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MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1292 Revenue — Press / Mis.

Dated 15th October 1883.

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue, dated 18th September 1883, No. 2814:—

Read—the following paper from the Collector of Kistna, to the Secretary to the Board of Revenue, dated Masulipatam, 13th August 1883, No. 2281:—

TABULAR Statement showing the Particulars of the undermentioned Pension connected with the Compensation in lieu of Lands and Privileges resumed.

Number.	Taluk or village.	Extent or value of the entire Inam or Yeomiah.	When and by whom granted.	Sanads or other documents in support of the grant.	Nature of the grant, charity or service; if service, nature of the duty prescribed by Government.	Name of the original grantee.	Name of the last holder, and relationship in which he stood to the grantee, and date of his decease.	Share enjoyed by the deceased and that held by other members.	Family left by the deceased, and names and age of the parties.	Their circumstances and the means of subsistence possessed by the family.	Recommendation of the Collector, and the grounds on which it is made.	Recommendation of the Board.	Decision of Government.
1	2	3	4	5	6	7	8	9	10	11	12	13	14
1	Kistna district, Sattenapalle taluk, Amaravati.	Allowance of Rs. 300 per mensem.	By British Government, under G.O., No 2256, of 11th December 1879.	None.	In lieu of property given up to Government.	Vasireddi Ramanadha Babu.	1. Vasireddi Dasaradhi Nayudu. 2. Do. Siva Prasadha Nayudu (died on 8th June 1883).	Rs. 150 are enjoyed by Dasaradhi Nayudu, and Rs. 150 were enjoyed by the deceased.	Vasireddi Gnanaprasunamba (widow) aged 29 years. Venkayamah (daughter) aged .. 9 .. Sampatpradamba (daughter) aged .. 6 ..	They have been living upon this pension and upon certain savaram lands.	Vasireddi Venkatadri Nayudu, Bahadúr, marked A in the accompanying genealogical tree, was the Zemindar of Vasireddi estate in this district. He had two wives, viz., B and C. He adopted two sons (1) D for B and (2) E for C. After the death of A, D and E disputed the succession to the estate. The Sadr Adalat Court decreed in favor of the latter. During E's management, the peshkash having fallen into arrears, the estate was resumed by Government. E was allowed a pension of Rs. 1,000 a month in lieu thereof. On the appeal of D, however, the Privy Council decreed in his favor, reversing the decree of the Lower Court, but held that E might succeed to anything alienated to him which by Hindu Law, his adoptive father had power to do so. Thus the allowance granted to E was transferred to D, and declared hereditary; E, however, being allowed a subsistence allowance of Rs. 300 per mensem to last for life in consideration of the valuable services rendered by him in the matter of the resumption of the estate by Government. After E's death, the Government were pleased to continue a moiety of his allowance (Rs. 150) to his widow F, her sons G and H being minors at the time. The Government, after a deliberate consideration, recognized in their G.O., No. 1720 of 2nd October 1871, the propriety of classing this kind of pension in lieu of property surrendered and of continuing it for heirs. They accordingly granted on the demise of C (grandmother of G and H) a portion, (viz., Rs. 150) of her allowance, Rs. 202-8-0, to her legal representatives G and H, on the understanding that this sum added to that drawn by their mother F would be equivalent to the allowance granted to their father E. The pension of F has thus descended in full after her death to G and H, who used to draw the whole allowance upon a single receipt from the Treasury and to divide it equally between themselves agreeably to the terms of G.O., No. 2256, of 11th December 1879. Now H died on 8th June 1883, leaving a widow, Gnanaprasunamba (K) and two daughters (unmarried), Venkayamah (L) and Sampatbradamba (M). K was pregnant at the time of her husband's death, and is now to deliver a child. She prays that her husband's allowance may be continued in her name and that she may be allowed a separate permanent payable order, as her husband was often obliged to complain to the authorities the irregularity on the part of G, in presenting the joint receipt to the Treasury officer for payment of their pension. The grounds of her claim are:—(1) that G and H were divided; (2) that even in case of her failure to deliver a male child, she has her husband's consent to adopt one under a will executed by him at the time of his death; (3) that her husband's allowance, viz., Rs. 150, is one of a hereditary nature; (4) that she has no other means of support than the pension granted to her husband by Government. G has also submitted a petition claiming the allowance of H under the following reasons:—(1) that there is no male issue at present to the deceased; (2) that unless the widow of the deceased brings forth a male child, the family of the deceased should look to him for support. There is ample proof on the record to show that G and H have clearly divided. Therefore H's widow K can have no claim for maintenance on G, and G for the same reason can have no claim on any property left by H. If H's pension is hereditary, which appears to be the case, I recommend that it may be sanctioned in the name of his widow Gnanaprasunamba (K). To avoid any interference on the part of G, who, it appears, caused inconvenience to H in drawing the pension jointly, I recommend that separate payable orders be given to G and K.		

