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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 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

*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.

* *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 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.

Exd. F. R. Bantleman.

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.

Obt. of 1874 30th JUNE.
REVENUE.
THE BOARD OF REVENUE.
Listed April 18th.
G. O., 18th April 1874, No. 400.
APRIL.
Nos. 114-115.
Land granted to a Pagoda and Chuttrums by late Zemindar of Ahtur, Chingleput Taluq. Adopted Board's recommendation as to treatment of land granted to the pagoda as Inam under Inam Rules, but observe, in regard to the Chuttrums, that the grant can only be continued on condition that Chuttrums Rules are fully conforming to.

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.

JULY.
No. 1,250.

Received

Rev 3556/73
1872-73
1/14

Encl.

PROCEEDINGS, 9TH JULY 1872, No. 1,250.

1872.
BOARD OF REVENUE
MADRAS.

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 cowl 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,
.. the Acting Collector of the Chingleput District.
Copy to the Inam Commissioner.

Exd. G. A. Turton.

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

1873.
173558.
Nov: 1873: 244
BOARD OF REVENUE
MADRAS.

PROCEEDINGS, 30TH OCTOBER 1873, No. 2,21

Copy 2 A 01004/73-

Encl.
Each

No. 460-18 April 74

Received 5th Nov

OCTOBER.
No. 2,216.

Land - granted to a Pagoda by late Zemindar of Alwar, in Chingleput Taluk, on favourable terms. Sanction of Government requested for treatment of - as Inam, under Inam Rules. Land similarly granted by Zemindar to a Chettiar, recommended to be continued on terms allowed by the Zemindar.

forwarded, if found.

Chingleput Dist. Collect^r Office } I have on
on circuit Paikam } (S^d) 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. E. Johns

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

C. M. V. S. Chetty

C. M. V. S. Chetty

114-115

Wub

Revenue Department.

No. 460

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 18th April 1874.

READ the following Pro. of the Board of Revenue.

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

H. E. 30th Oct^r/73 N^o 2216.)

Intro. certain papers called for. " 21st Feb^y/74. M^{rs}. 189

N^o 115 Order thereon, 18 April 1874. P. 460

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

guc

List from orders in Council

14 To the R^d of Rev Sec 30th Apr/74.

This case arose
 while I was holding
 the appointment of
 Suam Commissioner
 I am unable to attend
 to the ratification of
 this illegal "peons-fraud"
 - under which Rs 206-8-4
 out of a revenue of
 Rs. 224-5-10 are alienated
 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.

Revenue 1874 Sept
 No 613

Dated 21st
 Decd. 21 February 1874.
 Recd. 23
 No 2 Act
 SUBJECT.

S.O. No 460 - 18th Oct 74.
 Submitting to Government
 - want the original deed
 of sale & certified copy of
 the same executed
 in favor of Bara Dahan
 in regard to a Chauth
 at Attar in the Chingle
 - put District

460
June
10

11/4 H. B. Rubenstein

11/4 H. B. Rubenstein

E. unicolor

460

Requesting sanction of B.A. for treatment of

Requesting donation of \$30. for treatment of
Land planted to a Papaya by late Remondos of other on favorable
terms, as I mean, under Evans Rules and using land similarly
planted to a Chestnut to be continued on terms allowed by Remondos

Ms. B. 30. B. 1873 N. 2216.

x
La Kerd dated 8: Sep: 1851 - Enc: A.

2. *Gundappa* *Modellia*
did sometime afterward, and
the executors of his estate executed

a Deed of Sale in May 1861 in favor of the late V. Varada-Charins (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.

Enclosure B

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 repudiation 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 of

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

13th Dec: dated 9: July 1872
N. 2250

From Juan Comr to Board dated 14th
Aug: 1873 No 407

13th Dec: dated 30: October 1873
N. 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 conveyance 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 Swam under the Rules, in lieu of being subjected to the full assessment.

5. But the Swam Comr has declined to take cognizance of the grant without the permission of Govt., on the ground that the two gifts are recent and that he is not authorized to create any such Swam under any rules, and the Board request that this sanction may be granted as regards the Papra Swam.

Sum, but that the Chuttram
 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 Chuttram
 are, as stated in the Sub-Collector's
 register - "grants to continue
 valid as long as the Chuttram is
 kept up".

	Area -	Assess.	Quit	
Extent of the Pajora Incans.	26.68	111-3-5	8.13.6	102-5-11
" " Chuttram	27.11	113-2-5	9-0-0	104-2-5
				206-7-11

The Collector reports that
 the Chuttram 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^{xxx}
 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

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

13/5/74

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

I would add to
 the Reg. in com.
 mandation

L. O. S.
 2/4

Page
 1

James for Arthur
Statement of certain lands from the
Refuge and a Chertown, by late
member of House - Chiswick

Pro

Wm. M. Robinson

Council