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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	460	Press
B.P. No.		~~Mis.~~
Dated	18 - 4 -	1874 196

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Revenue Department,
18th April 1874.*

Read the following:—

No: 114: Proceedings of the Board of Revenue, dated 9th July 1872,
No. 1,250.

Read the following letter from R. W. BARLOW, Esq., Acting Collector of the
Chingleput District, to the Secretary to the Board of Revenue, dated
Sydapet, 25th June 1872, No. 257.

In forwarding copies of the correspondence and translations of the Order and

Grant noted in the margin, relating to
certain alienations made by a late Zemindar of Ahtur, Chingleput Taluq, now a
ryotwar village, I have the honour to
request the instructions of the Board as
to whether the favourable terms on
which the land was originally given
should or should not be continued.

2. Although the grant was professedly made under the provisions of Section
15, Regulation XXX. of 1802, the circumstances clearly show that it was done
more with the object of endowing the chuttrums and the pagodas therein referred
to than with a view to eventual gain to the Zemindar or his successors.

3. The Acting Sub-Collector, while holding, in No. 247 of the 24th June 1870,
this opinion, is not disposed to recommend the repudiation of the grants, because
a former Collector recognized them as falling within the scope of Section 15,
Regulation XXX. of 1802, as well as for the reason brought forward at the latter
part of paragraph 6 of his report. In this view I concur, and, if the Board also
consider the resumption inadvisable, I would suggest that the grant be disposed
of under the Inam Rules and regular Title-deeds issued in the name of the
Institutions.

4. As to the delay in this reference, I regret to say I am unable to give any
very satisfactory explanation. The last letter on the subject, however, the Board
will observe, was received in this Office many months before I first took charge.
The correspondence was, I am informed, put aside in the record and lost sight of
without being entered in the unanswered list. When I was scrutinizing the Chin-
gleput Statement of old arrears, my attention was attracted by the large amount
outstanding in this village; and, on my making inquiries as to the cause, I was
informed of this case and the fact of the reference being pending, and I then had
the correspondence searched for and found.

—
ENCLOSURE No. 1.—Copies of Correspondence.
—

The Board concur with the Collector that, under colour of a putta for bring-
ing waste lands into cultivation, the late Zemindar made an untenable conveyance
for a charitable purpose. Considering, however, the time that has elapsed (twenty

*Proceedings of the Madras Government, Revenue Department,
18th April 1874.*

years) and other circumstances, the Board think the land should be treated as Inam under the Rules in lieu of being subjected to the full assessment.

2. The Collector will address the Inam Commissioner on the subject.

No. 114A. Proceedings of the Board of Revenue, dated 30th October 1873, No. 2,216.

Read again Board's Proceedings, dated 9th July 1872, No. 1,250.

Read also the following letters:—

From W. ROBINSON, Esq., C.S.I., Inam Commissioner, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Madras, 14th August 1873, No. 407.

REFERRING to Board's Proceedings, dated 9th July 1872, No. 1,250, I have the honour to state that I feel doubtful whether the case in question can be treated by the Inam Commissioner.

2. The two gifts* are tax free and recent, and the Inam Commissioner is not authorized to create such Inams under any rules.

* *Fide Register.*

3. It will be requisite to obtain the permission of Government, and it would probably be best that the Board apply after re-considering the matter.

ENCLOSURE No. 1.—Inam Register.

From R. W. BARLOW, Esq., Acting Collector of the Chingleput District, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Sydapet, 1st October 1873, No. 445.

In reply to the Board's Official Memorandum, No. 1,363, dated 8th ultimo, I have the honour to report that the chuttrum in question is not open to all classes but only to Brahmins and Sudras, and it has no endowment other than the lands granted by the Zemindar.

SUBMITTED for the orders of Government, with copy of Board's Proceedings, dated 9th July 1872, No. 1,250.

