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(3) Initials of the Referencer OL

MADRAS RECORD OFFICE

Government of Madras

Revenue

DEPARTMENT

G.O. No.	<u>438</u>	Press
~~B.P. No.~~		~~Misr~~
Dated	<u>14th June, 1956</u>	

Original

Not to be folded or roughly handled

File No. 1204 D3/59-2
Rev D. 19/3/59

14TH JUNE 1890, No. 438, REVENUE.

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

READ—the following Proceedings of the Board of Revenue (Land Revenue), dated 6th February 1890, No. 780, Mis. :—

MR. W. S. WHITESIDE.

Read—the following letter from A. C. TATE, Esq., Acting Sub-Collector, in charge of South Arcot, to the Secretary to the Commissioners of Land Revenue, dated Cuddalore, 7th October 1889, Reference on No. 5997-Eng. :—

As directed in Board's Proceedings, dated 11th July last, No. 4172, Mis., I have the honor to request sanction for the assignment of the lands mentioned in the accompanying schedule as endowment to the Local Fund choultry at Gingee taluk, the construction of which was sanctioned by the Board in the Proceedings, No. 10502, Mis., dated 11th October 1878, and completed in 1882.

2. The choultry is kept in good repair and proper establishment maintained for the benefit of travellers.

3. The aggregate assessment of the lands to be endowed is Rs. 60.

ENCLOSURE.

STATEMENT showing the lands proposed to be assigned as inam to the Local Fund choultry at Gingee.

Village.	Description of land, wet or dry.	Survey number.	AREA AND ASSESSMENT ACCORDING TO THE RECENT SETTLEMENT.	
			Extent.	Assessment.
Narasingarayanpettai	Dry	5A	ACS. CTS.	RS. A. P.
		11A	6 14	7 11 0
		13C	1 45	2 3 0
		15A	7 12	10 11 0
		16	2 12	3 3 0
		17	1 35	1 6 0
		19A	1 30	1 14 0
		20A	2 86	2 14 0
		21A	2 24	2 4 0
		33B	0 61	0 15 0
	Wet	43A	0 17	0 12 0
		62	1 5	4 3 0
		69B	1 27	5 1 0
			0 22	0 14 0
			27 50	43 15 0
	Dry	12	4 37	6 9 0
		25A	4 16	6 4 0
		40A	0 81	3 4 0
	Wet		9 34	16 1 0
		Total	36 84	60 0 0

Reference thereon, dated 3rd December 1889.

The Collector has not reported whether the requirements of Standing Order No. 137 (new edition), clauses 2 and 4, are satisfied in the case under reference. This information should be furnished at an early date.

Read—the following letter from H. SEWELL, Esq., Collector of South Arcot, to the Secretary to the Commissioners of Land Revenue, dated Cuddalore, 16th December 1889, Reference on Register No. 1560 B.L. :—

Adverting to your reference, dated 3rd instant, on Sub-Register No. 2904, of 1889, I have the honor to report that the Local Fund choultry at Gingee furnishes accommodation for all classes of the community. The plan of the building was submitted to the Board with letter, No. 68, dated 7th September 1878, from the President of the Local Fund Board and was approved of in Board's Proceedings, No. 10502, dated 11th October 1878.

2. There is no choultry within ten miles on the same line of road, but there is one for which endowment has been sanctioned as noted in the margin in the village of Perungupper, known as Varadasári chattram, six miles from Gingee and one mile off the trunk road on which the choultry under reference is situated.

	CENTS.		RS.	AS	P.
Wet ...	1, assessed at	...	4	4	0
Dry ...	2 do. at	...	3	14	0
Total ...	3	Total ...	8	2	0

Resolved—dated 6th February 1890, No. 780, Mis.

Government with the Board's recommendation that sanction may be assigned of acres 36.84, assessed at Rs. 60, as endowment to choultry at Gingee.

(True Copies and Extract.)

