M.R.O. 14 - 5,650—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 74 Press Mis.

1494-195

Dated 10 — 1 — 1867.

Not to be folded or roughly handled

No. 144. Read the following letter from the Officiating Inám Commissioner, to the Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 18th December 1866, No. 85 :—

1. Having recently forwarded to each Collector a list of the Inams left unenfranchised by this department in his district for enquiry and disposal on the occurrence of lapses, I have the honor to submit the following proposals in connection with this class of Inams for the consideration and orders of Government.

2. Section 6 of the Inam Rules declares that the rates of quit-rent offered by the Commission for enfranchisement will not *necessarily* be held to be applicable to those Inams which their holders have chosen to leave unenfranchised, but which they may hereafter agree to convert into freeholds.

3. Since the closing of the Inam enquiry in the several districts of the Presidency, many Inamdars have come forward and agreed to enfranchise, and such offers of enfranchisement have been accepted on the Inamdars consenting to pay the quit-rent from the date of the original settlement. Where, however, the position of the Inamdar in regard to issue had become so altered as to render the chance of the reversion of the Inam to Government less remote, the offer of enfranchisement was only accepted on the condition of the Inamdars paying the higher rate of quit-rent prescribed for such cases under the rules. The payment of the arrears of quit-rent was, however, not insisted upon in these latter cases.

4. The above mode of procedure no doubt protects the interests of all the parties concerned, but it is not well calculated to bring to a speedy close the work connected with unenfranchised Ináms. It does not hold out an active inducement to the Inamdars to come forward and enfranchise their holdings, and it would, moreover, gradually become impracticable owing to the inability of the Inamdars to pay the quit-rent for a number of years in arrears.

5. The several causes which appear to have led to the non-enfranchisement of Inams are the following :—

First.—An entire absence of heirs and relatives, and a consequent lack of inducement to the Inamdars to secure the continuance of their lands beyond their own lives.

Secondly.—Apprehension on the part of the Inamdars of being deprived by their creditors of their Inams if they were rendered amenable to the jurisdiction of the Civil Courts.

Thirdly.—A desire of entailing their property on their family, by placing it beyond the power of their successors to alienate it.

Fourthly.—Heaviness of the quit-rent offered for enfranchisement,

Fifthly.—General ignorance of the Inamdars as to the various advantages attending enfranchisement, and an erroneous belief that the present rates can be taken advantage of at any time.

6. The accompanying Statement shews the number of Inams left unenfranchised in each district, and the quit-rent involved in the cases. The assessment of these Inams is but three and a half per cent. of the entire value of the Inams settled by this department.

7. It is impossible to state what extent of the Inams has been left unenfranchised from *each* of the several causes above-mentioned, but it is clear that more

than half has been left to be confirmed on present tenure from the first cause. On, of the quit-rent of Rupees 33,500 due on the entire extent of unenfranchised Inams Rupees 19,000 forms the quit-rent on the Inams confirmed for one or two lives, for want of competent heirs, to the present incumbents who did not agree to enfranchise.

8. The longer the Inams confirmed for one or two lives are left unenfranchised, the less distant becomes the prospect of their reversion to Government. They must lapse to the State sooner or later. I would therefore at once proclaim that all such Inams as have been confirmed for one or two lives will not be enfranchised on any terms after the 1st July 1867. I would, however, as a matter of grace, and as an incentive to enfranchisement, allow the Inamdars to enfranchise their Inams within the time specified without the necessity of paying the arrears of the quit-rent from the date of the settlement. All Inams of this class left unenfranchised on the 1st July 1867, would be simply confiscated on the occurrence of lapses.

9. The second and third causes mentioned above as having operated against the enfranchisement of Inams are somewhat similar in character. The Inamdars wish to take advantage of the protection given to them against their creditors by Regulation IV. of 1831, though the protection was certainly not intended for the benefit of the Inamdars, but for the maintenance of the reversionary right of Government. I consider that the Government are perfectly competent to remove the protection at any time. As for the reversionary right of Government, it might be preserved by imposing the condition that on an Inam passing out of the family of the Inamdar, under a decree of a Civil Court, it should become liable to the same rate of quit-rent as was applicable to the original Inamdar. This course of procedure, however, would involve the necessity of a legislative enactment, and the number of Inams left unenfranchised through fear of creditors is so small that an alteration of the existing law does not appear to me to be called for.

10. While refusing to allow Inams confirmed for one or two lives to be enfranchised after the 1st July 1867, I do not consider it to be either necessary or desirable to keep the offer of enfranchisement open to the other Inams indefinitely. The rates now offered are liberal, and there is no reason why the Inamdars, who have now demurred to accept them, should be permitted to avail themselves of them at some future time, when the reversion of their Inams to Government has become a matter of certainty. I therefore propose not to admit enfranchisement under the *present rules* after 1st July 1867, though until that time I would accept it, even without enforcing the payment of the arrears of quit-rent from the date of the settlement. The Inamdars are certainly not *entitled* to this latter consideration; but since the object of the Commission in enfranchising rent-free tenures is not so much to secure a revenue to Government as to render Inam property more valuable, I trust that the Government will not object to my proposal of sacrificing the arrears of quit-rent, and thus affording to the Inamdars a facility for converting their Inams into freehold property.

11. After 1st July 1867, I propose to dispose of the applications for the enfranchisement of Inams, as follows:—

(a.) If the Inamdar making the application for the enfranchisement of his Inam is entitled, with reference to his *then* position as regards heirs, to the lowest

rate of quit-rent (¼th) under the present rules, the offer of enfranchisement will be accepted on his agreeing to pay the higher rate of quit-rent of one-fourth.

(b.) In all other cases, where the Inamdar may only be possessed of terminable heirs, or where he may have no heirs whatever, the application for enfranchisement will be rejected, in the same manner as those from the parties whose Inams have been confirmed for one or two lives.

12. When it is clearly understood that the enfranchisement of Inams under the present rules will not be permitted after 1st July 1867, and with the increased facility for enfranchisement which will be afforded by the abandonment of the arrears of quit-rent, I have no doubt that the majority of the Inamdars will come forward and enfranchise their holdings.

13. I believe that in some districts, where there were not sufficient data for determining the correct assessment of Inams, or where the Survey assessment itself was high, some lands have been over-assessed, and that this cause has operated to some extent in preventing the enfranchisement of Inams. As a remedy, I would propose that it should be intimated to the Inamdars, that on their producing an endorsement from any of the Covenanted Revenue Officers of the district, stating the proper amount of assessment chargeable on their lands with reference to the quality of the soil, the assessment will be revised accordingly. But even in these cases I would not admit any application after the 1st July 1867.

14. *The fifth and last cause of the non-enfranchisement of Inams* will disappear with the Notification, that applications for enfranchisement under the present rules will not be accepted after the 1st July 1867.

15. Should the Government concur in the above views, I should submit, for their approval and for publication in the "Fort Saint George Gazette," a short Notification for the information of the Inamdars.

No. 145. ORDER THEREON, 10th January 1867, No. 74.

Land Revenue.

Mr. Blair will be good enough to submit a draft of the proposed Notification.

(True Extract.)

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

To the Officiating Inám Commissioner.

Exd. S. T. Augustin.

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Mr Blair will be good enough to submit a draft of the proposed notification

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10 May 67.

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