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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No. .	982	Press
B.P. No.		Mis.
Dated	20-7-1876	196- .



Not to be folded or roughly handled

No. 214. Read the following Proceedings of the Board of Revenue, dated 5th July 1876, No. 1,712 —

Read the following letters:—

From C. T. LONGLEY, Esq., Collector of Salem, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Tripatore, 4th March 1876, No. 54.

WITH reference to the papers noted in the margin, I have the honor to report the death, at Madras, on the night of the 14th December last, of T. Govinda Row, who was drawing a monthly pension of Rupees 250 as the son of Appoo Row to whom a pension for three lives was granted in the Despatch of the Court of Directors of 18th May 1842.

1. Letter from the Secretary to the Board of Revenue, dated 15th August 1842.
2. Extract Minutes of Consultation, dated 2nd Aug. 1842.
3. Despatch from the Court of Directors, dated 18th May 1842.
4. Extract Minutes of Consultation, dated 29th Oct. 1847.

2. Govinda Row has left two sons, (1) Narasinga Row, the eldest, aged 25 years, and (2), Venket Row, the youngest, aged 20 years. According to the terms of the Despatch above referred to, Narasinga Row, as the third heir of Appoo Row, is entitled to a monthly pension of 125 Rupees, but the two sons and the other members of the family desire that the pension may be registered jointly in the names of both the sons. I am afraid that this cannot be acceded to, and would therefore recommend as an alternative that the pension be divided between the two sons, *viz.*, 62½ Rupees each, and the same registered in their respective names for their lives. The course I recommend was adopted in the case of Mahomed Moosa (Jaghiredar of Bullagunta in the Tripatore Taluq, to whom also a service pension was granted for three generations), where the pension was divided between the several members of the family as the second and third generations.

From the same Officer, dated Salem, 26th April 1876, No. 101.

WITH reference to the Board's Official Memorandum, No. 593, dated the 22nd instant, I have the honor to enclose a tabular statement as therein required for the continuance of the service pension to the third generation of the late Appoo Row, the Head Sheristadar of the Coimbatore District.

2. The date and number of the authority continuing the pension to Govinda Row are given in the tabular statement.

ENCLOSURE No. 1.
Tabular Report for succession to a Pension granted for three Lives in the Salem District.

Case Number.	Taluq and Village, extent and value of Inam.	When and by whom granted; name of the original grantee; Sanads and other documents in support of the grant.	Nature of the grant, clearly or allowance; if service, nature of the duty prescribed by the grant.	Name of the last holder, date of his decease, and relationship in which he stood to the grantee.	Share enjoyed by the deceased and that held by the other members.	Family left by the deceased, and name and age of the parties, and the means of subsistence possessed by them.	Collector's Recommendation
1	Salem Taluq. Monthly pension of Rs. 125 for the third and last generation.	A pension for three generations was granted to Appoo Row, Head Sheristadar of Courtahore, for his eminent services under Government, and to his two next heirs in the Despatch of the Court of Directors, dated 18th May 1842, No. 11 of 1842. * 1st Generation, Rs. 4,500 yearly. 2nd do. " 3,000 do. 3rd do. " 1,500 do. Appoo Row received a pension of Rs. 375 monthly as per Extract Minutes of Consultation, dated 30th August 1842, No. 1,080. T. Govinda Row, son of the original grantee, received a monthly pension of Rs. 250 as sanctioned in Extract Minutes of Consultation, dated 29th October 1847, No. 324.	Personal allowance.	T. Govinda Row deceased on the 14th December 1875. Son of the original grantee.	Rs. 3,000 a-year, or Rs. 250 monthly pension enjoyed by the deceased only as per Extract Minutes of Consultation, No. 324, dated 29th October 1847.	1. Secundra Baysee, widow, aged 27 years. 2. T. Narasinga Row, eldest son of T. Govinda Row, aged 25 years. 3. T. Venket Row, 2nd son of do. do. aged 20 years. Two daughters already given away in marriage. The family possesses about a fifth share in a Muta which is involved in difficulties, and landed property to the value of about 4,000 Rupees. The eldest of the sons has a small appointment in the Salem Municipality, which gives him 10 Rupees a-month.	File letter No. 54, dated 4th March 1876, recommending that the allowance, Rs. 125, be divided equally between the two sons and registered in their names respectively for their lives.

(Signed) C. T. LONGLEY,
Collector.

SUBMITTED for the orders of Government.

2. In consideration of the long and eminent service of Appoo Row as Huzur Sheristadar, the Court of Directors sanctioned* the grant of a Shrotriem or a money pension of Rupees 4,500 a-year to himself and his two next heirs subject to a reduction of one-third of the original grant on the first lapse and of two-thirds on the second lapse. Appoo Row selected the pension. On his death a reduced pension of Rupees 3,000 a-year was continued to his son Govinda Row. He has now died leaving two sons who desire that a reduced pension of Rupees 1,500 a-year be continued to them jointly. The Collector considers this course objectionable, and suggests that the pension be equally divided between them.

