

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	345	<u>Press</u> <u>Mis.</u>
¹³⁷⁻³⁸ Dated	6-2-	18 68.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
6th February 1868.*

No. 137. Read the following Memorial from NANDURI KONDAYYA and others, Mekkassadars of the village of Arugalum in the Nunnastalem Purganah of the Nuzid Zemindary, Kistna District, to the Right Honorable the Governor in Council, Fort St. George, dated Madras, 10th January 1868:—

1. We most respectfully beg to submit the accompanying Memorial, addressed to the Right Honorable the Secretary of State for India, for its being despatched to him, with your Excellency's favorable recommendation.

2. For which act of charity and justice your petitioners shall always be bound, and ever pray.

No. 138. ORDER THEREON, 6th February 1868, No. 345.

Land Revenue.

Ordered that the Memorial received with the foregoing letter be despatched to Home Government, and that the Memorialists be informed of its despatch.

(True Extract.)

(Signed) W. HUDLESTON,

Secretary to Government.

Erd. F. R. Bantleman.

Invoice 119 of 1868
Rev. J. B. May 1868 L. 117

List of Documents presented with a Petition
dated 10th January 1868 addressed to the Right Honourable the
Secretary of State

1. Authenticated extract of the Complaint
presented by the Zamindars of Huzar to the Court of Hindu
Causes at Muzhapatan with its Translation
2. English Decree of the above Court
3. Authenticated extract from the Register of
Inams of Huzar 1207 with Translation
4. Endorsement passed by the Collector of the Huzar
District dated 22nd September 1865 No. 32 stating that
Chaturbagam as one fourth of the amount only appears
to have been taken into the office together with a copy
of the account of Circuit Committee
5. Translation of an abstract showing that
28000 Pagodas were imposed on the Zamindars as
the permanent Pesh cash inclusive of the Desam
Rajans
6. Abstract account prepared by the Circuit
Committee showing the average Collection of 8 years for
10 Paraganas from 1776 to 1783
7. Copy of an argu with translation dated
presented by the Zamindars to the Circuit Committee
stating that quit rent should be imposed upon
Bell Motla or ready money Jodi illokhapax and

Agraharams after deducting Agarkatays in
charges. &c.

8. Statement of the Burhagam Villages held
by Brahmins showing that a greater amount of
sum is being paid on the Village of Kroogolam than
that entered in the Appels.

9. Statement of Pilla Kattubadi or ready-
Villages which pay a higher sum than that entered
in the Appels.

10. Statement of Belle Mokka ready money Villages
held by other Caste people and which pay a lower
amount than that entered in the Appels.

11. List of Villages which were held by Sudras but
which were enjoyed tax free although a sum had
been entered in the Appels.

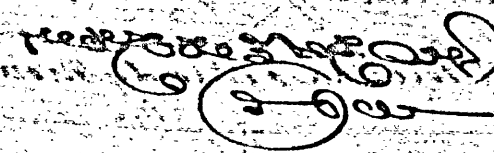
12. Translation of a Khul or Dued executed
by the Zamindar of Nazid to the British Government
at the time of forming permanent Settlement.

13. Five endorsements given by the Commissioner
bearing Nos 1076, 160, 193, 144, 184.

14. Extract from the Statement of the Appels
15. List of the Mottapas and Agraharams pre-
sented by Mr. Pappal the then Collector.

16. Their Petitions presented to Government
with the endorsements.

Madrass
10th January 1868.





To

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The Right Honble Sir Stafford Northcote
the Secretary of State for India

Most respectfully sheweth

The humble Memorial
of Nadoory Condiah and others
Mokkhasadars of the village
of Kroogolam in the Zemindary
of Nazid attached to the Krishna
District Madras Presidency
That the following is an appeal
against the decision passed by the local Govern-
ment to the effect that the reversionary rights
of the abovementioned Mokkassa Village was
reserved by the Zamindar of Nazid and that
consequently it could not be brought under
the operation of the Inam Rules.

