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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.

B.P. No.

Press

Mis.

Dated

9-8-1875 196 .

Not to be folded or roughly handled

1193

*Proceedings of the Madras Government, Revenue Department,
9th August 1875.*

No. 74. Read the following Proceedings of the Board of Revenue, dated 3rd July 1875, No. 1,845 :—

Read the following letter from W. S. WHITESIDE, Esq., Collector of North Arcot, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Palmanair, 1st June 1875, No. 283 :—

I HAVE the honor to forward, herewith, copy of Acting Sub-Collector's letter, dated 15th ultimo, No. 313, reporting the death of Syed Amad Sahib, Jaghiredar of Valavanoor in the Arcot Taluq, and request that you will be so good as to obtain the orders of the Board of Revenue as to whether the jaghire should now lapse to Government or continue in the name of the surviving undivided brother (Syed Khader) of the deceased under the circumstances reported by the Acting Sub-Collector.

2. Copy of inam fair register relating to this jaghire is herein enclosed for the information of the Board.

ENCLOSURE No. 1.

From A. L. LISTER, Esq., Acting Sub-Collector, to W. S. WHITESIDE, Esq., Collector of North Arcot, dated Vellore, 15th May 1875, No. 313.

I HAVE the honor to report* the death of Syed Amad Sahib, Jaghiredar of Valavanoor in Arcot Taluq, on the 16th February last.

* With enclosures.
One bundle.

2. This jaghire was originally granted for three lives for services rendered by Syed Hossain, Sahadar of the Governor's Body-guard. Through an oversight the jaghire was resumed in 1857 on the lapse of the second life; but, on the discovery of the error, the Board ordered its restoration to the next heir, and the Collector, in fulfilment of this order, gave it to the widow of the second holder (the son of the original grantee) who left no issue.

3. The Board of Revenue discovered that Bigam Bee, the daughter of the original grantee and the sister of the second holder, had a son, Syed Amad Sahib, and recommended that he might be put in possession of the jaghire with injunction to make suitable provision for the other members of the family.

4. Government approved of the Board's recommendation and said: "Syed Amad will be the third and last life; on his demise the grant will lapse."

5. This Syed Amad Sahib died himself on the 16th February, but he has left an undivided brother Syed Khader, and, although Government have decided, in express terms, that on his demise the grant will lapse, I do not know whether the fact was before them that he had an undivided brother and three sisters: Board's Standing Order No. 155 clearly lays down that a generation, and not any individual, constitutes a "life" in the second and third generations, and I am, therefore, doubtful whether this jaghire should lapse to Government at once or whether the remaining undivided member of Syed Khader's generation is entitled to enjoy the jaghire until he dies.

6. With reference to the petition of Syed Khader and his brothers and sisters sent with your letter, No. 804, of the 27th ultimo, I have only to observe that, as a direct heir of the grantee is now alive, they, being collaterals, viz., children of the grantee's brother, are excluded from any participation in the jaghire.

(True Copy.)

(Signed) W. S. WHITESIDE,
Collector.

ENCLOSURE No. 2.—Copy of Inam Register.

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*Proceedings of the Madras Government, Revenue Department,
9th August 1875.*

SUBMITTED for the orders of Government.

2. The Board are of opinion that the grant has lapsed. The original grant was not for three lives but to the grantee and his two next heirs; and when the Government in 1860 ordered the restoration of the jaghire on the mistake in resuming it having been discovered, they had before them the fact that there were two grandsons of the original grantee by his eldest daughter. They nevertheless declared, in the most distinct terms, that the grant would run only for the life of the eldest of the two grandsons, who was declared by the Muhammadan law officers of the Sadr Adalat to be the next heir of the original grantee.

Board's Proc., 28th June 1860, No. 3,000, paragraph 5.

(True Copies and Extract.)

(Signed) H. E. STOKES,
Acting Secretary.

No. 75.

ORDER THEREON, 9th August 1875, No. 1,193.

Miscellaneous.

HIS EXCELLENCY the Governor in Council is of opinion that, as held by the Board of Revenue, the grant has lapsed.

2. The assessment should, therefore, be collected in future in full.

(True Extract.)

(Signed) A. MACGREGOR,
Acting Secretary to Government.

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

1193
3

No. 1,845.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 3rd July 1875.

Read the following letter from W. S. WHITESIDE, Esq., Collector of North Arcot, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Palmanair, 1st June 1875, No. 283:—

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2. Copy of inam fair register relating to this jaghire is herein enclosed for the information of the Board.

ENCLOSURE No. 1.

From A. L. LISTER, Esq., Acting Sub-Collector, to W. S. WHITESIDE, Esq., Collector of North Arcot, dated Vellore, 15th May 1875, No. 313.

I HAVE the honor to report* the death of Syed Amad Sahib, Jaghiredar of Valavanoor in Arcot Taluq, on the 16th February last.