2. A late Zemindar of Ahtur granted in 1850-51 to a chuttrum and a pagoda certain lands at a favourable rate of 7 Annas per cawny, under colour of a cowle for bringing waste land under cultivation. When the village lapsed to Government the favourable rates were charged till fasli 1276 when a fieldwar assessment was introduced, and the holders then claimed the terms of the cowles.

3. The Board were of opinion that, considering the time which had elapsed and other circumstances of the case, the lands should be treated as Inam under the Inam Rules; and the Inam Commissioner now states that, in his opinion, this requires the sanction of Government. The Board request that this may be accorded as regards the Pagoda Inam, but, in all the circumstances of the case, the Board recommend that the chuttrum grant be continued on the terms allowed by the Zemindar.

*Proceedings of the Madras Government, Revenue Department,
18th April 1874.*

No. 114B. Proceedings of the Board of Revenue, dated 21st February 1874, Miscellaneous No. 1,189.

Read the following letter from R. W. BARLOW, Esq., Collector of the Chingleput District, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Pakam, 16th February 1874, No. 43.

In reply to the Proceedings of the Board, dated the 13th instant, No. 960, Miscellaneous, I have the honour to forward the original deed of sale and a certified copy of the Sanad therein called for. The Record-keeper reports that the original Sanad is not forthcoming, but it is being further searched for, and will be at once forwarded if found.

ORDERED that the documents received with the above letter be forwarded to the Secretary to Government, Revenue Department, with reference to memorandum, dated 2nd December 1873, No. 200, and 10th February 1874, No. 24.

No. 115. ORDER THEREON, 18th April 1874, No. 460.

Miscellaneous.

THE Government resolve to adopt the Board's recommendation, but in regard to the chuttrum the grant can only be continued on condition that the Chuttrum Rules are fully conformed to.

(True Extract.)

(Signed) C. G. MASTER,
Acting Secretary to Government.

To the Board of Revenue.

Ed. F. R. Dantleman.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 9th July 1872.
Read the following letter from R. W. BARLOW, Esq., Acting Collector of the Chingleput District, to the Secretary to the Board of Revenue, dated Sydapet, 25th June 1872, No. 257:—

In forwarding copies of the correspondence and translations of the order and grant noted in the margin, relating to certain alienations made by a late Zemindar of Ahtur, Chingleput Taluq, now a ryotwar village, I have the honour to request the instructions of the Board as to whether the favourable terms on which the land was originally given should or should not be continued.

2. Although the grant was professedly made under the provisions of Section 15 Regulation XXX. of 1802, the circumstances clearly show that it was done more with the object of endowing the Chuttrums and the Pagodas therein referred to, than with a view to eventual gain to the Zemindar or his successors.

3. The Acting Sub-Collector, while holding in No. 247 of the 24th June 1870, this opinion, is not disposed to recommend the repudiation of the grants, because a former Collector recognised them as falling within the scope of Section 15 Regulation XXX. of 1802, as well as for the reason brought forward at the latter part of paragraph 6 of his report. In this view I concur, and if the Board also consider the resumption unadvisable, I would suggest that the grant be disposed of under the Inam Rules, and regular Title-deeds issued in the name of the Institutions.

4. As to the delay in this reference, I regret to say I am unable to give any very satisfactory explanation. The last letter on the subject, however, the Board will observe, was received in this office many months before I first took charge. The correspondence was, I am informed, put aside in the record and lost sight of without being entered in the unanswered list; when I was scrutinising the Chingleput Statement of old arrears, my attention was attracted by the large amount outstanding in this village; and on my making inquiries as to the cause, I was informed of this case, and the fact of the reference being pending, and I then had the correspondence searched for and found.

ENCLOSURE No. 1.—Copies of Correspondence.

THE Board concur with the Collector that under colour of a putta for bringing waste lands into cultivation, the late Zemindar made an untenable conveyance for a charitable purpose. Considering, however, the time that has elapsed (twenty years) and other circumstances, the Board think the land should be treated as Inam under the Rules, in lieu of being subjected to the full assessment.

2. The Collector will address the Inam Commissioner on the subject.

(A true Copy and Extract.)

(Signed) J. GROSE,
Secretary.

