M.R.O. 1—29,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 139 Press / Mis.

282-83

Dated 25-1-1870 19 .

Not to be folded or roughly handled

No. 282. Read the following letter from the Officiating Inam Commissioner, to the Acting Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 1st November 1869, No. 57 :—

I HAVE the honour to submit the following question for the consideration and orders of Government.

2. In 1861 the Hissa Shrotriems in the district of Bellary were settled by this department and converted into Kayem Jodi villages under the Order of Government, dated 22nd March 1861, No. 677, and Title-deeds were granted to the Inamdars, confirming the entire villages to them, subject to a fixed quit-rent.

3. The Collector of the district has since raised the question whether, under the settlement made by this department, the Inamdars are entitled to the produce of the jungles, topes, and date-trees in their villages, or whether their right is limited to the mere cultivation of the *lands*.

4. This question does not appear to have come under consideration at the time when the villages were settled, and the annual productive value of the trees was not therefore taken into account in fixing the quit-rents on the villages.

5. Prior to the settlement of this department no revenue was ever raised by Government, either from the jungles or the date-trees. The topes, however, were rented out by Government, and the whole of the proceeds credited to Government, without any share being allowed to the Inamdars. The average amount of collections made by Government on the topes in the several villages amounts to Rupees 119, as detailed in the margin.

Names of the Hissa villages.	Amount of Rental. Rs.
Ittighi	1
Devasamudram	1
Kakabal	6
Kondinayakanahalli	2
Bannihatti	1
Kudaradevu	2
Rangapuram	2
Harivibasapuram	2
Kambhattrahalli	1
Raclanarri	18
Hosahalli	8
Braminpalli	20
Gangalakunta	5
Rallapalli	1
Duradakunta	5
Subbaranpeta	1
Challupalli	38
Venkatapuram	1
Roddakampalli	1
Munisamudram	2
Hulikeradevarapalli	1
	119

6. Although no revenue was raised by Government on the date-trees, still I should not omit to mention that the Abkarry Renter was allowed to have free use of the trees, and that he drew toddy from them without paying anything to the Inamdars. This, however, is not the case in the Kayem Jodi and Sarva Inam villages, in which the trees are under the control of the Inamdars.

7. From the above it is clear that the district authorities considered that in these Hissa villages the Inamdars had only a right to the *lands* of their villages, but not to the trees standing thereon. I have not been able to ascertain why they were considered not to have any right to the trees, while their right to the land on which the trees stand was undoubted. There is nothing to show the state of things in these villages before the Hissa-system was introduced; but I imagine that the trees were in the possession of the Inamdars in the same manner as in any other

Kayem Jodi villages, and that the present anomalous system of regarding the trees as the exclusive property of Government is only due to some erroneous view taken by the subordinate revenue-authorities of by-gone days. In the district of Salem, the Inamdars of similar villages are allowed to share in the revenue raised on the trees as well as in that derived from the land.

8. The area entered in the Title-deeds, issued by this department for these villages, includes the land covered by the jungles, topes, and date-trees; a reasonable quit-rent having been charged thereon, with reference to the prospect of its being brought under cultivation hereafter, and the documents convey no reservation whatever in regard either to the trees or the jungles.

9. The question I have to submit for the consideration and orders of Government is, whether, under the above circumstances, the topes and date-trees in the villages should be now made over to the Inamdars; and if so, whether the quit-rents of the villages should be raised on account of the trees, on the ground that their value was not included in the assets on which the quit-rent was calculated. As for the jungles, I have no doubt that they belong to the Inamdars, and the question regarding them is nearly the same as that disposed of by Government in their Order, dated 17th September 1868, No. 2,403, Revenue Department.

10. Having, by the terms of our Title-deeds, made the Inamdars absolute owners of the land, it would be anomalous for the Government to assert and maintain a right to, and control over, the trees standing thereon; and I have therefore no hesitation in recommending that they should be made over to the Inamdars. My only doubt is, whether the quit-rents charged on the villages should be raised on account of these trees which have now to be declared to be the property of the Inamdars, or whether they should be simply so declared free of further charge, since the settlement was made once for all without any reservation of the Government right in these trees.