1. That the village in question was
granted to Memorialists ancestors as a
Mokkassa or Inam Village in A.D. 1743
by the then Zamindars of Nazid simply for
their subsistence but on the condition of their
paying to the grant or one fourth of the pro-
duce that may be produced by their labors at
the time of granting the village on Mokkassa
tenure. No condition of rendering any services
was

was offered to the Memorialists and they were enjoying it uninterruptedly for the last 130 years. Subsequent to the grant the assets were framed by the British Government in which a sum of Rupees 245 or 69 Star Pagodas was entered against the Village by inserting the name of Mokkassu. This was effected in A.D. 1780. Immediately after the assets were framed a Register of Inams was prepared in Feby 1207 under the Superintendence of the then Collector of Masulipatam in which the Village under notice was entered as a Chaturbagam Mokkassu.

Then in A.D. 1802 the permanent Settlement was formed, the Village was entered in the account forming the Settlement as a Mokkassu held on Chaturbagam tenure.

In 1827 when Mr. Ross had to prepare a statement of the Inam tenures in this Zemindary he took the above Village into his account and entered therein distinctly that it was a Chaturbagam Mokkassu Inam being an Inam Village which pays one-fourth of the gross produce to the ruling authority.

That while the Memorialists

had

had been thus in the uninterrupted enjoyment of their Inam Village, a Department was instituted to enquire into the Inam tenures of the Presidency in 1858 and the Officer who was designated as Inam Commissioner first visited the District of Masulipatam and commenced his enquiries. The Deputy Collector who was deputed to conduct the enquiry of the Inam tenures of the aforesaid Zemindary enquired into the above Village and prepared an English Register fixing a permanent fode of Rupees 450 instead of Chaturbagam with the Consent of the Zemindars. Vakil. When the Register was submitted to the Inam Commissioner for final disposal and issue of a Title Deed, the Zemindar himself appeared & complained to him that the fode fixed by the Deputy Collector on this Village was low under certain circumstances and begged him to raise it but, never raising objections to its enfranchisement, as he knew that no service whatever is called for from the Memorialists and the Village was equal to an Agraharam in every respect being held

held by Bramins simply for subsistence
Upon this the late Inam Commissioner
fully discussing the uncertain position of
Inamdars as well as of the Zamindar,
raised the above sum to Rs 470 to which
the Zamindar had given his full consent
never wishing to reserve the reversionary right
to himself. But when the Inam Commis-
sioner felt some doubts regarding the rever-
sionary right of the Mokhasas generally in
the above Zamindary, he made a report
to Government requesting their instructions
on certain points. In this report he bore a
favorable opinion of the Memorialists in
village and recommended that Chaturbagum
or Villages which pay one fourth produce
and Tribagam or Villages which pay one
third produce may be brought under the
Inam Rules because all of them are
held by Bramins for their personal
benefit.

That though the Title Deed
was not granted to the Memorialists, yet
the Zamindar who acknowledged the
Justice of the above Village being brought
under

under the Inam operations had been
levying from them the Jodi newly fixed
by the Inam Commissioner for a period
of 3 years when the Memorialists were in
full expectations of obtaining a Title Deed.
But they regret to inform your Lordship
in Council that the reference which was
made to Government by the Inam Commis-
sioner was fully discussed and the Govern-
ment, who omitted to make a favorable ex-
ception in the case of the Mokhasa Villages
held by Bramins, passed their orders to the
effect that the reversionary right of the Mok-
hasas in the above estate was generally
made over to the Zamindar, and that conse-
quently no settlement could be effected
with them.

