No. 118. Read the following Proceedings of the Board of Revenue, dated 5th April 1873, No. 538 :—

Read the following letter from T. A. N. CHASE, Esq., Collector of Kurnool, to the Secretary to the Board of Revenue, dated 21st February 1873 No. 56 :—

I HAVE the honour to request the orders of the Board on a question raised by the Deputy-Collector of Peapally, as to whether sons and widows of undivided brothers come within the category of "lineal heirs," mentioned in Clause I., Rule V. of the Rules regarding the settlement of Inams, embodied in Board's Circular Order No. 171. The Hindu Law gives equal rights to an undivided brother and his heirs, but the wording in Clause I., Rule V., apparently limits the succession to direct lineal heirs and undivided brothers, and says nothing about the heirs of the latter.

SUBMITTED for the orders of Government.

2. According to the terms of Inam Rule V., succession is limited to direct lineal heirs and undivided brothers of the recipient of the Inam Title-deed. Neither undivided brothers nor their sons nor their widows are such "direct lineal heirs."

3. But the Board think the meaning of the Rule must be that the Inam will be continued not only to direct lineal heirs of the incumbent, but also, failing them, to direct lineal heirs of the original grantee. If so, undivided brothers of the incumbent will, of course, be amongst the "direct lineal heirs."

No. 119. ORDER THEREON, 17th May 1873, No. 497.

Miscellaneous.

THE Government concur with the Board in their interpretation of the rule in question.

(True Extract.)

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

To the Board of Revenue.

Exd. F. R. Bantleman.

C. No 1056.

The question
referred to Govt in
the foregoing Proc.
relates only to that
small proportion of
the Inam grants of
the Presidency which
have not been confirm
-ed under the
Inam Rules - That
grants were confirmed
by the Commission on

Exd. F. R. Bantleman.

their existing tenure,
that is to say, the
succession was subject
to ongoing at each
lapse, and unless the
Imam was shown to
be hereditary and a
lineal descendant of
the original grantee
was forthcoming, it
would not be continued.

In regard to the
enfranchised Imams

the Barristers to
their own pursuits.

E.D.L.

I should like this
question discussed
in Council. I cannot
see the justice of
excluding the representatives
of undivided brothers

Those

P.H.

Council

which are undoubtedly
hereditary, the B[ritish]
interpretation of clause I
Rule V of the Imam
Rules may be accepted,
but in the case of
all other Imams only
lineal heirs of the
late holder, or his
undivided brothers
can be allowed to
succeed.

P.D.

Does not
Rule V
exclude
these from
consideration?

Exd. F. R. Bantleman.

Memo for Order

69

Exception of sons from undivided brothers under Rule V.

c 3/5/73 Rect. 12 May/73

No. 538.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 5th April 1873.

Read the following letter from T. A. N. CHASE, Esq., Collector of Kurnool, ...ment, ...alaried ...pointed the Secretary to the Board of Revenue, dated 21st February 18... No. 56 :—

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SUBMITTED for the orders of Government.

2. According to the terms of Inam Rule V., succession is limited to direct lineal heirs and undivided brothers of the recipient of the Inam Title-deed. Neither undivided brothers nor their sons nor their widows are such "direct lineal heirs."

3. But the Board think the meaning of the Rule must be that the Inam will be continued not only to direct lineal heirs of the incumbent, but also, failing them, to direct lineal heirs of the original grantee. If so, undivided brothers of the incumbent will, of course, be amongst the "direct lineal heirs."

(A true Copy and Extract.)

J Grote

Secretary.

To the Secretary to Government, Revenue Department.
,, the Collector of Kurnool.

Exd. F. R. Bantleman.

Revenue Depart
No. 1056.

1873.

Board of Revenue,

MADRAS.

PROCEEDINGS, 5TH APRIL 1873, No. 538.

Dup 9 Apl 73.

Encl.

Received 10

APRIL.

No. 538.

Inams.—Letter from Collector of Kurnool inquiring whether sons and widows of undivided brothers come within category of lineal heirs in Clause I., Rule V. of Rules regarding succession — submitted for orders of Government, with —ks.

14 To the Govt of Rep dtd 23d May 73.

17 May 73.

No 494

The Govt concur with the Board
in their interpretation of the
Rule in question