M.R.O. 14—5,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1857 Press ~~Mis.~~

212.213

Dated 10 — 8 — 1865.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
10th August 1867.

No. 212. Read the following Proceedings of the Board of Revenue, dated 26th July 1867, No. 4,800.

Read the following letter from the Acting Collector of Madras, to the Secretary to the Board of Revenue, dated Sydapet, 27th June 1867, No. 194:—

1. With reference to the Order of Government, dated the 25th March 1863, No. 581, and the enclosed copies of correspondence* which have since passed between this Office and the Inam Commissioner, and the late Special Deputy Collector Devasigamony Pillay, I have the honor to request the expression of the Board's opinion on the point therein raised.

*From the Special Deputy Collector, to the late Acting Collector, Mr. Cockerell, 19th October 1866.
Mr. Cockerell's letter to Inam Commissioner, dated 30th October 1866, No. 496.
Inam Commissioner's reply to the above, 31st May 1867, No. 499.

2. It will be seen from the correspondence above referred to, that there can be no question as to the land originally having been strictly of the class to which all quit-rent grounds belong, although no Government permit appears to have been issued, and that an assessment was once collected on it, though for the last nineteen years immediately preceding the Order of Government no rent whatever has been collected, but the Government have since for special reasons, and out of personal consideration to Mahommed Abdulla Khan Bahadur, exempted the land from the payment of any rent whatever, and have thereby virtually changed its tenure into an Inam contemplated in Regulation IV of 1831.

3. The late Acting Collector, Mr. Cockerell, requested the Inam Commissioner to let him know whether, under the terms of the Government Order, the lands should not have been treated as Inam falling within the scope of Regulation IV of 1831, and disposed of by the Commissioner under the Inam Rules.

4. The Commissioner, however, did not agree with Mr. Cockerell in his view of the case, and thought that, unless it could be shewn that the land was in its origin Inam, and differed in its nature from other quit-rent gardens at Madras, he would not be justified in taking cognizance of it, and that the mere fact of Government exempting the land from the payment of any rent did not necessarily alter the tenure.

5. Under these circumstances, I request the Board's instructions as to whether the land in question should be treated as Inam, and if not, under what head it should be brought.

From M. DEVASIGAMONY PILLAY, Deputy Collector on special duty of the Madras District, to the Acting Collector of Madras, dated Sydapet, 19th October 1866.

1. During the course of my settlement of the Amany villages in this district, it has been brought to my notice that 74 and odd cawnies of land in the village of Valaservakkam, in the talook of Sydapet, are exempt from the payment to Government of demand of any description, as belonging to the late Nabob Hissam-ul-Mulk Yadimut Dowlah Mahommed Abdulla Khan Bahadur Moosibfat Jung.

Total measurement	74	6	8

2. I have the honor, with reference to the correspondence recorded in Board's Proceedings, No. 1,921, of the 30th March 1863, relative to the said lands, to request that you will be so good as to obtain the order of the Board of Revenue on the following points :—

G. O., No. 581, of 25th March 1863, Revenue Department.

1*st*.—It appears from the papers under reference that Government have simply surrendered their claims for demand on the said lands. But the order is silent as to whether the land is to be treated as Inam (rent-free) or otherwise.

From my personal inspection of these lands, I observe that a very small extent thereof is taken up for the site of a bungalow and compound, the remainder being partly cultivated and partly studded with fruit trees.

If the lands be declared as Inam or rent-free, the question that naturally arises therefrom, is whether the holder should not be furnished with a title-deed under the Inam Rules.

2ndly.—From the marginal Memorandum, it will be seen that a portion of the said lands is in possession obtained by purchase, &c., of certain parties quite unconnected with the family of the original holder. Whether the extent so transferred or purchased is liable to any tax or not, remains to be decided.

The total extent	74	6	8
Out of which transferred by sale, &c,			
To Nazuruddin Saib	5	14	6
Thussashmul Selah	4	15	4
	10	14	4

3. In the event of Government finally deciding that the land in question should be treated as Inam, the second point might be easily disposed of under the Inam Rules, but if otherwise, it has to be ascertained whether the indulgence shown to the original holder by freeing him from the liability of payment to Government of any demand, should also be extended to the parties gaining possession of portion of the land by purchase, gift, &c.