11. At first I was of opinion that the quit-rents should be revised, as the annual value of the produce of the trees was not included in the assets on which the quit-rent was calculated; but on further consideration, I came to the conclusion that the trees should be made over to the Inamdars free of any further charge, because any alterations in the quit-rents once fixed would have the effect of shaking the confidence of the Inamdars in the finality of the settlement made by this department on behalf of Government.

12. I shall now show the sacrifice of quit-rent that will result from making over the trees to the Inamdars free of further charge.

Proceedings of the Madras Government, Revenue Department,
25th January 1870.

13. The average annual rental of the topes is Rupees 119. This sum, *minus* the quit-rent of about Rupees 10, which has been charged on account of the land on which the topes stand, must be considered as a loss to the Government. As regards the date-trees, it is impossible to say whether there would be any real loss, and if any, what its amount would be. The Government derived no direct revenue whatever from the trees, and there is no reason to suppose that the Abkarry revenue would suffer from making over the trees to the Inamdars. The Collector of the district has, at my suggestion, excluded the trees from the current Abkarry lease, notwithstanding which the Abkarry revenue has risen.

14. Although the date-trees in the Hissa villages have been excluded from the current Abkarry lease, still the Abkarry renters appear to continue to use the trees without paying anything to the Inamdars, excepting in one or two villages, and they are of course opposed to transferring the trees to the Inamdars. Their objections, however, are not entitled to any consideration, since they have no right to the trees under the terms of their contract.

15. Should the Government decide on revising the quit-rents on account of the trees now to be declared the property of the Inamdars, the charge can only be determined, in communication with the Collector, at so much per thousand trees, with reference to the probable future income of the Inamdars. It is extremely difficult, if not impossible, to fix a proper rate of charge. There are no means of ascertaining what would be the future income of the Inamdars from these trees. On the whole, however, I do not think the profit will ever be very large, since the Inamdars cannot dispose of toddy to any body but to the Abkarry renter, who can thus dictate his own terms. The consumption of sweet toddy must, generally speaking, be too small to affect the interests of the Abkarry renter. I once thought that the difficulty might be met by adding to the quit-rents the full assessment of the land on which trees stand, *minus* the sum already charged thereon, and most of the Inamdars agreed to this mode of settlement; but the Government will observe from the accompanying Statement that the charge would be very unequal, owing to the trees growing densely in some villages and being much scattered in others.

STATEMENT showing particulars of the trees standing on certain of the Hissa Shrotriem villages in the district of Bellary.

