, October 14th 1847.

the Sairy lands enjoyed by the Zemindar, but excluding Puttis 63-18-9 of land, bearing a Shist of Rupees 3,145-15-6, which had been allotted by Government for the support of the two Choultries. Government fully approved of this arrangement and confirmed it.

Collector's letters to the Board, January 11th 1853, and December 20th 1862.

14. On the 11th of January 1853, and on the 20th of December 1862, the Collector forwarded tabular statements describing these Choultries and the sources whence their income was derived to the Board of Revenue, and the Board made no remarks on them, and offered no objections.

15. All the information regarding these Choultry lands which he could collect was furnished by the late Collector to the Inám Commissioner, who enfranchised the land at Kandrakota attached to the Choultry at Peddapur, imposing no quit-rent upon it. The Puttah for the Inám was issued in the name of the Dharmakarta, or Trustee of the Peddapur Choultry. I have not been able to ascertain what the Inám Commissioner did with regard to the Choultry lands in the other villages.

16. I would have brought all these circumstances to the notice of the Board, when I was writing about these Choultries before, and I would have entered fully into the previous history of the Choultry lands, if I had been required to do so: but the subject of my former communication was, whether the terms of the original trust permitted the discontinuance of the practice of distributing food at the Choultries. It was a reply to two Circulars on the subject from the Board, which had been received some time before I arrived in the District: no mention was made of Ináms or Choultry lands in those Circulars.

Board's Standing Circular, No. 4,160, dated June 27th 1862.
Miscellaneous Circular, No. XXVII, March 20th 1863.

17. In conclusion I would most respectfully add that these lands do not belong to Government at all, and therefore cannot be resumed. They were carefully excluded from the Estate at the time of sale; they were not bought by Government, as the other lands were; and they have constantly been referred to as totally distinct from the remainder of the forfeited Estate. Whether the Zemindar had any legal power to make this endowment or not, it has been made, and has been invariably recognized by Government; and, granting that the endowment was illegal, it seems hard that the public should suffer for the Zemindar's fault.

Ordered to be submitted for the favorable consideration of Government, with reference to the Government Order quoted by the Acting Collector. It is to be regretted that these facts were not brought forward on the former occasion, or that attention was not drawn to the previous correspondence; but under the circumstances now stated, the Board have no hesitation in recommending the continuance of the endowments.

No. 302. ORDER THEREON, 28th January 1864, No. 155.

1. The circumstances now brought to notice ought to have been fully set forth by the Acting Collector, Mr. Morris, when the case was submitted, especially as in their Proceedings dated 7th July 1863, No. 4,129, the Board of Revenue had expressly denied the right of the Zemindar to grant the endowment.

2. The Acting Collector, it is observed, more particularly remonstrates against the "resumption," as he terms it, of the Inám. In a return submitted by the Collector on the 11th January 1853, it is stated that the Inám lands with which these Choultries are endowed "are assessed by Government," that the Choultries themselves are under the superintendence of the Amildar of the Talook, and that the surplus proceeds are "kept in deposit." There is nothing on the records of Government to show that the Ináms were ever made over to any individual, and therefore the order to include them with the Government land was not in fact a resumption at all.

3. Further information on this point is necessary as well as on the alleged enfranchisement of the Inám free of quit-rent. The grounds on which the Inám Commissioner enfranchised the Inám and the conditions attached should also be stated. Meanwhile, the distribution of food need not be stopped.

(True Extract.)

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

To the Board of Revenue.

Exd. S. T. Augustin.

Revenue Department

Note

Under the circumstances now stated the Government will probably consent to the continued distribution of food to travellers, under proper regulations for the prevention of abuses of the privilege. These circumstances ought to have been fully set forth by the Acting Collector Mr. Morris when the case was submitted - especially as in their proceedings dated 7th July 1863 No 1179 the Board

Board of Revenue had expressly denied the right of the Zemindar to grant the endowment.

The Acting Collector more particularly remonstrates against the "resumption" as he terms it, of the Inam. In a return submitted by the Collector on the 11th January 1853, it is stated that the Inam lands with which these choultries are endowed "are assessed by Government" that the choultries themselves are under the superintendence of the Amildar of the Talook and that the surplus proceeds are "kept in deposit".

There is nothing on the records of Government to shew that the Inams were ever made over to any individual, and therefore the order to include them with the Government land was not in fact a resumption at all.

Further information on this point is necessary as well as on the alleged enfranchisement of the Inam free of quit-rent. The grounds on which the Inam Commissioner enfranchised the Inam and the conditions attached should also be stated.

Orders requested

bought by and do
not belong to the Pub
fund - under Reg VII/17
and the constitutional
restrictions of charitable endowments.
The distribution of food
is in no sense a charity.
It cannot be pretended
from above 2 cases of
cholera & medicines
for the most part unsuitable
to the circumstances
appropriate endowments
but these appear from the
Collector's report to be
the founding of a dispensary.

Revenue Department
No 155

Proceedings of the Madras Government
Under date the 28th January 1864

Read the following
Proceedings of the Board
of Revenue

Submitting a letter from the Collector of the Godavery District with the Board's recommendation that the endowments to the Choultries of Seddapur and Wontimamidi may be continued.

(Here enter 9th January 1864 No 102)

The circumstances now brought to notice ought to have been fully set forth by the Acting Collector Mr. Morris when the case was submitted - especially as in their proceedings dated 7th July 1863 No 1129 the Board

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dar to grant the endowment.

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intendence of the Amildar
of the Taluk and that the
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Further informa-
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sary as well as on the al-
leged enfranchisement of
the Inam free of quit rent.
The grounds on which the
Inam Commissioner enfran-
chised the Inam and the
conditions attached should
also be stated. Meanwhile
the distribution of food
need not be stopped.

J. D. S.

14 Copies Letter B. of Rev. Dept. 29 Aug.

Revenue 1864 Despatch
Pro: of Govt for January.

No 155.

Pro: of the Madras Govt
Dd 28 January 1864.

Rec: B. of Rev. 8/21 June 1864
& No 1686 in Pro:

Pro: B. of Revenue enclosing a letter from the Collr of Ordanary objecting for certain reasons to the order of Government prohibiting the distribution of food in the Choultries at Pedda pur and Pattinamidi which is directed, with orders thereon.

Pro No. No. 25-26
10-11-35
3-4
8-12-46
32 to 34
21-5-47
52-53
9-11-47
114-115
10-11-63

No 301 & 302.