No. 164. Read the following Proceedings of the Board of Revenue, dated 3rd July 1872, No. 1,178 :—

Read Board's Proceedings, Miscellaneous No. 1,087, dated 11th April 1872.

Read also the following letter from W. D. HORSLEY Esq., Collector of Cuddapah, to the Secretary to the Board of Revenue, dated 18th April 1872, No. 57 :—

THE Board in their Proceedings, Miscellaneous No. 2,633, dated 11th April 1872, on Petition No. 3,048 of 1871, presented by a Kuttubadi in this district, remark as follows :—"The appellant's family were Kattubadies or armed peons. Such persons are not village servants under Regulation of 1831."

2. I wish to know whether I am to understand that no Kattubadies are village servants, or whether the remark only applies to Jangi Kattubadies. If Kattubadies are not village servants under the Regulation, I wish to make the fact known in the District Gazette, to prevent mistakes in future, as the general impression is, that such persons are village servants and amenable to the Regulation.

3. I may mention that the fact of the Inams in this particular case having been enfranchised, was not brought to the notice of the Assistant Collector or to my notice. The petitioner, I find, alludes to the circumstance in a deposition before the Tahsildar, but in his petition, as plaintiff, he naturall ymakes no mention of a Title-deed.

4. The copy of the register just received from the Board is dated nearly three months after my proceedings on appeal were passed.

5. I am not quite sure whether the Jangi Kattubadies' Inams in this district ought to be considered as enfranchised. In 1863, the Inam Commissioner sent to this district 1,385 Title-deeds for distribution. I believe I am right in stating, because I have not seen further correspondence on the subject, that these Title-deeds were re-called by Mr. Taylor, and they have not been returned since for distribution.

6. Further, I do not understand how Service Inams have been entered as Personal Inams in the Register, copy of which I have received from the Board.

THE foregoing papers relate to a claim to share in a Jangi Kattubadi Inam in the Cuddapah District.

2. The petitioner in No. 3,048 of 1871 appealed to the Board from a decision of the Collector cancelling one by the Assistant Collector whereby he (the petitioner) was declared entitled to one-third of an Inam of the above description. The decision was reversed by the Collector on the ground that the Inam in question falling under Regulation VI. of 1831, is inalienable from the holders of the office.

3. The petitioner's father died in 1848, and the eldest of his three sons was appointed by the Collector to succeed to the vacant office of Duffadar of Jangi Kattubadies. The sons remained undivided till 1867, and after the division which took place, the petitioner who is one of the younger sons, sued for his share of the Inam. The Assistant Collector awarded to him one-third on the ground that the

Inam was shortly to be enfranchised and that the service was discontinued. This decision was reversed by the Collector for the reason given above.

4. The Board's first Proceedings were passed on the supposition that the Inam was enfranchised. They now learn, that though the title was investigated and the quit-rent settled by the Inam Department the title-deed, which had been sent to the district for delivery, was re-called pending the re-organization of the village establishment. The Collector will consider the instructions contained in these Proceedings to be cancelled. He will understand that Jangi Kattubadi Inams do not fall under Regulation VI. of 1831, and that Village Kattubadi Inams do.

5. The Inam is therefore still unenfranchised. There is no doubt however that it will ere long be enfranchised, and on the terms already settled, viz, freedom from service obligations. The State has therefore no interest in preventing the sub-division of the Inam, and the Board resolve to submit the case to Government with the recommendation that the Collector be authorized to issue a certificate under Section 5, Act XXIII. of 1871 to enable the petitioner to sue in a Civil Court for the establishment of any rights he may possess.

6. The Board are preparing a draft of rules under that enactment which they will submit to Government shortly.

7. The Board observe an authenticated extract from the Inam Commissioner's register among the enclosures to the petition. Under Section 2, Act IV. of 1862, such an extract is evidence of enfranchisement. The Board are of opinion that extracts should be granted only when title-deeds have been issued to the Inamdars.

No. 165.

ORDER THEREON, 19th July 1872, No. 1,092.

Miscellaneous.

THE Collector of Cuddapah is authorized to grant Petitioner a certificate under Section 6, Act XXIII. of 1871, to enable him to have his claim to a share in the Inam decided as between himself and his relatives by the Civil Court having jurisdiction.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

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

Exd. G. A. Turton.

MISCELLANEOUS No. 2633 REVENUE DEPARTMENT.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 11th April 1872.

Read ~~letter from~~ Petition No. 3048 of 1871 from Karnati Chinnapulla Reddi of Vippaloor in the Cuddapah District, requesting that one third of his share in the Kattubady Inam may be granted to him.

The appellant's family were Cuttoobadies or armed peons. Such persons are not village servants under the Regulation of 1831; the Collector was mistaken in touching the case at all, and his decision is null and void. The inam is an enfranchised personal inam and the appellant is at liberty to sue in the Courts for his share of it. Petitioner will be referred to

to the Collector.

(True Extract)
(signed) J. B. Pennington
Sub Secretary

To
The Collector of Cuddapah
with Petition

(True Copy)

H. E. Stokes
Ag Sub Secretary

Proceedings of the Board of Revenue.

Rev: 2329/72

Dated 187

Despatched

G. O. 19 July/72

In No 164-165

To the Chief Secretary to Government, R. D., with petition and
copy of Board's Mis. Proceedings, dated 11th April 1872, No. 2,633.

" the Collector of Cuddapah.

Copy to the Inam Commissioner.

No 161-165

Sd. G. A. Turton.

No 2329

Rev. 1872. Dept

Board of Revenue,

MADRAS.

PROCEEDINGS, 3RD JULY 1872, No. 1,178.

Encl. 2

Received 15

JULY.

No. 1,178.

Petition No. 3,048 *of* 1871.—Government recommended to authorize Collector of Cuddapah to issue a certificate under Act XXIII. of 1871, to enable petitioner in— to sue for his rights in a Jangi Kattubadi Inam in district. Collector informed that instructions contained in Board's Proceedings, dated 11th April 1872 on this subject should be considered as cancelled; also that Jangi Kattubadi Inams do not fall under Regulation VI. of 1831, while Village Kattubadi Inams do.

No 1092-19 July 1872