3. According to Standing Circular No. 155 regarding succession to Shrotriems granted for a certain number of lives, the term life means generation, and in several cases a similar construction has been put on the terms next heirs.

4. In a recent case† (Boojunga Row's) in which the grant was to the grantee and his two next heirs (as in the present case), Government submitted for the decision of the Secretary of State the question whether the terms two next heirs meant an extension for individual lives or for generations. The reply was that the original grant could not be held to contemplate generations. This was in 1872. In 1875, Boojunga Row's case was again considered, and similar cases which had been more liberally dealt with were cited. On this occasion the Secretary of State observed that the case was not without doubt, but he considered that in strictness the grant lapsed on the failure of the third life, Boojunga Row's undivided brother. However he acceded to the recommendation of Government to continue a moiety of the Shrotriem to the memorialist.

4. This is the most recent decision as to the meaning of the terms two next heirs, and if it be followed in the present case, the pension should be continued to Govinda Row's eldest son, T. Narasinga Row, as the third and last life.

(True Copies and Extract.)

(Signed) E. GIBSON,
Acting Sub-Secretary.

No. 215. ORDER THEREON, 20th July 1876, No. 982.

Miscellaneous.

It is observed that the Court of Directors, in sanctioning the original grant to Appoo Row, used the words "to himself and his next two heirs." Appoo Row's next heir was his adopted son Govinda Row, and the latter's "heirs" are his two sons. The case is analogous to that of Bhoojunga Row and the others quoted in the correspondence concerning this individual. As the Secretary of State has recognised the exceptional character of these claims and sanctioned their being allowed, there appears no objection to follow the

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*Proceedings of the Madras Government, Revenue Department,
20th July 1876.*

analogy in the present case, and sanction the Collector's proposal to divide the pension* between the brothers equally. The fact of their being heirs to the deceased being admitted, they should, as a matter of course, be entitled to an equal share of what undoubtedly is their inheritance.

* Rs. 1,500 a-year.

(True Extract.)

(Signed)

D. F. CARMICHAEL,

Secretary to Government.

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

Exd. F. R. Bantleman.

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Govt. of 1876: 31/10/75.

REVENUE.

To

THE BOARD OF REVENUE,

Co., Co., Co.

Noted July, 20th.

Recd.

Encl.

G.O., 20th July 1876, No. 982.

JULY.

Nos. 214-215.

Pension enjoyed by deceased, Florida Rev., son of the late Alphonso Rev., from Superintendent of Colon. before.—Sanctioning proposal to divide the— equally between the two brothers, viz., Govinda Rev. & sons.

No. 1,712.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 5th July 1876.

Read the following letters:—

From C. T. LONGLEY, Esq., Collector of Salem, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Tripatore, 4th March 1876, No. 54.

With reference to the papers noted in the margin, I have the honor to report

1. Letter from the Secretary to the Board of Revenue, dated 15th August 1842.
 2. Extract Minutes of Consultation, dated 2nd Aug. 1842.
 3. Despatch from the Court of Directors, dated 18th May 1842.
 4. Extract Minutes of Consultation, dated 29th Oct. 1847.
- the death, at Madras, on the night of the 14th December last, of T. Govinda Row, who was drawing a monthly pension of Rupees 250 as the son of Appoo Row to whom a pension for three lives was granted in the Despatch of the Court of Directors of 18th May 1842.

2. Govinda Row has left two sons, (1) Narasinga Row, the eldest, aged 25 years, and (2), Venket Row, the youngest, aged 20 years. According to the terms of the Despatch above referred to, Narasinga Row, as the third heir of Appoo Row, is entitled to a monthly pension of 125 Rupees, but the two sons and the other members of the family desire that the pension may be registered jointly in the names of both the sons. I am afraid that this cannot be acceded to, and would therefore recommend as an alternative that the pension be divided between the two sons, *viz.*, 62½ Rupees each, and the same registered in their respective names for their lives. The course I recommend was adopted in the case of Mahomed Moosa (Jaghiredar of Bullagunta in the Tripatore Taluq, to whom also a service pension was granted for three generations), where the pension was divided between the several members of the family as the second and third generations.

From the same Officer, dated Salem, 26th April 1876, No. 101.

With reference to the Board's Official Memorandum, No. 593, dated the 22nd instant, I have the honor to enclose a tabular statement as therein required for the continuance of the service pension to the third generation of the late Appoo Row, the Head Sheristadar of the Coimbatore District.

2. The date and number of the authority continuing the pension to Govinda Row are given in the tabular statement.

ENCLOSURE No. 1.

Tabular Report for succession to a Pension granted for three Lives in the Salem District.