No.	Talook.		Name of the Inam Village.	Quit-rent already charged on account of waste land.	Description of the land on which the date-trees stand.	Particulars of land occupied by date-trees. Acres.	Assessment.	Deduct quit-rent already charged on the land.	Remainder.	Estimated number of trees standing on the land. Trees now yielding toddy.	Young trees.	Old and useless trees.	Total number of trees.
1	2		3	4	5	6	7	8	9	10	11	12	13
				Rs. A. P.			Rs. A. P.	Rs. A. P.	Rs. A. P.	No.	No.	No.	No.
1	Bellary ...	1	Kaligahalli	60 0 0	Waste ...	68·00	37 0 0	2 0 0	28 0 0	5,501	1,721	341	7,563
2	Kudlagi ...	1	Yemadapuram	6 0 0	Do. ...	16·00	10 0 0	3 0 0	7 0 0	250	.....	260	510
		2	Kesanakera	30 0 0	Do. ...	43·00	20 0 0	2 0 0	18 0 0	480	.....	413	893
3	Harapanahalli	1	Akkingiri	24 0 0	Cultivated ...	4·00	7 0 0	3 0 0	4 0 0	150	525	80	755
					Waste ...	115·00	44 0 0	4 0 0	40 0 0	7,380	7,705	3,265	18,350
						119·00	51 0 0	7 0 0	44 0 0	7,530	8,230	3,345	19,105
		2	Dadapuram	.....	Waste ...	93·00	13 0 0	7 0 0	5 0 0	2,039	3,819	.....	5,858
		3	Josilingapuram	12 0 0	Do. ...	60·00	15 0 0	6 0 0	9 0 0	8,150	750	150	9,050
4	Adoni ...	1	Mantriki	25 0 0	Cultivated ...	12·00	5 0 0	3 0 0	3 0 0	3,250	3,225	.....	6,475
					Waste ...	358·00	112 0 0	11 0 0	101 0 0	45,350	44,350	.....	89,700
						370·00	118 0 0	14 0 0	104 0 0	48,600	47,575	.....	96,175
		2	Pesalabanda	1 0 0	Cultivated ...	7·00	4 0 0	1 0 0	3 0 0	1,160	390	.....	1,550
					Waste ...	3·00	2 0 0	0 4 0	1 12 0	900	1,250	.....	2,150
						10·00	6 0 0	1 4 0	4 12 0	2,060	1,640	.....	3,700
		3	Jalibenchi	.....	Waste ...	14·00	2 0 0	.....	2 0 0	30	30	.....	60
		4	Pandanagallu	4 0 0	Do. ...	26·00	8 0 0	0 8 0	7 8 0	100	114	.....	214
		5	Paramanadoddi	3 0 0	Do. ...	26·00	10 0 0	0 8 0	9 8 0	625	375	.....	1,000
5	Gutti ...	1	Gundala	4 0 0	Do. ...	34·00	7 8 0	0 1 0	7 7 0	3,320	.....	.....	3,320
6	Anantapuram.	1	Raghavapalli	10 0 0	Do. ...	50·00	9 0 0	1 0 0	8 0 0	3,714	3,036	.....	6,750
7	Penugonda ...	1	Chollapalli...	95 0 0	Cultivated ...	40·00	47 0 0	38 0 0	9 0 0	6,855	.....	.....	6,855
					Waste ...	227·00	77 0 0	10 0 0	67 0 0	20,500	.....	.....	20,500
						267·00	124 0 0	48 0 0	76 0 0	27,355	.....	.....	27,355
		2	Venkatapuram	9 0 0	Cultivated ...	198·00	40 0 0	22 0 0	18 0 0	1,200	.....	.....	1,200
					Waste ...	431·00	85 0 0	3 0 0	82 0 0	43,530	.....	.....	43,530
						629·00	125 0 0	25 0 0	100 0 0	44,730	.....	.....	44,730
8	Hindupuram.	1	Maitagolam	.....	Waste ...	7·00	2 0 0	.....	2 0 0	60	365	.....	425
		2	Maredupalli	5 0 0	Do. ...	33·00	16 0 0	1 0 0	15 0 0	5,683	6,435	200	12,318
9	Madakasira ...	1	Vulikaradenarahalli ...	36 0 0	Do. ...	2,617·00	362 0 0	30 0 0	332 0 0	11,380	11,389	22,745	45,514
		2	Sarjamunupalli	7 0 0	Do. ...	2·00	1 1 0	0 1 6	0 15 6	435	18	126	579
			Grand Total...	331 0 0		4,486·00	928 9 0	148 6 6	780 2 6	172,042	85,497	27,580	285,119
						Particulars.							
					Cultivated ...	261·00	104 0 0	67 0 0	37 0 0	12,615	4,110	80	16,835
					Waste ...	4,225·00	824 9 0	81 6 6	743 2 6	159,427	81,357	27,500	268,284

MADRAS,
1st *November* 1869.

(Signed) W. T. BLAIR,
Offg. Inam Commissioner.

Proceedings of the Madras Government, Revenue Department, 25th January 1870.

Proceedings of the Madras Government, Revenue Department,
25th January 1870.

