

*Proceedings of the Madras Government, Revenue Department,
23rd April 1868.*

Read the following:—

No. 519. Proceedings of the Board of Revenue, dated 12th October 1867,
No. 6,626.

Read the following letter from the Collector of North Arcot, to the Secretary to the
Board of Revenue, dated Chittoor, 7th October 1867, No. 282.

In a Khat, dated the 28th August last, the Zemindar of Poonganur brings
to my notice that many of the Dasabundum tanks in his estate being in a ruinous
state, he proposes to call upon the Dasabundumdars to restore them within a given
time.

2. I propose to say, in answer to the Zemindar's reference, that as this is a
state of things as injurious to the interests of the villages in which such tanks are
situated as it is to his own, he is at liberty to issue written notices to the Dasabun-
dumdars, requiring them to restore all such tanks within a reasonable time; but
that, in the event of any of them failing to do so, he must report and obtain permis-
sion before any final resumption of the Inams originally set apart for their mainte-
nance can be made. By adopting this course, the principle that Government alone
has the right to resume such Inams would be fully maintained.

3. In the event of these Inams even being resumed and incorporated with
Inams, they would ultimately pass into the Zemindar's possession, as he would, no
doubt, eventually undertake their repair at his own cost.

4. I beg the Board will be pleased to inform me whether these views have
their approval.

Forwarded to the Officiating Inam Commissioner for his observations.

No. 520. Proceedings of the Board of Revenue, dated 13th January 1868,
No. 228.

Read the following letter from the Officiating Inam Commissioner, to the Secretary
to the Board of Revenue, dated Madras, 23rd November 1867, No. 27.

1. I have the honor to acknowledge the receipt of the Proceedings of the
Board of Revenue, dated 12th October 1867, No. 6,626.

2. I consider that Zemindars are competent to enforce, without reference to
the Collector, the Inamdars' obligation of performing repairs to their Irrigation
works, either by resuming the Dasabundum Inams granted for that purpose, or by
actions in the Civil Courts in the event of the Inamdars refusing to allow the
resumption to be carried out. The Title Deeds issued by this department for Dasa-
bundum Inams, declare that the Inamdars are entitled to hold the Inams so long as
they continue to execute the usual repairs. The tenure of the lands having been
thus settled by the Officers of Government, I do not think that they have any fur-
ther right to interfere. The Zemindar and Inamdar should be left to enforce their
respective rights either by an arrangement between themselves, or by an action in a
Civil Court.

3. It appears to me that Dasabundum Inams, granted for the maintenance of
Irrigation works, do not fall under Regulations Nos. VII of 1817, IV of 1831, or
VI of 1831, and that, consequently, there is no objection to the disputes relating to
these Inams being settled in the Civil Courts. I may also here mention that there

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are in Zemindaries some other Inams of this description which have also been confirmed on their existing tenure, namely, Inams granted for private services to be rendered to the Zemindars, and Inams granted on the condition of the Inamdars residing in the village and keeping up the cultivation of the Zemindars' lands. In the event of the Collector's sanction, for the resumption of the Dasabundum Inams being considered necessary, the same course will have to be followed before resuming Inams of the other descriptions here alluded to.

4. These Inams, when resumed, will of course revert to the Zemindar, and not to the Government.

With reference to paragraph 4 of the above letter, the Board request Mr. Blair to inform them whether his remarks apply to rent-free tenures which were in existence at the period of the permanent settlement, for it seems to them that the terms of that settlement gave the reversionary interest in all such holdings to the Government, and not to the Zemindar.

No. 521. Proceedings of the Board of Revenue, dated 6th April 1868, No. 2,549.
Read again the following letters:—

From the Collector of North Arcot, dated 7th October 1867, No. 282, recorded in Board's Proceedings, dated 12th October 1867, No. 6,626.

From the Officiating Inam Commissioner, dated 23rd November 1867, No. 27, recorded in Board's Proceedings, dated 13th January 1868, No. 228.

Read also the following letter from the Officiating Inam Commissioner, to the Secretary to the Board of Revenue, dated Madras, 29th January 1868, No. 3.

1. I have the honor to reply to the Proceedings of the Board of Revenue, dated 13th January 1868, No. 228.

2. The remarks in paragraph 4 of my letter were intended to apply to Inams which were in existence at the period of the permanent settlement, as Inams granted subsequent to that period were not brought under the settlement of this department.

3. No doubt, under the terms of the permanent settlement, a Zemindar is not competent to question the authority of Government to dispose as they please of the Inams which were in existence at the time of the permanent settlement. But when once the Government has resolved to continue an Inam permanently for a specific service due to the Zemindar, I think that the right of the latter to resume the Inam for default of service, or to enforce the service by an action in the Civil Courts,

comes absolute. It can be of no consequence to the Government whether the Zemindar after resuming the Inam for default of service, gives it to another person who undertakes to perform the service, provides some other means for its due performance, or appropriates the Inam for other purposes, if he does not require the service. The Title Deeds were issued by this Department simply to enable the Zemindars to claim possession of the Inams so long as they continued to perform the service, but not, I imagine, with a view to the Government asserting any right of reversion when the service ceased to be performed.

4. The views I have expressed are in accordance with those held by Taylor, who was of opinion that the reversionary right in these Dasabundum