That upon this the Zamindar
taking advantage of the indistinct Orders
above alluded to, brought a suit against the
Memorialists in the Court of small causes
at Masulipatnam for a heavy sum which he
called to be due to him on account of Cha-
turbagam. While the case was thus pending
before the Court the Memorialists who were

in hourly expectations of a Title Deed
for their Village and who knew not what
had passed between the Government and the
Indian Commissioner, had to present them-
selves before the Indian Commissioner's
Office and ask him to favor them with a
Title Deed under the original settlement.
Before, however, the matter was finally set
at rest, the Court of small Causes passed
their Decree for a heavy and unjust sum
in favor of the Zemindar stating that beha-
turbagan or the paying of one fourth produce
only should continue till the Indian Com-
missioner may have granted a Title Deed
to the Memorialists.

5 That the Indian Commissioner
upon whose just decision the Memorialists
had to depend, granted them an endorsement
September 1864 N. 1076, stating that the
claims of Petitioners will be taken into con-
sideration should they obtain and produce
an endorsement from the Collector to the
effect that the full value of the Makhassa
was not included in the Assets. When the
Memorialists produced that endorsement
to

to Mr. Thornhill, the then Collector of the
District, he favored them with an endorse-
ment dated 22 April 1865 stating that
one fourth value only appears to have
been included in the Assets and not the
full value as was supposed by the Indian
Commissioner.

6 That the memorialists fully
believing that they will be favored with the
request sought for, again presented themselves
before the Indian Commissioner & produced
the endorsement requesting him to favor
them with a Title Deed. That Officer, instead
of keeping up the spirit of his first endorse-
ment again asked the Collector to inform
him more fully on the tenure of Makhassa
generally raising at the same time certain
objections which were confusing and un-
rational to arrive at a just conclusion. At
this time the Collector that granted the en-
dorsement had to be absent from the District
and the one who was acting for a time
replied the Communication undersignedly
that he thinks that the full value appears to
have

have been included in the Assets, though no accounts are available to show that his surmise was well founded. Then the Inam Commissioner granted an endorsement to the Memorialists that he had received a reply from the Collector and that their Village does not appear to have been separated from the rest of the Mokhassas and could not, therefore be brought under his operations.

7. That not having obtained the Justice sought for with all their repeated trouble, the Memorialists had to appeal to the local Government who, not instituting an enquiry into the truth or otherwise of the statement that believing entirely in the surmise of the Inam Commissioner granted them an endorsement stating that they see no reason to interfere in favor of the Petitioners.

8. That while their case was not yet disposed of the Memorialists apprehending the consequences of the Decree passed directing the continuance of the Chaturbagam tenure, requested the local Government to issue Orders to the Court of small causes to suspend the execution of the warrant for the levy

levy of the heavy amount of sum decreed by the Court till their case was finally settled by them. But the Government refused to grant the request stating that the execution of the warrant could not be arrested.

9. That upon this, the Memorialists solicited the Government to favor them with a decisive answer stating that if, as admitted by every one and decreed by the Court, their Mokhassa is to be recognized as a Chaturbagam they might be granted with a Title Deed under the Inam Rules, and that of the Government think that full value only was included in the Assets for the Mokhassa under notice, they may Order the Collector to levy from the Memorialists the every sum of Rupees 245 which was entered in the Assets directing him at the same time to refund to the Memorialists the former Collections made over and above Rupees 245 with a belief that the Mokhassa was a Chaturbagam and that one fourth value only was included in the Assets.

10. That the Inam Commissioner entirely based his decree on the only remark which was entered at the foot of the Assets that

that "the Mokkassa Villages and grants are under the control of the Zamindar and given or resumed as he pleases." This he thinks to be sufficient to exclude the above Mokkassa from the operations of the Indian Rules -

11 That the Government not having given any decisive Orders nor made enquiries into their statement, the Memorialists have thus to appeal against their decisions on the following grounds:

12 That as for the remark entered in the foot notes of the abstract of Assets of A D 1783, and which was quoted in Para 10 of this Memorial, the Memorialists beg to submit as follows. This remark was made in a year subsequent to which the permanent settlement was formed. It was true that at the time of assets Mokkassas and other writtis vizt. Aggraharns or minor Inams were under the immediate control of the Zamindar with powers to dispose of them as he thought proper. But when the interference of British authorities was needed, they could not recognize such an inconsistent power and they therefore virtually

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virtually cancelled this remark by the subsequent correspondence which took place in 1802. The Zamindar, moreover, attempted, at the time of Permanent settlement, to enter some of the Seri or Government villages as Mokkassa to secure a lower amount of Peshkash and thus entered some villages as such, which truth however having been found out by the British authorities that conducted the Permanent settlement they with the permission of Government issued orders to resume those Mokkassas which appeared to have been granted subsequent to a period of thirty years and to continue to the holders without the least interference of the Zamindar those Mokkassa Villages which have a longer enjoyment than those of 30 years standing. Moreover this remark which contains the wording the Mokkassas and grants was intended to indicate all other writtis granted an Inam tenure besides the Mokkassa. Had it not been the case there could not have been such wording as Grants there being no other Inam tenure in this Zamindary which were not brought under the Indian rules except the Mokkassa Village

Villages in question. Besides, the above wording of the remark does not at all signify that the full value of the Mokhasas was included in the assets, while a portion only was taken into account for the Aggarharms and other Inam tenures similarly situated. It is not known by any of the old correspondents that the full value of the Mokhasas was taken into assets except in the one which passed recently between the Inam Commissioner and the local Government. Neither the Inam Commissioner nor the Government could prove by any document that the full value was taken into account, and the Deemsters are not aware how they were led to believe that it was so. A perusal of the Number of the Mokhasas entered in the assets and that particularized in the Permanent Cowl granted to the Zamindar will clearly show that some of the Mokhasas which were entered in the assets as such were resumed and the rest were conferred permanently to the holders without any interference of the Zamindar, and this fact was mentioned in para 3 of the Cowl granted to him. Thus the remark in question had been virtually annulled. Hence, the presumption of the Inam Commissioner that

that full value was taken into assets had no foundation whatever.

13 That if Mokhasas are not to be brought under the Inam Rules merely under the spirit of the above remark, the Aggarharms and other Inams also should not have been brought under them alike, as the remark was equally applicable to both. If full value was taken into the assets, there could not have been any use by the insertion of the Name of Mokhasa, which would then be equal in every respect to a Ser or Government Village. It is therefore clear that the reversionary right of these Mokhasas has been reserved by Government to themselves.

14 That in the account of assets prepared for the 10 Paraganas of the Zamindari in the year 1783 in this as well as in other Zamindaris the value of Ambarum or the remaining produce which goes to the benefit of the ruling authority had been taken as the full value of the Ser or Government lands, after deducting the share due to the ryots. This amount of Circar or (that which appertains entirely to the State) rellages was entered in Column 1

of

of the abstract upon which assets were calculated. And the Collections made upon Inam villages some of which paid a grain Jodi being in three or four sorts such as Patta Kattubade, Chaturbagams and Tribagams Villages and Villages which are destined to pay a fixed amount of ready money were taken into the assets as the collections upon Mookhassa villages in Column 2 of that statement, but, it was never meant as the full value of the Mookhassa tenures. The values of the Aggrahams also were in like manner taken into assets and entered in Column 3 of the statement. As it is not clear from the statement that full value only was taken into account for the Mookhassas, they are nevertheless cognizable by the Inam Department, as in the case of Aggrahams which were equal to them in all respects.

15 That the Desapandya Rasmis which the ancestors of the Memorialists had been enjoying were resumed by Government at the time of forming the Permanent Settlement, and this statement is not only borne out by the account of 1866, but also the late Inam

16 Inam Commissioner when reporting to the Local Government on the Inams of this Zemindary expressed his opinion that all the Desapandya Inam Villages in this estate should be enfranchised and a quit rent of one eighth should be imposed, as had been done in the other Districts. While these facts are thus clear and conclusive the Petitioners are at a loss to know why and on what grounds of the present Inam Commissioner considered their village as a grant made for Desapandya Service and the full value of which was included in the assets of the Zemindary.

