

No. 289. Read the following Proceedings of the Board of Revenue, dated 10th August 1871, No. 3,382:—

I HAVE the honour to submit the following case for the orders of the Board:—

3. A portion of these lands, however, were in the enjoyment of certain Jains, who it seems objected to having to pay their assessments to a Hindoo pagoda, and as Mr. Reade received during the Fusly other complaints of a similar kind from Jains, he issued orders that only lands in the possession of Hindoos should be assigned as Hindoo Pagoda Inams, and in consequence the assignment of the revenue from all the lands in the possession of the Jains of these two villages was resumed from the beginning of Fusly 1277. The Government officers did not collect any of this revenue during Fusly 1276.

5. In the beginning of last month this dharmakurta petitioned to have the sum of Rs. 1,460-9-1 paid to him, being the equivalent of the revenue resumed for five Fuslies, commencing from Fusly 1276 (less a small collection made by the pagoda managers in that year, amounting to Rs. 30-7-7) calculated as below:—

6. The Tahsildar in his report on the petition states that the annual revenue resumed amounted to Rs. 300-4-11, and that during Fuslies 1277, 1278, and 1279, some small remissions were granted, amounting in all to Rs. 14-10-11, so that the total sum which the manager of the pagoda would have received for Fuslies 1277, 1278, 1279, and 1280 from these lands, if he had the collection of the revenue accruing on them, seems to be 1,186-8-9, which sum (when the present arrears for Fusly 1280 have been collected) will have been credited to Government.

7. This sum the pagoda dharmakurta appears entitled to receive, and the only question for decision is whether the Government should be considered bound to collect and pay to the pagoda the revenue for Fusly 1276, which the pagoda

*Proceedings of the Madras Government, Revenue Department,
28th August 1871.*

managers were unable to collect for themselves, owing to the refusal of the Jains to pay it to them.

8. Owing to the lapse of time since the arrear accrued the pagoda manager will be unable to recover it either by a suit in Court or under the Rent Recovery Act, while it is doubtful whether Government can collect it as an arrear due to them, seeing that the amount was not entered in the Government Accounts as a demand for Fusly 1276. I there-

RS.	A.	P.
309	4	11
30	7	7
269	13	4

fore request the Board's instructions how to deal with this amount.

9. I would, however, recommend that after deducting the remissions, amounting to Rs. 14-10-11, the full revenue for Fuslies 1277, 1278, 1279, and 1280, after collection, be paid over to the pagoda dharmakurta, on the distinct understanding that no money on account of these lands will ever again, under any circumstances, be paid to him. If the Board approve, the lands of which the revenue was resumed in Fusly 1277 might be again assigned to the pagoda, as there will be no end to the difficulty that will arise, if any body who chooses to say he does not like doing so is to be excused from paying his land assessment to any institution to which it may be assigned by Government.

THE Board resolve to recommend Government to sanction the refund of Rs. 1,192-13-4. Lands held by Jains were assigned to the Mylum pagoda in Fusly 1276, and taken from it again in Fusly 1277, because of the obvious inexpediency of assigning lands held by Jains to a Hindoo temple. The dharmakurtas were directed to select other lands, but they have not done so yet, and the application for a refund of the assessment collected by Government on the land since the assignment was cancelled has been delayed by dissensions amongst them.

2. The Board cannot allow the claim to a refund of the portion of the assessment of Fusly 1276 which was not collected by the dharmakurtas, because of the reluctance of the Jains. The revenue had been assigned to them, and they could have enforced the demand if they had chosen to do so.

3. The Collector should proceed at once to assign land belonging to Hindoos, and not to Jains, to the pagoda.

No. 290.

ORDER THEREON, 28th August 1871, No. 1,466.

Land Revenue.

THE refund of Rs. 1,192-13-4 is sanctioned.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Board of Revenue.
,, the Accountant-General.

Exd. F. R. Bantleman.

To the Secretary to Government, Revenue Department.
,, the Collector of South Arcot.

Exd. G. A. Turton.

Per 1871. Sep
**Board of Revenue,
MADRAS.**

PROCEEDINGS, 10TH AUGUST 1871, No. 3,382.

Despatch 18 Aug 1871
Received. *11 Aug*

Encl.

AUGUST.
No. 3,382.

No 1466 - 28 August 1871
Refund of revenue,—amounting to Rupees 1,192-13-4, collected by Government for Fuslies 1277 to 1280, on certain lands in Tindevanum Talook, South Arcot District, held by Jains and assigned to a Pagoda in that Talook.—Recommendation to Government to sanction, owing to lands having been resumed.—Land belonging to Hindoos, to be assigned to Pagoda.

607.0113713 591713.

REVENUE.

To THE BOARD OF REVENUE,

, &c., &c., &c.

Dated August 28th

Recd.

G. O., 28th August 1871, No. 1,466.

AUGUST.
Nos. 229-230.

Refund of revenue, amounting to Rs. 1,192-13-4, collected by Government on certain lands in South Arcot District, held by Jains which were assigned to a Hindoo pagoda but afterwards resumed, sanctioned.