(Signed) M. HAMMICK,
Secretary.

To the Secretary to Government, Revenue Department,
with three letters and one enclosure, in original, to be returned,
and with copies of Board's Proceedings, dated 11th October 1878, No. 10502, Mis., and Board's Proceedings, dated 11th July 1889, No. 4172, Mis.
Copy to the Collector of South Arcot.

ENCLOSURES.

PROCEEDINGS of the Board of Revenue (Land Revenue), dated 11th October 1878, No. 10502, Mis.

MR. H. E. SULLIVAN.

MR. W. D. HORSLEY.

MR. H. S. THOMAS.

Read—the following letter from the President of the Local Fund Board, South Arcot, dated 7th September 1878, No. 68 :—

With reference to the enclosed copy of Resolution, No. 2, of the Proceedings of the Local Fund Board, Cuddalore Circle, passed at a meeting held on the 30th ultimo, I have the honor to submit, herewith, an estimate, accompanied by plans and specifications, amounting to Rs. 2,150, for constructing a choultry at Gingee in the Tindivanam taluk, and to request that the Board will be pleased to accord their sanction to the estimate.
The funds for the work will be provided in the budget for 1879-80.

ENCLOSURE.

EXTRACT from the Proceedings of the Local Fund Board, Cuddalore Circle, dated 30th August 1878.

Read—letter from the District Engineer, dated 29th June 1878, No. 77, forwarding, for approval and submission to the Board of Revenue, an estimate, &c., for Rs. 2,150 for constructing a choultry at Gingee.

2. Resolved that the estimate be submitted for the sanction of the Board of Revenue and that the required funds be provided in the budget for 1879-80.

(True Extract.)

(Signed) A. CRUICKSHANK,
Ag. President, Local Fund Board.

Resolution—dated 11th October 1878, No. 10502, Mis.

The estimate, amounting to Rs. 2,150, is sanctioned.
2. The Board note that the work is to be provided in the ensuing year's budget of the Cuddalore Circle.
3. After the completion of the choultry, the President will apply for the usual endowment of land, in order that the institution may be self-supporting.

(A true Copy and Extract.)

(Signed) J. STURROCK,
Acting Sub-Secretary.

PROCEEDINGS of the Board of Revenue (Land Revenue), dated 11th July 1889, No. 4172, Mis.

MR. W. S. WHITESIDE.
MR. J. GROSE.

Read—the following letter from H. SEWELL, Esq., Collector of South Arcot, to the Secretary to the Commissioners of Land Revenue, dated Cuddalore, 11th April 1889, Reference on Register No. 1436-Eng. :—

I have the honor to submit the following case for the orders of the Board.
2. In their Proceedings, No. 10502, Mis., dated 11th October 1878, the Board sanctioned the construction by the Local Fund Board of a choultry at Gingee at a cost of Rs. 2,150 and directed the President to apply, after completion, for an endowment of land to make it self-supporting.
3. The President of the Local Fund Board accordingly addressed the Collector in August 1882, after the completion of the choultry, to take steps to have the institution endowed. The Sub-Collector was thereupon asked to recommend waste land for assignment. That officer sent in his reply only on the 26th November 1886, but the letter was unfortunately lost sight of in the Local Fund branch of my office till recently.
4. Before making a formal application to the Board on the subject, I have the honor to request their opinion whether, under the present circumstances of the Taluk Boards, they consider that land belonging to Government should be assigned for the purpose of keeping up choultries. Under the Local Boards Act (V of 1884), these institutions are to be built and kept up at the expense of Taluk Boards from funds received in accordance with the provisions of the Act. It seems to me, therefore, very doubtful whether we are justified in asking Government to contribute to their support even by the grant of waste lands. I, therefore, request the favor of the Board's instructions on the subject.

Resolution—dated 11th July 1889, No. 4172, Mis.