16 That upon a perusal of all the authenticated Copies of Documents accompanying the memorial as well as all the records connected with the history of the Mookhassa Villages generally your Lordship in Council will clearly understand that the Court of Small Causes at Masulipatam, the Collector of the Krishna District the Deputy Collector who conducted the Inam enquiry the Inam Commissioner and the Zemindar have all unanimously agreed that the Petitioners village is a Chaturbagam and Patta with Mookhassa having had

had never to do any service whatever to the Zamindar. It will further be seen that the Village had been in the enjoyment of the Petitioners for a period of nearly 130 years which itself constitutes a valid title under the Irian rules, that after the assets had been formed all the matters connected with the Zamindary had been completely settled and the village was entered as a *behaturbagam* in the Permanent Settlement account of 1802, in the account of 1827 prepared under the Superintendence of Mr Ragsdale and in all the subsequent accounts.

17 That in the remarks entered in the accounts upon which Assets were based an allusion is made that 8362 Pagodas is the profit derived by Mokkassadars but that sum not having been included in the *Pest Marsh* of the Zamindary even in the year 1802 it is evident, that the full value of the Mokkassas was not included either in the Assets or in the permanent settlement.

18 That some of the Mokkassadars who pay a ready money *godi*, and whose Mokkassas were entered in the Assets have subsequently been extinct and those Mokkassas have been

been entered in the Names of others during the permanent settlement. Of which the holders of 16 Villages whose *afesment* is Rupees 2800 have not been paying any *Sirin* to the Zamindar, and the holders of 51 Villages have been paying a sum less than that entered in the Assets. Some of these Mokkassadars are the relatives of the Zamindar while others should render services to him. It is for these Mokkassas only that the late Irian Commissioner made mention in his report to Government stating that their reversionary right should be made over to the Zamindar, and it would therefore be clear that he never meant to make over to the Zamindar the reversionary right of the Mokkassa Villages held by Brahmans for their subsistence without any conditions of service.

19 That in the Zamindary above alluded to, there are only five *behaturbagams* entered in the Assets. But of which, Little Deeds were granted for two - there are also 39 Pullakattubodi Kallubadi Villages. Out of which Little Deeds were granted for

for 22 Villages. A sum of Rupees 3400
and Rupees 3400 were entered respectively
in the assets for the remaining three char-
turbagam villages and 17 Pullakattabady
tenures. For these three and 17 villages, a
sum of Rupees 840 for the first set and
Rupees 10,000 for the 2^d set of Villages was
entered in the account prepared by Mr. Raphael
as being collected. While the late Inam
Commissioner proposed a fixed Jodi even
double of the amount entered in the Assets
with a view to secure a permanent foot-
ing to the holders and an increase of sum
to the Zamindar with their mutual consent,
it would be surprising to learn that he could
have ever meant to make over to the Zam-
indar the reversionary right of the above
Villages.

20. That the above details were
fully given from Paras 17 to 35 of the Petition
in N. 766 from Paras 16 to 20 of the Petition
N. 1130, and from Paras 1 to 15 of the Petition
N. 1131 of 1867 which were addressed to the
Local Government and are now submitted
for your Lordships perusal.

21. That if the above information be

be considered doubtful to render justice
to the Memorials your Lordship will
be kind enough to peruse the following
papers and from which it is believed
that their statement will be corroborated.

1. The English Register prepared
by the late Inam Commissioner for the
above Mookhassas.
2. The statement prepared in 1859
by the then collector of Masulipatam
showing the Mookhassas which belonged
to Police services.
3. Letter from the Board of Re-
venue to the Local Government dated 25th
March 1861.
4. The correspondence passed
between the collector and the Board of
Revenue regarding the reversionary right
of the Mookhassas of Rameswaram and
Sengamagudem.
5. The list of Mookhassas as
entered in the Assets.
6. The list of Mookhassas
entered in the permanent Cawle given
to

to the Zamindar.