No. 283. ORDER THEREON, 25th January 1870, No. 139.

Land Revenue.

THE Right Honourable the Governor in Council is of opinion that the interests involved are so trifling that it would be decidedly inexpedient to shake the confidence of the Inamdars in the finality of the Inam settlement by re-considering the quit-rents fixed on the Hissa Shrotriems of the Bellary District, in view to taking into account the profits to be hereafter derived by the Inamdars from topes, jungles, and date-trees.

2. His Lordship in Council is of opinion that the estimate of the assets of the Inams, referred to in paragraph 8 of the Acting Inam Commissioner's letter, must be taken to have included all profits of every description derivable from waste land; and he accordingly authorizes the Board of Revenue to issue instructions to the Collector in accordance with this view.

3. The present decision is strictly in accordance with the spirit of the order passed regarding the Hissa Shrotriems of the Salem District, which is referred to at the close of paragraph 9 of the Acting Inam Commissioner's letter.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Inam Commissioner.
,, the Board of Revenue.

Exd. F. R. Bantleman.

24.6.75
21-7-75
25-6-13.

GOVT. OF MADRAS.

REVENUE.

THE INAM COMMISSIONER,

&c. &c. &c.

Inam Commissioner's Office,

Dated 30th January 1875.

Sir,

I HAVE the honor to forward herewith, for the information of Government, a Return of Inam Settlements effected in the Districts of Bellary and Kurnool during the month of January 1875.

2. The Return is prepared in accordance with the Standing Order of Government, dated 23rd March 1874, and the Inam Commissioner's Circular Memorandum, dated 30th March 1874.

I have the honor to be,

Sir,

Your most obedient servant,

[illegible]

Inam Commissioner.

To

The Secretary to Government,

Revenue Department.

JANUARY.

Nos. 222-223.

Inam Settlements in Bellary District.

Profits to be derived by the Inamdars from trees, &c., and date-trees on lands not to be subject to assessment.

No. 32.

Proceedings of the Inam Commr

Dated Vellore 27th May 18

The Ag. Commissioner has had under rev
Agraharam Registers in which the Deputy Coll
a separate settlement with, and recommended a separ
to be given to each Sharer. This being contrary to 12
the Ag. Commissioner desires to lay down the follow
the subject.-

2. Inam grants of entire Villages may
two classes; those made to a single individual
or "Shrotriem" Villages, and those called "Agrahara
community of Brahmins consisting of several distin
held in a number divided Shares or Wuttus. The form
-lages, however, have not unfrequently been divided an
-ants of the Grantee and held in Separate Shares; whi
the Agraharams have likewise undergone many sub
changes have been made in the allotment of the
neither case has the Government recognized the divi
-solutely as Separate property. On the contrary, the
Shares in each Agraharam or Shrotriem, has b
jointly responsible for the Jodi in which the Co
There are generally no records of the fields atta
Share, and Government have never been a party
& alterations of the Shares which may have from
taken place. Even where the cultivated fields
the date of the Grant held in divided Shares
-rams, the waste, Promboke & other common prop

Village are held jointly. In consequence of the joint rights & joint responsibilities which, as above described, more or less exist in all these cases, it becomes necessary that a single settlement should be made for each Village and the Ag Commissioner directs that this Course be invariably followed

3. Next as regards the terms of enfranchisement it is observed that by Circular of the Commissioner No 32 of 1860 it was directed that where a single settlement is made of an Inam under Para XXI of the Inam Rules, all the shares in it should be enfranchised on one & the same rate, & by another Circular No 22 of 1862 Para 5 it was explained that the above order was intended to embrace only members of the same family. These instructions seem sufficient to provide for the case under notice. Where an Inam Village is held by members of the same family or by descendants of the original grantee though in divided shares, it may be properly treated & enfranchised as one estate being however, held joint & answerable for the Govt But where the shares are held by families totally unconnected with each other, the members of one family can not be regarded as rightful claimants of the share held by another, and such share in default of heirs ought to Lapse to Government though they may have risked a joint responsibility as regards the Govt. Government, however, have sometimes proceeded even further in advancing their rights of reversion and resumed shares of Inam Village tho' there were divided members of the family living. These assumptions being made upon grounds which were then considered sufficient, cannot be now disturbed.