To the Acting Collector of the Chingleput District.
Copy to the Inam Commissioner.

Exd. G. A. Turton.

Land granted to a Pagoda and Chuttrums by late Zemindar of Ahtur, Chingleput Taluq. A copy of the recommendation as to grant of land granted to the pagoda as Inam under Inam Rules, but observed, in regard to the Chuttrums, that the grant can only be continued on condition that Chuttrum Rules are fully complied to.

APRIL
No. 11113.

G. O. 1874 April 1874, No. 400.

THE BOARD OF REVENUE.

REVENUE.

G.O. of 1874

1872. Board of Revenue MADRAS.		PROCEEDINGS, 9TH JULY 1872, No. 1,250.
Received Mr. J. W. Robinson Rev. 3556/73 Encl.	JULY. No. 1,250.	Inam.—Collector of Chingleput informed that certain land granted by late Zemindar of Attur, in Chingleput Taluk, for a charitable purpose, should be treated as—under the Rules: and directed to address Inam Commissioner on the subject.

No. 2,216.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 30th October 1873.

Read again Board's Proceedings, dated 9th July 1872, No. 1,250.

Read also the following letters:—

From W. ROBINSON, Esq., c. s. i., Inam Commissioner, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Madras, 14th August 1873, No. 407.

REFERRING to Board's Proceedings, dated 9th July 1872, No. 1,250, I have the honour to state that I feel doubtful whether the case in question can be treated by the Inam Commissioner.

2. The two gifts* are tax free and recent, and the Inam Commissioner is not authorised to create such Inams under any rules.

* Vide Register.

3. It will be requisite to obtain the permission of Government, and it would probably be best that the Board apply after re-considering the matter.

ENCLOSURE No. 1.—Inam Register.

From R. W. BARLOW, Esq., Acting Collector of the Chingleput District, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Saidapet, 1st October 1873, No. 445.

In reply to the Board's Official Memorandum No. 1,363, dated 8th ultimo, I have the honour to report that the Chuttrum in question is not open to all classes, but only to Brahmins and Sudras, and it has no endowment other than the lands granted by the Zemindar.

SUBMITTED for the orders of Government with copy of Board's Proceedings, dated 9th July 1872, No. 1,250.

2. A late Zemindar of Attur granted in 1850-51 to a Chuttrum and a Pagoda, certain lands at a favourable rate of 7 Annas per cawny, under colour of a cowle for bringing waste land under cultivation. When the village lapsed to Government the favourable rates were charged till Fasli 1276 when a fieldwar assessment was introduced; and the holders then claimed the terms of the cowles.

3. The Board were of opinion that considering the time which had elapsed and other circumstances of the case, the lands should be treated as Inam under the Inam Rules; and the Inam Commissioner now states that in his opinion, this requires the sanction of Government. The Board request that this may be accorded as regards the Pagoda Inam but in all the circumstances of the case the Board recommend that the Chuttrum grant be continued on the terms allowed by the Zemindar.

(True Copies and Extract.)

H. E. Stokes
Acting Sub-Secretary.

To the Acting Secretary to Government, Revenue Department,
with one original enclosure, to be returned,
and Board's Proceedings, dated 9th July 1872, No. 1,250,
to the Acting Collector of the Chingleput District.
Copy to the Inam Commissioner.

Ed. G. A. Terton.

MISCELLANEOUS No. 1189

REVENUE DEPARTMENT.

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 21st February 1874.

Read the following

From

R. W. Barlow Esq^r
Collector of the
Chingleput District
To
J. Grose Esq^r
Secretary to the
Board of Revenue
Madras

SIR,

In reply to the Proceedings
of the Board dated the 13th Instant
No. 960, Miscellaneous, I have the honor
to forward the original deed of sale
and a certified copy of the Samad
therein called for. The Recordkeeper
reports that the original Samad is
not forthcoming, but it is being fur-
ther searched for, and will be at once
forwarded.

Rev: 1573: Dkt
M 3556
1873.
Board of Revenue
MADRAS.