Case Number.	Taluk and Village; extent and value of Inam.	When and by whom granted; name of the original grantee; Stands and other documents in support of the grant.	Nature of the grant, clarity or allowance if service, nature of the duty prescribed by the grant.	Name of the last holder, date of his decease, and relationship in which he stood to the grantee.	Share enjoyed by the deceased and that held by the other members.	Family left by the deceased, and name and age of the parties, and the means of subsistence possessed by them.	Collector's Recommendation.
1	2	3	4	5	6	7	8
	Salem Taluk. Monthly pension of Rs. 125 for the third and last generation.	A pension for three generations* was granted to Appoo Row, Head Sheristadar of Colimatore, for his eminent services under Government, and to his two next heirs in the Despatch of the Court of Directors, dated 18th May 1842, No. 11 of 1842. * 1st Generation, Rs. 4,500 yearly. 2nd do. " 8,000 do. 3rd do. " 1,500 do. Appoo Row received a pension of Rs. 375 monthly as per Extract Minutes of Consultation, dated 30th August 1842, No. 1,050. T. Govinda Row, son of the original grantee, received a monthly pension of Rs. 25 as sanctioned in Extract Minutes of Consultation, dated 29th October 1847, No. 334.	Personal allowance.	T. Govinda Row deceased on the 14th December 1875. Son of the original grantee.	Rs. 5,000 a-year, or Rs. 250 monthly pension enjoyed by the deceased only as per Extract Minutes of Consultation, No. 334, dated 29th October 1847.	1. Sondra Bayee, widow, aged 27 years. 2. T. Narasing Row, eldest son of T. Govinda Row, aged 45 years. 3. T. Venket Row, 2nd son of do. do. aged 20 years. Two daughters already given away in marriage. The family possesses about a fifth share in a Mota which is involved in difficulties, and landed property to the value of about 4,000 Rupees. The eldest of the sons has a small appointment in the Salem Municipality, which gives him 10 Rupees a-month.	File letter No. 54, dated 4th March 1876, recommending that the allowance, viz., Rupees 125, be divided equally between the two sons and registered in their names respectively for their lives.

(Signed) C. T. LONGLEY,
Collector.

SUBMITTED for the orders of Government.

2. In consideration of the long and eminent service of Appoo Row as Huzur Sheristadar, the Court of Directors sanctioned* the grant of a Shrotriem

or a money pension of Rupees 4,500 a-year to himself and his *two next heirs* subject to a reduction of one-third of the original grant on the first lapse and of two-thirds on the second lapse. Appoo Row selected the pension. On his death a reduced pension of Rupees 3,000 a-year was continued to his son Govinda Row. He has now died leaving two sons who desire that a reduced pension of Rupees 1,500 a-year be continued to them *jointly*. The Collector considers this course objectionable, and suggests that the pension be equally divided between them.

3. According to Standing Circular No. 155 regarding succession to Shrotriems granted for a certain number of lives, the term life means generation, and in several cases a similar construction has been put on the terms next heirs.

4. In a recent case† (Boojunga Row's) in which the grant was to the grantee and his two next heirs (as in the present case), Government submitted for the

decision of the Secretary of State the question whether the terms two next heirs meant an extension for individual lives or for generations. The reply was that the original grant could not be held to contemplate generations. This was in 1872. In 1875, Boojunga Row's case was again considered, and similar cases which had been more liberally dealt with were cited. On this occasion the Secretary of State observed that the case was not without doubt, but he considered that in strictness the grant lapsed on the failure of the third life, Boojunga Row's undivided brother. However he acceded to the recommendation of Government to continue a moiety of the Shrotriem to the memorialist.

4. This is the most recent decision as to the meaning of the terms two next heirs, and if it be followed in the present case, the pension should be continued to Govinda Row's eldest son, T. Narasinga Row, as the third and last life.

(True Copies and Extract.)

Randhawa.

Acting Sub-Secretary.

To the Secretary to Government, Revenue Department.

Copy to the Collector of Salem.

Exd. T. O'Connor.

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No 2888
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Board of Revenue,
 MADRAS.

PROCEEDINGS, 5TH JULY 1876, No. 1,712.

1876
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Received

JULY.
 No. 1,712.

Service Pension—granted to the late Appo Row, Head Sheristadar of Coimbatore, and his next two heirs, and enjoyed, after his death, by his son, Govinda Row, since deceased—Submitting for orders of Government letters from Collector of Salem regarding continuance of — to Govinda Row's two sons.

No 982. 20 July 1876

1876

No 1500

It is observed that the Court of Directors, in sanctioning the original grant to Appo Row, used the words "themselves and his two heirs". Appo Row's wife died and his adopted son Govinda Row, and the latter's "heirs" are his two sons. The case is analogous to that of Shriyanga Row and the other parties in the same matter, meaning the individual. As the Court of Directors has recognized the exceptional character of these claims and sanctioned their being allowed, there appears no objection to follow the analogy in the present case and sanction the Court's proposal to divide the pension between the brothers equally. The fact of their being heirs to the deceased being admitted, they should, as a matter of course, be entitled to an equal share of what was bestowed by the Government.

1876

20 July 1876