4. The following rules therefore are laid down on the subject. First That every Inam Village, Agraharam, Shrotrium or of any other description shall be settled as one case. 2nd That when it is held by members of the same family or by descendants of the grantee, it shall be enfranchised upon one & the same rate of Quit Rent applicable to the present holders considered as one family.

3rdly That where shares of the Village are held by families distinct & unconnected with each other either having been originally assigned by Government or subsequently acquired by alienation each such shareholding family shall be treated separately & enfranchised upon terms applicable to their holdings, or allotment of the Lapsed or resumed shares of any kind. A separate Deed will be given for the whole Village though the terms of enfranchisement (when the shares are different) will be conveniently shown on the back of the Deed. Shares which have been already resumed by Government will be excluded from the enfranchisement & may now lapse to Government will be excluded from the enfranchisement & may now lapse to Government but it is intended that they shall be managed separately by the Collector, under instructions to make them over to the other holders of the Village at their full value can be added to the Quit Rent of their shares.

5. The above instructions do not supersede the registration of the separate titles of shares & Quit Rent of undivided shares in the Village as heretofore which forms a part of the work of the Commissioner, such registration being necessary to the Government for the purpose of future collection of Quit Rent and the settlement of disputes, however, necessary to the proprietors of the Village to give a separate Ticket to each shareholder as an Ag Settlement Commissioner observed that no more Tickets than Deeds. The Share-holders are at liberty to obtain Extracts of the Register on Stamped paper, which will contain all the information necessary as regards their rights and interests in the Village.

6. There is one more point which the Ag desires to notice. Agraharams have been formerly considered as saleable and transferable property. Shares under this view alienated by Sale, Gift or bequest to others who cannot be strictly regarded as heirs, or purchasers without any consciousness of defective title. Sometimes vacant Shares have been taken possession of by holders interested in the Agraharam or been

...ept into the hands of Strangers with their tacit consent. In all these cases it appears to the Acting Commissioner that the past title of the alienees who acquired their shares before the passing of the Inam Rules of 1848 and in accordance with the then prevailing usage of Agraharams cannot now fairly be questioned. Such shares will therefore be now enfranchised with reference to the position of the alienees in regard to them.

W. Wilson
Ag Inam Commissioner

Deputy Collector
Inam Commissioner

Rec'd 16th May 1870

Revd Department

No. 139.

Proceedings of the Madras Government

Under date the 25th January 1870.

Read the following letter from the Offg Inam Commissioner

Subs for the consideration & orders of Govt a question raised by the Collr of Bellary as to whether under the settlement made by the Govt the holders of Toda Shotrium are entitled to the produce of the Jungles, Topes & Date trees in their villages. (M.G.O. Nov. 69 pp. 57)

The Right Hble the Governor in Council is of opinion that the interests involved are so trifling, that it would be decidedly inexpedient

to shake the confidence of the Inamdars in the finality of the Inam Settlement by reconsidering the quit rents fixed on the Fisca Shotrieme of the Bellary District, in view to taking into account the profits to be hereafter derived by the Inamdars from Topes, Junglee and Date trees.

2 The Lordships in Council is of opinion that the estimate of the assets of the Inams referred to in para 8 of the Sr. Inam Commrs. letter must be taken to have included all profits of every description derivable from waste land, and he accordingly authorizes the Board of Revenue to issue instructions to the Collector in accordance with this view.

3. The present decision is strictly in accordance with the spirit of the orders passed regarding the Fisca Shotriems of the Salem District, which is referred to at the close of para 9 of the Acting Commissioner's letter.

8 Public Inam Commissioner Dispatch 26
14 — Board of Revenue

E. Hudleston