PROCEEDINGS, 30TH OCTOBER 1873, No. 221

Copy 24 Nov 1873

Encl.
Recd

No. 460 - 18 Oct 1874

Received 5th Jan 1874

OCTOBER.
No. 2216.

Land - Granted to a Paroda by late Zemindar of Alur, in Chingleput Taluk, on favourable terms. Sanction of Government requested for allotment of - as Imam, under Imam Rule, and similarly granted by Zemindar to a Chutun, recommended to be continued on terms allowed by the Zemindar.

11408
No. 200 - 2 1874

forwarded, if found.

Chingleput Dist. Office } I have on
on Circuit. Pakam } (d. 8) R. W. Barlow
16th February 1874 } Collector

Ordered that the docu-
-ments received with the above
letter be forwarded to the Secretary
to Government, Revenue De-
-partment with reference to Memos
dated 2nd December 1873 No 200
and 10th February 1874 No 24.

(True copy & Extract)

H. P. Johns

To, Acting Sub Secretary
The Secretary to Government
Revenue Department
with 2 original enclosures.

C. M. V. Narasimachary

C. M. V. Narasimachary

114-115

No. 460

Revenue Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 18th April 1874.

READ the following *Proc. of the Board of Revenue.*

Requesting sanction of Govt. for treatment of land granted to a Pagoda by the late Zemindar of *Thiruvannamalai* on farmable tenure, as *Amam*, under *Amam* rules, and recommending land similarly granted to a *Chuttram* to be continued on terms allowed by *Zemindar*.

H. E. 30th Oct 1873. N^o 2216.

Intro: certain papers called for. " 21st Feb 1874. M^{rs}: 1889

The Government resolves to adopt the Board's recommendation but in regard to the *Chuttram*, the grant can only be confirmed on condition that the *Chuttram* Rules are fully conformable to.

JCC

List from orders in Council

14th to the 18th of Dec 30th April 1874.

This case arose
 while I was holding
 the appointment of
 Guam Commissioner
 I am unable to attend
 to the ratification of
 this illegal peons-
 - under which Rs 206-8-4
 out of a revenue of
 Rs. 224-5-10 are allocated
 since 1851 only - The Act
 was illegal being in
 direct contravention
 of Section 12 of Act ~~XXV~~ of
 1802 enacted to save
 the public Revenue in
 from precisely such
 frauds and it was
 accompanied by
 deliberate

PROCEEDINGS OF THE BOARD
 OF REVENUE.

Resolved 1874 Sept
 20 6/13

Dated 21st }
 Despd. 21 } Feb 1874.
 Recd. 23 }

in 2 Act
 SUBJECT

S.O. No 460 - 18th Oct 1874.
 Submitting to you
 - meet the original deed
 of sale & certified copy of
 the same executed
 in favour of Bara Duchan
 in regard to a Bluntum
 at 8th in the King's
 - put District

deliberate misrepresentation and fraud. No grants or deeds are forthcoming in support of the gift and its validity may be fathered from what occurred as soon as the pious defrauder of the Revenue died.

The properties were then
sold and purchased
by the Hon. Sheriff of
the District (the
~~National Bank~~)
in 1861. It was the
person's duty to have
brought the transaction
to light, and I am not
prepared to give ^{the} ~~any~~
~~any~~ ~~the~~ ~~the~~ ~~the~~
family the benefit
of an ^{appearance} ~~discretion~~ of duty.
The whole thing savours
of fraud & irregularity
from

from beginning to end
 Hundred of such
 irregularities were brought
 to light and rectified
 in the interests of the State
 by the Duane Commission
 throughout the Country,
 and I submit that
 there is no consideration
 in this case which
 can justify our pelting
 a gross fraud on the
 Revenues

~~_____~~ If the Chubbourn
Rules be Conformed to
we might allow the
Authorized Endowment
to that Institution ^{alone} but
^{in amount} no more & under ^{no} other
Conditions

11/4 H. G. Gussner

Memorandum

Per: B? of Revenue.

