

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	921	Press ~~Mis.~~
Dated	7—4—	1868.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
7th April 1868.*

Read the following :—

No. 156. Proceedings of the Board of Revenue, dated 20th January 1868,
No. 454.

Read the following letter from the Acting Collector of Madras, to the Secretary to
the Board of Revenue, dated Sydapet, 28th November 1867, No. 400.

1. I have the honor to report, for the information and orders of the Board,
the following case of lapse of a ready-money allowance annually paid from the
proceeds of the village of Rajakeelpaukam, in the Sydapet talook, consequent on the
death of the recipient, Fatma Bi.

2. For a full and complete history of the village, I would refer the Board to

To the Board, from the Collector, 27th Septem-
ber 1834, No. 171.

From the Board, 6th November 1834.

To the Board, 24th " " No. 215.

" " 28th March 1835, No. 50.

From Government, 20th April 1835.

To the Board, 30th May 1835, No. 95.

From the Board, 11th June 1835, No. 100.

" " to the Collector, 7th April
1836, No. 22.

To the Board, from the Collector, 30th April
1836, No. 21.

From the Board, 4th July 1836, No. 44.

To the Board 22nd August 1836, No. 193.

From the Board, 1st Sept. 1836, No. 1,652.

To the Board, 1st November 1836, No. 201.

From the Board, to Government, 10th Novem-
ber 1836, No. 257, and Miscellaneous Circu-
lar, 22nd November 1836, No. 1,600.

the correspondence noted in the margin.

From which it will be seen that the
village was originally granted on the

Shrotriem tenure to one Ganajag Hussein,
in A. D. 1758, by the late Nabob, the
grant being purely personal in its nature.

The original grantee and his son appeared
to have had undisturbed enjoyment of the
village till 1834, the village having, in
the meantime, come under the auspices
of the British Government, and the Jodi
been re-assessed, amounting in the aggre-
gate to Rupees 228-13-6.

3. In Fusly 1243, Mahomooden Saib,
the then Shrotriemdar, fell in arrears,

and the then Collector, Mr. McLean, proposed to the Board the resumption of the
village. The Government, however, were unwilling to resort to this harsh measure
recommended by the Collector and supported by the Board, and suggested that a
fixed time should be allowed to the Shrotriemdar to pay up the arrears. The Shro-
triemdar accordingly entered into an agreement, but failed to act up to it. The
village was, therefore, finally resumed under the orders of Government, dated 21st
April 1835.

4. After the village was thus resumed, one Fatma Bi questioned the right of
Government to resume the entire village, and claimed a distinct interest (two five-
eighth shares) in the village, and pleaded ignorance of the proceedings taken by the
Collector

5. On inquiring into the petition of Fatma Bi, it appeared that the share claimed
by her in the village was decreed to her by the late Zillah Court, and that by virtue
of such decree the share in question was registered in her name so far back as 1830,
and that she paid her share of kists separately into the Government treasury. The
Collector Mr. McLean, in reporting the above to the Board, maintained that the
plea of ignorance set up by Fatma Bi was not worthy of any credit, and therefore
the resumption should remain undisturbed.

25 out
of 8 shares
See G.O.
820
2-7-36

*Proceedings of the Madras Government, Revenue Department,
7th April 1868.*

6. The Board, however, disagreed with the Collector, and recommended to the Government the restoration of the share which vested in Fatma Bi by the decree of the late Zillah Court. The Government, concurring with the Board in their view, ordered the restoration of the share in question to Fatma Bi, in Extract from Minutes of Consultation, dated 2nd July 1836, No. 830, and ever since the date of this order, the whole village has been managed by Government, and two five-eighths share of the net revenue alone paid to Fatma Bi in ready cash.

7. Fatma Bi died lately leaving two sons, named Mahomed Hussein and Ahmed Hussein, and a married daughter named Joran Bi. The sons have applied to me for the registry of the share in question in the joint names of themselves and their sister, and the inquiry held by the Tahsildar shews that there are no other legal heirs to the deceased. I, therefore, request the orders of the Board as regards the claim of the heirs for the registry of the share in question in their joint names. While on the subject, I would observe that the case of Fatma Bi was referred to the Inam Commissioner in the course of Inam Settlement in this district, and that officer, considering the tenure of the share in question belonging to Fatma Bi as hereditary, though it is distinctly stated in a tabular statement, sent by Mr. McLean in 1834 with his letter of the 27th September reporting on the arrears of Jodi outstanding against the village, that the grant was not hereditary, and proposed that, instead of the present annual payment of ready-money allowance from the Kistbundy Beriz of the village, land assessed at Rupees 77 might be given to Fatma Bi, subject to a quit-rent of Rupees 9-8-0, or to surrender the whole village to her at a quit-rent of Rupees 450; but Fatma Bi declined to consent to either of the proposals, and requested that lands, assessed at Rupees 80 without any quit-rent at all might be given, and that she should be permitted to choose the land. This she was permitted to do, and she elected to have lands out of the present holdings of a ryot, and wished to have power to convert the present money-rent into a grain-rent at pleasure; but as the ryot who held the lands in question would not consent to her terms, the Inam Commissioner was obliged to leave her share in its present tenure, and issued no title deed whatever for it, as the Inamdar, Fatma Bi, was not, he observed, in possession of any specific land.