2. This jaghire was originally granted for three lives for services rendered by Syed Hossein, Subadar of the Governor's Body-guard. Through an oversight the jaghire was resumed in 1857 on the lapse of the second life; but, on the discovery of the error, the Board ordered its restoration to the next heir, and the Collector, in fulfilment of this order, gave it to the widow of the second holder (the son of the original grantee) who left no issue.

3. The Board of Revenue discovered that Bigam Bee, the daughter of the original grantee and the sister of the second holder, had a son, Syed Amad Sahib, and recommended that he might be put in possession of the jaghire with injunction to make suitable provision for the other members of the family.

4. Government approved of the Board's recommendation and said: "Syed Amad will be the third and last life; on his demise the grant will lapse."

5. This Syed Amad Sahib died himself on the 16th February, but he has left an undivided brother Syed Khader, and, although Government have decided, in express terms, that on his demise the grant will lapse, I do not know whether the fact was before them that he had an undivided brother and three sisters: Board's Standing Order No. 155 clearly lays down that a generation, and not any individual, constitutes a "life" in the second and third generations, and I am, therefore, doubtful whether this jaghire should lapse to Government at once or whether the remaining undivided member of Syed Khader's generation is entitled to enjoy the jaghire until he dies.

6. With reference to the petition of Syed Khader and his brothers and sisters sent with your letter, No. 804, of the 27th ultimo, I have only to observe that, as a direct heir of the grantee is now alive, they, being collaterals, viz., children of the grantee's brother, are excluded from any participation in the jaghire.

(True Copy.)

(Signed) W. S. WHITESIDE,
Collector.

ENCLOSURE No. 2.—Copy of Inam Register.

Cont. of 11875 STOKES.

REVENUE.

THE BOARD OF REVENUE.

Do, do, do.

Dated August, 3rd.

Recd.

Encl.

G.O., 3rd August 1875, No. 1,193.

AUGUST.

Nos. 74-75.

Valavanoor Jaghire in North Arcot.—Continuing with the Board that the grant of the—has lapsed consequent on the death of the last holder, and directing the collection of the assessment in future in full.



SUBMITTED for the orders of Government.

2. The Board are of opinion that the grant has lapsed. The original grant was not for their lives, but to the grantee and his two next heirs; and when the Government in 1860 ordered the restoration of the jaghire on the mistake in resuming it having been discovered, they had before them the fact that there

Board's Procs., 28th June 1860, No. 3,000, paragraph 5.

were two grandsons of the original grantee by his eldest daughter. They nevertheless declared, in the most distinct terms, that the grant would run only for the life of the eldest of the two grandsons, who was declared by the Muhammadan law officers of the Sadr Adalat to be the next heir of the original grantee.

(True Copies and Extract.)

H. W. Fischer
Acting Secretary.

To the Acting Secretary to Government, Revenue Department,

with a statement to be returned.

Copy to the Collector of North Arcot.

Exd. J. W. Fischer.

No. 1193.

His Excellency the Governor in Council is of opinion that, as held by the Board of Rev., the grant has lapsed —

The Government should therefore

collect in future in full —

14th Decr 1875. 29th Aug 75
16th Decr 1875. 29th Aug 75

9th Aug 75

Board of Revenue,
MADRAS.

1875.

PROCEEDINGS, 3RD JULY 1875, No. 1,845.

Copy July 1875

Encl.

Received 16: July 1875

JULY.
No. 1,845.

Valavanoor Jaghire — in North Arcot District. — Letter from Collector requesting order as to whether the jaghire should lapse to Government, the jaghiredar having died, or continue in the name of the surviving undivided brother of the deceased, submitted to Government with Board's opinion that the grant has lapsed.

White Paper
Ch. 1193. 9th Aug 1875.

REVENUE DEPARTMENT.

No. 2750

From B. of Rev.

Dated 3rd July

1875.

FOR ORDERS.

H. Lister mentions of "undivided" etc. It is meaningless in connection with a Mahomedan family.

Does not think that the grant has lapsed. We can create an issue. A three-life favorable lease to the 3rd life. Liberal recognition of the 3rd life. But being that some not 2407

5 pages very interesting

the favorable terms
has existed for upwards
of half a century. &
considering the principles
of law in the interest
have applied to Indians.
I do not see the right of the
of the deceased Syud
Khader. as head of
the family. the option
of retaining it on
permanent tenure
at the quit rent
of Rs. 787. either

by the same ground
as the terms 192
for enfranchisement?
I must needs the
rules.

I observe that the
deceased Syud
has offered the option
of enfranchisement
on the above conditions
& obtained it in 1891

Under these
circumstances
I am not prepared
to press my suggestion

In the presence of the
petitioner's minority &c.
the Govt. L.R.
25 July 95.

FOR ORDERS.

V. L. ...
in the ...

Circ
MA

27 July/50. Retd 29 July/50