Resolution—dated 18th September 1883, No. 2814.

Submitted for the orders of Government.

2. Deceased Siva Prasadha Nayudu was second son of Ramanadha Babu and Pappamma, and by G.O., No. 403, dated 11th March 1875, and G.O., No. 2256, dated 11th December 1879, allowances aggregating Rs. 150 per month, being a personal allowance of Rs. 75, and another Rs. 75 as half of his mother's pension, were granted to him, and similar allowances to his elder brother, Dasaradhi Nayudu. The Collector considers that these allowances are hereditary, and that they should be continued to Gnanaprasunamba, widow of deceased Siva Prasadha Nayudu. In view of the decided opinions expressed by the Board in Proceedings, No. 18, dated 5th January 1875, and No. 3124, dated 6th November 1879, and the facts as there stated, the Board are unable to concur with the Collector. They consider that the pensions were simply personal, but, having regard to the very peculiar circumstances attending these pensions, as stated in the above-mentioned proceedings, they recommend the continuance of the pension enjoyed by deceased to his above-named widow, to be separately drawn by her.

(A true Copy and Extract.)

(Signed) J. A. DAVIES,
Acting Sub-Secretary.

To the Secretary to Government, Revenue Department, with genealogical tree.
Copy to the Collector of Kistna.

ORDER—dated 15th October 1883, No. 1292, Revenue.

Miscellaneous.

The Right Honorable the Governor in Council is pleased to sanction the continuance of the pension enjoyed by the late Siva Prasadha Nayudu to his widow Gnanaprasunamba, as recommended.

2. The Government are unable to accept the Board's conclusion that the pension granted to Ramanadha Babu was "simply personal." It will be seen by a reference to paragraph 6 of the Board's Proceedings, dated 5th January 1875, No. 18, that "even under the decree of the Privy Council, he would have been entitled to half of the self-acquired property of Venkatadri which formed a considerable part of the estate now in the possession of Government." This being the case, there can be no question as to the hereditary nature of the pension granted in lieu of that property.

(True Extract.)

Signed) E. F. WEBSTER,
Secretary to Government.

To the Board of Revenue, with one enclosure
„ the Accountant-General.

Exd. W. H. French.

40 Copies.

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Govt. of (1883) Madras.

REVENUE.

Issued

Encl.

Recd.

G.O., 15th October 1883, No. 1292.

OCTOBER.

Pension

enjoyed by the late Siva Prasadha Nayudu of the Vasireddi family.—Continuance of the — to his widow Gnanaprasunamba, sanctioned, with remarks.

No. 6124

From Board of Revenue

Dated 18th September 1883. No. 28

FOR ORDERS.

Bd. to Collector and the Board recommend that the share of the hereditary (Rs 150 a month) enjoyed by the deceased Siva prasada Nayudu should be continued in full to his widow Gnanaprasunamba, but the reasons which induced them to make this recommendation do not coincide.

The former regards this pension as hereditary and therefore descendible to the heirs of the original grantee without question, but the latter holds that it is 'simply personal' and is therefore terminable at the will of Govt, altho' they would now recommend continuance having regard to the very peculiar circumstances attending these pensions."

In these circumstances, it seems

very desirable that the point should be placed beyond all doubt once for all.

It will be remembered that there are two branches of this famous Vizianagram family, one descending from the elder adopted son, the other from the younger adopted son of Venkatadri Raguba. The present claim comes from the younger branch.

As regards the pension granted to the elder, it has been expressly declared hereditary in accordance with the principle laid down by the Govt of India - vide S.G. 2nd October 1871 no 1720.