From the Acting Collector of Madras, to the Acting Inam Commissioner, dated Sydapet, 30th October 1866, No. 496.

1. In forwarding a copy of the Board's Proceedings, dated 30th March 1863, No. 1,921, and the Proceedings of Government, dated 25th idem, No. 581, I have the honor to request you will be good enough to let me know whether, under the circumstances stated, the land should not have been treated as Inam property and title-deeds issued by your department, and if this ought to have been done, why no notice was taken of the matter by your department ?

2. It appears from inquiries since instituted, that only a small portion of the area given in paragraph 1 of Mr. Cunliffe's letter (printed in the Government Proceedings) is occupied by a building, and that the remainder is either cultivated or stocked with fruit trees of sorts. About Cawnies 10-14-4 are now in the possession of parties no way connected with the family of the Nawab Wallajah, and who have acquired them by sale. I am not aware that this latter circumstance in any way invalidates the claim of the land to be Muttadar's Inam in its integrity, but I suppose it proper to mention.

From the Officiating Inam Commissioner, to the Collector of Madras, dated 31st May 1867, No. 499.

1. With reference to Mr. Cockerell's letter, dated 30th October 1866, No. 496, I have the honor to observe that quit-rent gardens in the district of Madras have not been brought under the settlement of this department, inasmuch as they are not *bonâ fide* Inams.

2. It is not quite clear how, and when, the land under notice was acquired ; but from the correspondence referred to in the letter under acknowledgment, it appears to belong to the class of quit-rent gardens, though the quit-rent in this case has been since given up out of personal consideration to the holder.

3. I do not consider that the circumstance of the Government having remitted the quit-rent alters the tenure of the land and constitutes it an Inam. I am, therefore, of opinion that the land does not fall within the jurisdiction of this department.

Proceedings of the Madras Government, Revenue Department,
10th August 1867.

4. If you can, however, shew that the land was in its origin Inam, and differs in its nature from the other quit-rent gardens at Madras, I shall adopt the necessary measures for its registration as Inam.

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1. Submitted to Government for their instructions.

2. In Government Order, No. 581, dated 25th March 1863, Government reviewing the circumstances connected with 74 and odd cawnies of land, the property of the late Nawaub Hissam Ulmulk Bahadur, situated in the village of Valaservakgam, in the Sydapet talook of the Madras District, resolved to write off the arrears of quit-rent which had accrued, and henceforward to make no demand for quit-rent. They observed that quit-rent had never been paid, and that the Court of Directors had tacitly acquiesced in its remission. Recently the Collector wrote to the Inam Commissioner, and requested to be informed whether any objection existed to treating the land under the rules of his department. To this requisition Mr. Blair replied that, unless the land could be shewn to be Inam in its orign, and different in its character from the other quit-rent gardens in Madras, he would not be justified in taking cognizance of it. Mr. Thornhill now desires to be instructed as to the head under which he should enter it in its accounts if it remains unenfranchised. The Board are of opinion that it should be disposed of as Inam by Mr. Blair. It is not within the Town of Madras, and as no affinity with gardens within the Municipal limits bearing quit-rent which have been treated as peculiar in themselves, owing to the high quit-rent they bear, and have been expressly excluded from the operations of the Inam Department.

No. 213.

Land Revenue

ORDER THEREON, 10th August 1867, No. 1,856.

The Government authorize the Inam Commissioner to issue a Title Deed for the holding as a recognized Inam.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.
,, the Inam Commissioner.

Exd. S. T. Augustin.

8th 1856.

The Post authorities
to transform Pieces a
title and for the holding
as a Recognizance Exam

L.K.

10th August 1857.

11 Copies to Records of Pace Jan 1st 1824
to ——— 4th Inam Commr

3rd
4

Dr. M. Zia-ul-Haq