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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	1206.	Press
B.P. No.		Mis.
Dated	1. 9. 1875	196 .

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Not to be folded or roughly handled

No. 9. Read the following Proceedings of the Board of Revenue, dated 29th July 1875, No. 2,128:—

Read the following letter from J. H. GARSTIN, Esq., Collector of South Arcot, to H. E. STOKES, Esq., Acting Secretary to the Board of Revenue, dated Cuddalore, 29th June 1875, No. 282:—

I HAVE the honor to request the Board's Order whether Collectors have power to resume endowments granted for the support of chuttrums and such like institutions if they are not looked after for a series of years.

2. Under Board's Standing Order, No. 164, all Inam lands or money allowances attached to pagodas which have been abandoned or in a ruined condition for twelve years or upwards should be incorporated with Government lands without applying for special sanction, the resumption being however reported on in the Annual Settlement Report; but, though Regulation VII. of 1817 applied to pagodas and chuttrums alike, yet since the passing of Act XX. of 1863 the terms of that regulation are only of force as regards institutions, such as chuttrums, which are not religious, and the guiding principle of that regulation is "solely to provide for the due appropriation of lands and other endowments granted for public purposes agreeably to the intent of the grantor, and not to resume any part of them, or of their produce, for the benefit of Government; and it is also clearly laid down that all public buildings erected for the convenience of the public shall be exclusively

use. I am doubtful, therefore, whether the terms of the Board's Standing Order, No. 164, apply to chuttrums, or whether the resumption of chuttrum endowments must in every case be reported to the Board before being carried into effect.

3. I ask for an expression of the Board's opinion, because two cases have recently come up to me for decision, one from the Head Assistant's division, the other from the Sub-Collectorate. In the former case there is an endowment in land of 25 cawnies, nunjah and punjah, assessed at Rupees 117-12-7, in the villages of Nemili and Avalur, for the support of a chuttrum in the latter village. The Head Assistant Collector reported, in his letter of the 17th December 1874 (copy enclosed,) that the buildings were much out of repair, that the emoluments are in no way appropriated to the support of the choultry, that the land was in individual occupation, that he had attached the land for failure of service, and that he would cause the assessment to be collected from the occupants from the commencement of the present fasli; and, in reply to my letter asking for further information, he reported (copy enclosed) in his letter of 12th May 1875, No. 232, that a woman lives in the choultry who says she is the sister of the man who built it and that her nephew manages it. This nephew did some trifling repairs to the choultry three years ago. The Police occupy the pial of the Sudra quarters as a station-house.

4. In the case from the sub-division an Inam consisting of 1-69 acres constitutes the endowment of a Muttam in the village of Adarnatham in Virda-chellam Taluq. Ten years ago the Muttam fell into complete ruins and has not been repaired. The produce of the maniem land, the Sub-Collector says, is "deposited with the several cultivators for Faslies 1283 and 1284," and the Monigar

*Proceedings of the Madras Government, Revenue Department,
1st September 1875.*

offers to restore the Muttam in three months, and maintain it if the land and trees which form the endowment are made over to him. The Sub-Collector does not see the advantage of accepting this offer, and, as a preparatory step to the full assessment of the land and the resumption of the Inam, he has ordered its attachment, and requests my instructions.

5. In the title deed this latter endowment is called a religious endowment, and, therefore, I think in this case it may be treated as if it was a pagoda endowment and resumed by me, but in the former case I do not think I could order the resumption of the endowment without the Board's Orders, which I now solicit.

ENCLOSURES Nos. 1 and 2.—Copies of letters from and to Head Assistant Collector.

THE Board have recently issued general orders on the subject of the resumption of endowments when the services are not performed.

2. In the case of the chuttrum now reported, the Police should be required to vacate the building, and the parties who claim right to the management of the endowment should be called upon, under penalty of attachment and resumption, to put the building into proper repair, and to cause it to be devoted to its proper purpose. The Collector should make some further inquiry as to the validity of the claim of these persons to be representatives of the founder of the chuttrum.

The Government is requested to order the endowment attached to the Muttam referred to in paragraph 4 of the Collector's letter.

(A true Copy and Extract.)

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

No. 10. ORDER THEREON, 1st September 1875, No. 1,306.

Miscellaneous.

THE Board will be guided in the disposal of these endowments by the instructions given in G. O., 2nd August 1875, No. 1,159.

2. The Government approve of the inquiry proposed to be instituted in paragraph 2. If the original conditions of the grants cannot be fulfilled, proposals should be made for utilizing the endowments for some local charitable purposes.

3. The proposal contained in paragraph 5 of the Head Assistant's letter, dated 17th December 1874, No. 601, seems fair and worthy of consideration.

(True Extract.)

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

To the Board of Revenue.

Exd. W. J. Lewis.

2/1306

No. 2,128.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 29th July 1875.

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I HAVE the honor to request the Board's Order whether Collectors have power to resume endowments granted for the support of chuttrums and such like institutions if they are not looked after for a series of years.