As regards the pension allowed to the younger branch, a similar course has not been followed although the decision in both Cases is based on the same premises - viz

"Was the pension granted in lieu of property given up to Government?"

Yes is the answer in both

× S Gl Letter to India 16/1/73 no 5.
S.G. 17th April 1873 no 409
S.G. 7th Aug 1873 no 907.

Cases, and the decision must therefore be alike:— vide para 6 of Board's Proc in S.G. 11th March 1875 no 403 and para 5 of the letter to India no 404 of the same date. Where it is stated:—

"Even under the decrees of the Privy Council, Ramanadha Bâla "would have been entitled to "half of the self-acquired property "of Venkatadri, which formed a "considerable part of the estate "now in the possession of Government."

the Board then recommended that the pension be continued to Ramanadha's family "as a hereditary grant", but the Government did not notice the point. The Board, therefore, now endeavour to make some Capital out of the omission, as they did in their Proc of 6th Nov 1879 no 3124 para-graphs 3 and 4. In submitting the Board's Proc of 1879 for orders, the point was expressly raised, and the Honble Mr Hudleston noted

× Father of the deceased.

Such Memorandum for

+ S.G. 11/12/79 no. 22.56

as follows, the other Members agreeing:—

"I think the allowances "to the family of Ramanadha "Babu must be regarded as "much as Inalikhana as that "which is enjoyed by the descend- "ants of Jagannadha Babu" (i.e. "the elder branch).

This portion of the note was not worked into the order, and the result is the present reference, or else the Board could have sanctioned the continuance themselves.

It is true that the pension was originally granted to Ramanadha Babu as subsistence allowance "for the period of his natural life", and that on his death, only a moiety of it was continued to his widow "for life". But all this was before the Liberal orders of India dated October 1871 quoted above. Nothing, however, needs particular notice. In the original G.O. 11th March 1873 no 403,

* Para 2 S. O. 133 page 209 New Edition

G. M. C. 24/8/50 no 796

G. O. 29/1/61 no 237

the words quoted in the margin were inserted, but they were subsequently struck out deliberately with the concurrence of the Honble Members. Please see the remarks on the office-note as well as on the draft order. The effect of the 1871 orders does not appear to have engaged attention then.

Submitted, that the pension in question should be treated as hereditary, as it was once granted in lieu of lands surrendered to Government.

Deceased was 2nd son of Ramanadha Rao Babu younger of the two adopted sons of Zamindar Venkatadri. He was worsted in the suit before the Privy Council but was declared entitled to half the self acquired property of Venkatadri which formed a considerable part of the estate in the possession of Govt. 150 Rs a month was sanctioned to Ramanadha Babu's sons and the widow of the second of them is

9/10/83

5

× and the Govt will recommend "the full amount being made "hereditary".

the present applicant.
G.O. 11th March 1875
para 2 seems to leave
that this person is
entitled to be treated
as hereditary

Vakeel 10/ 9/10.

Pd 15-10-83 ch 1292

Cn. 6124

FOR ORDERS.

Vasireddi Sumion, Junior

Branch.

Pd 9-10-83
Pd 11-10-83.
Pd 11-10-83.
Pd 12-10-83
Pd 12-10-83
Pd 15-10-83.

Revenue Recpt

No 1292 / 15-10-83.

Read Board's Proc dt 18th Sept 1883

No. 2814.

G. G.

The Right Honble the
Governor in Council is pleased to
sanction the continuance of the
pension enjoyed by the late ~~Bhima~~
Sriva Prasada Payakuli ~~Sastri Babu~~ to his widow.

Grama prasadamdu as recommended

2. The Govt are unable to
accept the Board's conclusion that
the pension granted to Ramanadha
Baba was simply personal.
It will be seen by a reference to
para 6 of the Board's Proc dt 5th
January 1870 No 18 that "even
under the decree of the Privy
Council, he would have been
entitled to a half of the self-

acquired prospty of Balladri
which formed a Considerable
part of the estate now in the
possession of Grah.m Mc Innes
the Case, there can be no question
as to the hereditary nature of the
possession granted in lieu of back
prospty.

Lieut Governor's.

To

Mc Board of Mc Inn
Gen.l Audt.r Genl's Office

40/
4.

Legajo 8°.

Vasiedad de Jurisdicion, Juicio

Branch.