8. Such being the case, and also considering that the original grant, as quoted by Mr. McLean, did not contemplate any hereditary right to the village, I beg to suggest that the present is a fitting opportunity to compel the surviving heirs of

Fusly	RS.	A.	P.	Fatma Bi to submit to one of the two
1267...	35	2	11	arrangements already proposed by the
1268...	69	10	2	Inam Commissioner, or to consent to
1269...	62	13	4	receive a fixed ready-money allowance
1270...	52	4	4	without reference to the proceeds of the
1271...	77	7	3	village, the present mode of allowing two
1272...	76	11	1	five-eighths share out of the Beriz of the
1273...	90	5	5	village being a very inconvenient arrange-
1274...	73	12	8	ment. I annex in the margin the amount
1275...	77	14	4	paid to Fatma Bi, during the last ten
1276...	88	3	7	years, from the beriz of the village of
Average	704	5	1	Rajakeelpaikum, on account of her two five-eighths share in the village.
	70	6	10	

*Proceedings of the Madras Government, Revenue Department,
7th April 1868.*

The Inam Commissioner will be requested to inform the Board on what ground he considered that Fatma Bi's allowance was an hereditary grant.

No. 157. Proceedings of the Board of Revenue, dated 16th March 1868, No. 1,896.

Read the following letter from the Officiating Inam Commissioner, to the Secretary to the Board of Revenue, dated Madras, 18th February 1868, No. 6 :—

1. I have the honor to acknowledge the Proceedings of the Board of Revenue, dated 20th January 1868, No. 454.

2. The allowance granted to Fatma Bi represented her share in the Shrotriem village of Rajakeelpaikum, and there is nothing to shew that the allowance was restricted to her life when it was restored by the Government in 1836. It was, therefore, treated by this department in the same manner as the Shrotriem village itself would have been treated, had it not been resumed for arrears of Jodi.

3. The Shrotriem village of Rajakeelpaikum was granted in 1758, to a certain individual, and was not interfered with either on the death of the grantee, or of his son. It was only resumed in 1835, not because the village was considered to have been held on life-grant, but because the then incumbent, (the grandson of the grantee,) had failed to pay his Jodi punctually. Fatma Bi complained that her share ought not to have been included in the resumption, as she had always paid her share of the Jodi regularly, and it was accordingly restored to her. Thus, the Board will observe that the Shrotriem of Rajakeelpaikum was practically treated as an hereditary grant for more than fifty years.

4. As regards the grant, it does not shew whether the village was intended to be enjoyed hereditarily, or only for life. It is silent on this point, as are almost all the Persian Sunnuds. In such cases the practice of this department has been to determine the tenure with reference to the manner the Inam has actually been allowed to be enjoyed.

1. The Board consider the reasons adduced by the Inam Commissioner for believing Fatma Bi's allowance to be hereditary are sound, and they resolve to recommend that it be continued in the joint names of her children, Mahomed Hussain, Ahmed Hussain, and Joran Bi.

2. They are of opinion that the variable payment should be commuted to a fixed allowance, but as the amounts annually paid to Fatma Bi seem to have been permanently increased in Fusly 1271, they think the average should be calculated on the last six years only. In that case it will amount to Rupees 80-11-8.

No. 158. ORDER THEREON, 7th April 1868, No. 921.

Miscellaneous.

1. The Government concur with the Board, and sanction the continuance of Fatma Bi's Inam to her heirs.

*Proceedings of the Madras Government, Revenue D
7th April 1868.*

2. *Their* consent seems necessary to the proposed commutative share for a fixed amount, but the Government are willing to adopt the if the preferable arrangement of an assignment of an actual share cannot be carried out.

(True Extract.)

(Signed) W. HUD
Secretary

To the Board of Revenue.
 „ the Accountant General.

Exd. S. T. Augustin.

W. G. 21.

The first concern is the
the 18th & Sanction the com:
of the 18th & Sanction the com:
of the 18th & Sanction the com:
of the 18th & Sanction the com:

main & his
Wine conduct
 seems necessary & the perfect
 common sense of the varying
 share from a fixed amount
 but the Govt are willing to
 adopt the Bd's proposal. if
 the proposed arrangement
 of an assignment of
 an actual share of the
 village carried the carried
 out.

11 - 1892 Revue des 8
6 ans 7