M.R.O. 14–5,450–22-10-25.

# MADRAS RECORD OFFICE.

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## Government of Madras.

Revenue **DEPARTMENT.**

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| G.O. No. | 1441 | Press ~~Mis.~~ |
| 539-42 Dated | 22-5- | 1868. |

***Not to be folded or roughly handled***

*Proceedings of the Madras Government, Revenue Department, 22nd May 1868.*

Read the following:—

No. 539. Proceedings of the Board of Revenue, dated 6th December 1867, No. 7,899.

Read the following letter from the Collector of South Arcot, to the Secretary to the Board of Revenue, dated Cuddalore, 23rd November 1867, No. 310.

1. I beg to lay before the Board the following, for their consideration and early instructions, in view to the determination of similar cases frequently coming before me.

2. The holder of an Inam on which a quit-rent has been imposed by the Inam Commissioner falls into arrears, and there is no other means of realizing the arrear than by subjecting the Inam to public sale. It is accordingly sold, the arrear of quit-rent is credited to the State from the sale proceeds, and the surplus is disbursed to the Inamdar. How is the Inam thereafter to be treated? Should it be made over to the purchaser on a quit-rent only, or for the full assessment? I presume the latter, as the land, by default, has virtually become incorporated with Ain. The rules are clear enough respecting the enjoyment of the Inam while in the original holder's possession, and its alienation by private sale to others, but it is not laid down how the land is to be assessed under the circumstances stated, although I cannot suppose in any other way than above indicated; I solicit the Board's orders.

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1. Forwarded for the Inam Commissioner's remarks.
2. The Board presume that the question turns upon the fact of whether or not the Inam has been enfranchised from lapse. If not, the Inamdar's default would, in the Board's opinion, terminate the Inam tenure, and resumption rather than sale for arrears would be the proper course to pursue. Enfranchised Inams, on the other hand, should be treated precisely in the same manner as ordinary Ryotwary lands, the quit-rent being viewed as the assessment due to Government on the land by whomsoever held.

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No. 540. Proceedings of the Board of Revenue, dated 24th January 1868, No. 598.

Read the following letter from the Officiating Inam Commissioner, to the Secretary to the Board of Revenue, dated Madras, 12th December 1867, No. 29.

I have the honor to acknowledge the receipt of the Proceedings of the Board of Revenue, dated 6th December 1867, No. 7,899, and to state that I fully agree with the Board's views therein expressed on the subject of the resumption or sale of Inams for arrears of quit-rent.

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Communicated to the Collector of South Arcot.

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No. 541. Proceedings of the Board of Revenue, dated 1st April 1868, No. 2,386.

Read the following papers:—

Board's Proceedings, 16th December 1867, No. 8,090.

From the Collector of Salem, to the Secretary to the Board of Revenue, dated on Circuit at Omalur, Salem talook, 18th January 1868, No. 9.

1. In answer to Board's Proceedings of the 16th ultimo, No. 8,090, I have the honor to state that the Inam therein referred to is not under the control of the

Devastanum Committee, as the Act, XX of 1863, does not place under the Committee's management Inams of this description.

2. The Inam measures Acres 11-7-0, assessed at Rupees 8-12-9, subject to a quit-rent of Rupees 2-6-10.

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1. Submitted for the orders of Government, with reference to paragraph 4 of Government Order, dated 7th June 1867, No. 1,295, and Board's Circular No. XXXIII of 1867.

2. The Collector of Salem requests sanction for selling an Inam measuring Acres 11-7-0, assessed at Rupees 8-12-9, and subject to an annual quit-rent of Rupees 2-6-10. It was granted for performing worship to a certain deity, but as the quit-rent on it has not been paid for Fusly 1276, it has been attached.

3. As the Inam has not been enfranchised, the Board question whether it can be sold in the ordinary manner. They resolve to submit a copy of their Proceedings, under date 6th December 1867, and 24th January 1868, in connection with this subject, for the information of Government.

4. In the present case, probably, the most convenient course would be to resume so much of the Inam as would, in value, present the capital value of the present quit-rent, leaving the remainder to the Pagoda as rent free.

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No. 542. ORDER THEREON, 22nd May 1868, No. 1,141.

Miscellaneous.

1. The Government approve the Board's suggestion for disposing of the case of the Salem Pujari Inam. So much of the land will be resumed as represents an assessment value equal to the Jodi on the whole grant, and the remainder will be left to the Inamdar free from quit-rent.

2. As regards the case referred by the Collector of South Arcot, the Government observe that the question depends on the terms of the sale advertisement. If the land was sold as liable to the charge for quit-rent only, the purchaser is entitled to hold it on those terms.

(True Extract.)

(Signed) W. HUDLESTON,
*Secretary to Government.*

To the Board of Revenue.

Ed. S. T. Augustin.

Although, as regards the mere amount of quit-rent, this is a very small matter, the act of good in selling for a trumpery arrear, part of a grant made for the performance of Hindu religious worship, will have a grave significance - and must be as unobvious as does time to be misconstrued. - It occurs to me that it would be a pity to make over this Inam which now is at our mercy available for sale in part or as an entirety, - to the Committee of the nearest Pagoda established under act 20 of 1863. - If they were entrusted with keeping up the arrear of quit-rent they might reasonably eject the Poojaree whose neglect this Inam is placed in jeopardy and appoint some new man to superintend the worship. -

I do not say that the act should be avoided however for the stated purpose. I suppose the lapse of two such. any thing to settle than the sale for a trumpery arrear of an endowment for Hindu or Mahomedan religious duties

W.R.

13 May 68

Pr

I agree in the Reasons and
hint if I should have occasion
for remarks of a similar
kind I will be careful
of the matter & observe
proper & decent Expressions.
I always in such cases desire
to speak in Council.

N.

Vt. 1414-3

The Govt. approves the
Bd's suggestion for disposing
of the surplus Land
Sugar Loan. Much
of the Land will be necessary
to replenish an account
below equal to the Sum of
the Stock Granted & the Interest
will be applied the Interest
from time to time.

Respecting the Case
appealed to the Govt. of Scotland
the Govr. observes that the
Question depends on the
Laws of the Colony & the
Rules & Ordinances
which the Exchange for
Civil Matters the Purchaser
is to have Recourse on there
in the first Instance. 22d May 68.

N.

Mr Secretary Pownall

19-8-12

16-12-16

Rev. 1868. Department

Bo. of Govt. for Mlay

No. 1138.

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 1st April 1868.

No. 2,336.

Submitting for orders with remarks letter from Collector of Salem, requesting sanction for the sale of an unenfranchsed Inam for arrears of quit-rent.

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Rs. 539 @ 5 1/2

C.F. 73.

DEPARTMENT.

**Paper taken out of the Records from the charge of the Referencer.**

Press / Miscellaneous / Routine No. 1114, dated 22-5-1938 193 .

| Date taken out. | For what purpose. | | | Initials of clerk taking the paper or of attender. | Date returned. | Initials of attender. |
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| | Department. | C. No. | Year. | | | |
| 4-11-38 | Secy | 11722 | 38 | [illegible] ISD | 25/6/38 | [illegible] |