The Board sees no objection to the usual endowment being applied for. There is nothing in Act V of 1884 (Madras) to prevent Local Board from administering endowments which may be granted to choultries by Government.

2. The great delay that has been allowed to occur in this matter is highly unsatisfactory.

(A true Copy and Extract.)

(Signed) M. HAMMICK,
Secretary.

To the Collector of South Arcot.

4 14TH JUNE 1890, No. 438, REVENUE.

ORDER—dated 14th June 1890, No. 438, Revenue.

Land Revenue, No. 29.

Sanctioned.

(True Extract.)

(Signed) C. A. GALTON,
Secretary to Government.

To the Commissioners of Land Revenue, with four enclosures.
„ the Accountant-General.
„ the Local and Municipal Department.

Exd. A. D. Xavier.

50 Copies.



Proceedings of the Board of Revenue

(Land Revenue).

Dated 11 July 1889.

No. 4172 Mis.

Mrs. W. J. Whiteside.

Mrs. J. Lyne.

READ Letter from The Collector of P. Arcot dated 11 April 1889 Ref. on R. No. 4172.

Resolution—

The Board sees no objection to the usual endowment being applied for. There is nothing in Act V of 1884 (Madras) to prevent Local Boards from administering endowments which may be granted to charities by Government.

2. The great delay that has been allowed to occur in the matter is highly unsatisfactory.

(True & correct)

(Sd) J. J. Munnick.
Secretary

To the Collr of P. Arcot

(True copy)

Secretary

18
Board of Revenue
(Land Revenue)
MADRAS.

True copy of

Proceedings, dated 11 July 1879
No. 4172 ^{Mis.} ~~Routine~~

Subject.

6
Res: 6077/70



Proceedings of the Board of Revenue

(Land Revenue).

Dated 11 October 1878.

No. 10502 Mis

Mr. H. E. Sullivan.

Mr. W. D. Hensley.

Mr. J. S. Thomas.

READ the following letter from the President of the Local
Fund Boards South Arcot dated 7th Sept 1878 No 68.

With reference to the enclosed copy of Reso-
-lution No 2 of the Proceedings of the Local Fund
Board Cuddalore circle passed at a meeting
held on the 30th ultimo I have the honor to
submit herewith an estimate accompa-
-nied by plans and specifications amount-
-ing to Rs 2150 for constructing a choultry
at Gingee in the Tiruvannam Taluk and to
request that the Board will be pleased to
accord their sanction to the estimate.

The funds for the work will be provided
in the bud get for 1879-80.

Enclosure.

Extract from the Proceedings of the Local Fund
Board

Board Cuddalore circle date 230 August 1878

x

x

x

Read letter from the District Engineer dated 29th June 1878 for forwarding for approval and submission to the Board of Revenue an estimate for Rs 2150 for constructing a choultry at Gingee.

2. Resolved that the estimate be submitted for the sanction of the Board of Revenue and that the required funds be provided in the Budget for 1879-80

(True Extract)

(sd) A. Ericksen
Ag. President 7/82

Resolution

The estimate amounting to Rs 2150 is sanctioned.

2. The Board note that the work is to be provided in the ensuing year's budget of the Cuddalore circle.

3. After the completion of the choultry the President will apply for the usual endowment of land in order that the institution may be self supporting.

(True Copy & Extract)

(sd) J. H. Brock

ag. Secy. Secretary

(True Copy)

M. M. M.

Secy.

188.

Board of Revenue

(Land Revenue)

MADRAS.

To
True copy of

Proceedings, dated 11 October 1878.
No. 1052 ^{Mis.} ~~Routine~~ Enclosures.

Subject.

REVENUE DEPARTMENT.

Current No. 1077

From Board of Revenue (L.R.)

Date 6th Feby. 1880.

FOR ORDERS.