Requesting sanction of B. for the treatment of
Land granted to a Rajah by late Revenue Officer on favorable
terms, as shown, under same Rules and using said land similarly
granted to a Chattram to be continued on terms allowed by Revenue

H. E. 30: Oct: 1873 No 2216.

One Ponnicherry
Cundappa Mordelly held a
village by name Attur, in
Chingleput Taluk, on Zemindari
tenure. He reported to the Collector
in 1851, that he assigned 40
cawrees of waste land in the
village, for certain Rajas and
a Chattram built by him, at a
favorable rate of assessment
and Mr. Cochrane, the Collector
informed him that he was authorized
to make these grants under
Section 15 Regulation 30 of 1802
2. Cundappa Mordelly
died sometime afterwards, and
the heirs of his estate executed

* Taken dated 8: Sep: 1851 - Enc: A.

a deed of sale in May 1861 in
favor of the late V. Varada-
Charina (the Minister of the
Collector's Office at the time) assigning
over to him, for Rs 2660, several
properties inclusive of the
Chuttrun alluded to and its
endowment of 20 Cawils.

3. After subsequently
became a ryotwar village, and
the question, "whether the favorable
terms on which the land was
originally given should or should
not be continued," has arisen.

The Ag Sub-Collector and Collector
are not disposed to recommend the
repeal of the grant, because
a former Collector recognized them
as falling within the scope of
Section 15 Regulation ~~XXX~~ of 1802.

4. Mr. Barlow is, however,
of opinion that, although the grant
was professedly made under the
provisions of Sec. 15 Reg. ~~XXX~~ of 1802,
the circumstances clearly show that
it was done more with the object

Enclosure B

From Mr. Col. to Board dated
25. June 1872 No 257

Bd's Res: dated 9. July 1872
No 250

From Juan Comr to Board dated 16th
Aug 1873 No 407

Bd's Res: dated 30. October 1873
No 2216

of endowing the Chuttrun and
Papras referred to, than with a
view to eventual gain to the
 zemindar or his successors. The
Board concurs in this view, and
are of opinion that the con-
veyance for a charitable
purpose is untenable, but
considering, however, the time
(twenty years) that has elapsed
and other circumstances, they think
that the land should be treated
as Imam under the Rules,
in lieu of being subjected to the
full assessment.

5. But the Imam Com-
missioner declined to take
cognizance of the grant without
the permission of Govt., on the
ground that the two gifts are
revocable and that he is not author-
ized to create any such Imam
under any rules and the Board
request, that this sanction may
be granted as regards the Papra
Imam.

Sum, but that the Chattram
 grant be continued on the terms
 allowed by the Revenue. The
 original Samad of the Revenue
 for these grants are not forthcoming
 and the only records on the subject
 are the accounts of the village -
 The terms regarding the Chattram
 are, as stated in the Sub-Collector's
 register - "grant to continue
 valid as long as the Chattram is
 kept up".

	Area -	Appx.	Dist.
Extent of the Rajwade Grants.	26.68	111-3-5	8.13.6
" " Chattram -	27.11	113.2.5	9....

The Collector reports that
 the Chattram is not open to all classes,
 but only to Brahmins and Sudras, and
 that it has no endowment other than
 the lands granted by the Revenue.

Orders are requested.

The grants would appear to
 have been made in distinct
 opposition to section 12 Reg. of 1882
 which enacts that "it
 shall not be competent to Ho.
 priors of land to appropriate
 any part of a landed estate
 permanently to religious
 or charitable or to any other

purpose by which
 it may be intended
 to exempt such
 lands from bearing
 their portion of the
 public tax.

I would advise
 the Hon. Comm.
 in relation

L. O. S.
 2/4

Page 1

Letter to Board dated 15th Oct/73
 p. 445

13/1/74

James M. Carter
[unclear] of [unclear] [unclear] [unclear]
[unclear] and a [unclear] by [unclear]
[unclear] of [unclear] - Chief [unclear]

Ans

Gen. M. Robinson

Council