2. Under Board's Standing Order, No. 164, all Inam lands or money allowances attached to pagodas which have been abandoned or in a ruined condition for twelve years or upwards should be incorporated with Government lands without applying for special sanction, the resumption being however reported on in the Annual Settlement Report; but, though Regulation VII. of 1817 applied to pagodas and chuttrums alike, yet since the passing of Act XX. of 1863 the terms of that regulation are only of force as regards institutions, such as chuttrums, which are not religious, and the guiding principle of that regulation is "solely to provide for the due appropriation of lands and other endowments granted for public purposes agreeably to the intent of the grantor, and not to resume any part of them, or of their produce, for the benefit of Government; and it is also clearly laid down that all public buildings erected for the convenience of the public shall be exclusively appropriated to that purpose, excepting they are ruined or are no longer of any use. I am doubtful, therefore, whether the terms of the Board's Standing Order, No. 164, apply to chuttrums, or whether the resumption of chuttrum endowments must in every case be reported to the Board before being carried into effect.

3. I ask for an expression of the Board's opinion, because two cases have recently come up to me for decision, one from the Head Assistant's division, the other from the Sub-Collectorate. In the former case there is an endowment in land of 25 cawnies, nunjah and punjah, assessed at Rupees 117-12-7, in the villages of Nemili and Avalur, for the support of a chuttrum in the latter village. The Head Assistant Collector reported, in his letter of the 17th December 1874, (copy enclosed,) that the buildings were much out of repair, that the emoluments are in no way appropriated to the support of the choultry, that the land was in individual occupation, that he had attached the land for failure of service, and that he would cause the assessment to be collected from the occupants from the commencement of the present fasli; and, in reply to my letter asking for further information, he reported (copy enclosed) in his letter of 12th May 1875, No. 232, that a woman lives in the choultry who says she is the sister of the man who built it and that her nephew manages it. This nephew did some trifling repairs to the choultry three years ago. The Police occupy the pial of the Sudra quarters as a station-house.

4. In the case from the sub-division an Inam consisting of 1-69 acres constitutes the endowment of a Muttam in the village of Adarnatham in Virda-chellam Taluq. Ten years ago the Muttam fell into complete ruins and has not been repaired. The produce of the maniem land, the Sub-Collector says, is "deposited with the several cultivators for Faslies 1283 and 1284," and the Monigar offers to restore the Muttam in three months, and maintain it if the land and trees which form the endowment are made over to him. The Sub-Collector does not

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REVENUE.

THE BOARD OF REVENUE.

Dated September, 1st.

Recd.

Encl.

G. O. 1st September 1875, No. 1,308.

SEPTEMBER.
Nos. 9-10.

Endowments attached to certain Muttams in ruin in Villupuram Taluq in South Arcot.—Directing the Board, with reference to the proposed resumption of—, to be guided by the instructions given in G. O. 2nd August 1875, No. 1,159; approving of the inquiry proposed to be instituted as to the validity of the claim of certain persons to be representatives of the founder of the Chuttrum and observing that if the original conditions of the grants cannot be fulfilled, proposals should be made for utilizing the endowments for some local charitable purposes.

see the advantage of accepting this offer, and, as a preparatory step to the full assessment of the land and the resumption of the Inam, he has ordered its attachment, and requests my instructions.

5. In the title-deed this latter endowment is called a religious endowment, and, therefore, I think in this case it may be treated as if it was a pagoda endowment and resumed by me, but in the former case I do not think I could order the resumption of the endowment without the Board's Orders, which I now solicit.

ENCLOSURES Nos. 1 and 2.—Copies of letters from and to Head Assistant Collector.

THE Board have recently issued general orders on the subject of the resumption of endowments when the services are not performed.

2. In the case of the chuttrum now reported, the Police should be required to vacate the building, and the parties who claim right to the management of the endowment should be called upon, under penalty of attachment and resumption, to put the building into proper repair, and to cause it to be devoted to its proper purpose. The Collector should make some further inquiry as to the validity of the claim of these persons to be representatives of the founder of the chuttrum.

3. The sanction of Government is requested for the resumption of the endowment attached to the Muttam referred to in paragraph 4 of the Collector's letter.

(A true Copy and Extract.)

Acting Secretary.

To the Acting Secretary to Government, Revenue Department.

with two enclosures, to be returned.

„ the Collector of South Arcot.

In 1906

The Board will be guided in the disposal of these endowments by the instructions given in G.O. 2^d August 1875 No. 1157.

Ed. W. J. Lewis

The Govt. approve of the inquiry proposed to be instituted in p. 2. If the original conditions of the grant cannot be fully fulfilled, proposals should be made for utilizing the endowment for some local charitable purpose. The proposal contained in para 5 of the H.A. Assistant's letter of 27th December 1874, No. 601 seems fair & worthy of consideration.

BOARD OF REVENUE,

MADRAS.

1875.

RECEIVED, 29TH JULY 1875, No. 2,128.

Encl. 2

JULY.

No. 2,100

Endowments—attached to certain Muttam in ruins in Villapuram Taluk, South Arcot District.—Sanction of Government requested for resumption of—. Instructions issued to Collector regarding course to be pursued to compel repairs of certain chuttrum in Avalur village in the district.

225 August 1875
No 1206: 1st September 1875