7. Letter from the Collector of Masulipatam to the Board of Revenue dated August 1860.

8. Letter from the Irram Commissioner to the Madras Government about the Mookhassa tenures of the Nuzvid Zamindari.

On a perusal of the above papers, it will be evident to your Lordship that all the facts mentioned by your Memorialists have a good foundation.

22 That it would be superfluous to add once more that the Village of the Memorialists was never granted for the service of a Desupandya the duties of which were discontinued immediately after the resumption of the revenue set apart for that office. Nor, were they at any time under the obligations of rendering services to the Zamindar. In all probability your Lordship will rightly conceive that the Mookhassa in question had been granted simply for the subsistence of your Memorialists and they are ever since

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ever since enjoying it as such. This fact will be proved when your Lordship may learn from the records that in some of the Zamindaries of the old Masulipatam District which have been reverted to Government, there were some Mookhassas held by Brahmins like that of the Pemorela Cots and they were all considered as subsistence grants and enfranchised under the Irram Rules.

23 That, it may be that the Zamindar should be permitted to reserve to himself the reversionary right of some Mookhassas the holders of which were his actual servants performing such services as to accompany him during hunting excursions to watch his residence &c to perform several other services. But the Memorialists much regret to say that their Mookhassa was granted simply for their subsistence as Brahmins, and it would be doing them utter injustice not bringing their village under the operations of the Irram Rules as they were never under any obligation of rendering services to

to the Zamindar While the Mokkassas held by Bramins which are situated in the other Zamindaries some of which have been reverted to Government, have been enfranchised under the Munn rules for the reasons that they were held by Bramins, a Caste which renders no service at any time. It would be very hard for the Memorialists to be thus deprived of that benefit under some unknown causes which the Sircar Commissioner himself could not explain. From the above there could not be a better proof that the village under notice also is nothing but a Bhaturietle or subsistence grant to be enjoyed by Petitioners like any other private property.

24. That on a thorough consideration of the foregoing circumstances, your Lordship in Council will perceive that it was nothing but a defect of enquiry which prevented the Sircar Commissioner and the local Government to render justice to the Memorialists. If they had at all based their decisions entirely on the only remark which appears in the statement of

of facts, they should have equally perused the subsequent correspondence which would have shown them that their surmise tends to render injustice to the Memorialists.

25. That in conclusion, the Memorialists most humbly crave your Lordship to peruse all the records connected with the origin of these Mokkassas and order a Title Deed to be granted to them. If on the contrary your Lordship be of opinion that full relief only was taken into Affairs for these Mokkassas, to be so merciful as to Order the Decree of the Court which professes the Mokkassa to be a Bhaturbagam to be annulled and to refund to your Memorialists the sum collected from them over and above that which was entered in the Affairs Register 245 and to Order the Zamindar to collect that sum only from the Petitioners in future. For which act of charity and justice your Memorialists shall always be bound and ever Pray.

Madras

10th January 1868

Signed / Nandoo
Condeah & others

[Signature]



STAMP: DEPART
23 AUG
1965

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[The page contains dense handwritten text in Tamil script, which is mostly illegible due to extreme blurring and fading. The text appears to be organized into several horizontal sections or paragraphs.]

I filed in Court this 30th June 1865
 Signed J. Wilkins
 Principal Sd's Ameen
 True Copy
 [Signature]
 Principal Sd's Ameen

June 11 19 of 1868
Rev. J. B. - July 11/68

pp. 345.
Ordered that the memorial received
with the foregoing letter be despatched to
Home Government, and that the memorialist
be informed of its despatch.

F.B.
6th July 68.

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141-150 to England
77 11 February 1813 1818 Land Re