In 1878 the President of the L. & R. Board, S. Arak for-
warded to the Board of Rev.
an estimate, accompanied
by plans and specifications,
amounting to Rs 2150 for con-
structing a choultry at Chinnai
in the Jindavanam Tk and re-
quested the sanction of the Bd
for the estimate. The Board
of Rev. accorded the necessary
sanction and further directed
the ~~Board~~ ^{L.R.} President to
apply, after the completion
of the choultry, for the
usual endowment of land
in order to make the institution
self-supporting. The building
was completed in 1882 and

5
Rev. 1077/190

resident addressed the collector regarding the Endowment. Not owing to considerable delay in the office both of the Sub-collector & of the collector the matter was finally reported to the Board of Rev. only in April 1884. In doing so the collector expressed a doubt whether under the present circumstances of the Taluk Board he was justified in asking the Govt. to assign lands belonging to it for the support of charities under Act II of 1884. He considered the institutions of that kind were to be built & kept up at the expense of Taluk Boards from the lands received in accordance with the provisions of the Act. He therefore requested the Board instructions on the subject.

In reply the Board

nothing in Act II of 1884 to prevent local Boards from administering endowments which might be granted to charities by the Govt. and that it, therefore, saw no objection to the usual endowment being applied for.

The collector ~~thereupon~~ accordingly submits an application for the assignment of lands, 36.84 acres in extent & assessed at Rs 60, as an endowment for the charity. He also reports that the requirements of S.O. No 137 (New Edition) Cl. 2 & 4 are satisfied. The Board of Rev. submits the application to the Govt. with the recommendation that it may be sanctioned.

It is submitted, however, that there is some

Sanctioning the application for the endowment now recommended appears to be different from that contemplated in S.O. No. 137 which applies (only) to the cases of choultries built by private individuals.

There is great difference between endowing a choultrie built by the L.F. Board and transferring to its charge an choultrie with the endowment already attached to it. The Board's view, therefore, expressed in para 1 of its No. 104132 dated 11-7-89, does not seem to be correct.

No precedent can be traced and it is submitted that to sanction this may create an inconvenient precedent.

The case does not fall within the scope of S.O. No. 25;

FOR ORDERS.

C.No. 1077/90

Re: Endowment to the L.F. choultrie at Gujra. S. A. & Co.

As the Secy. says, the Rules (S.O. No. 137) do not cover the case but under Sec. 48 of the L.F. Act V of 1884 the grant can be made, & there can be no more objection to giving an endowment to a choultrie built by a L.F. than to one built by a private person.

The Rules certainly do not cover the case & the Secy. is / states in ratifying the order of Govt of India confirming the Board for the purpose to grant endowment to choultries & public buildings is on the understanding that it will be exercised only in connection with the L.F. choultries & public buildings. The application is by the L.F. Board.

Under Sec 48 Act V of 1884 the S. in C. may grant, no doubt but his discretion is limited by ^{ordint} superior authority. Sec 48 therefore seems to me insufficient to settle the case & the question is whether the grant is within the sanctioned rules prescribed in the matter for the guidance of the S. in C. The Secy. says it is not but the question seems rather dogmatic. The dictum of the Secy. of State refers obviously to the defects in the rules then dealt with viz. that prior permission was not obtained, & that the amount provided was inadequate. These defects do not arise in this case. Referring to the rules in the Vol. put up, there is nothing to restrict the term "individual" in rule 2. So as to exclude corporate bodies like taluk boards; but the Secy. apparently interprets "individual" as meaning "private person". It is a surprise to me to hear that there is no precedent for the endowment of a choultrie constructed by a local board. I think the grant is within the rules unless the Secy. can produce authority to his interpretation. 13/11/90.

I distinctly took the word "individual" to mean private person as I understood the Rules of 1829 as being framed with the object of encouraging private persons to construct choultries & public buildings & it seems hardly required in the case of local boards as they were not in existence at the time it is submitted that such bodies could not have been contemplated by the Rules. Hence I think that the Rules do not cover the case.

C. no. 1877 of 1890

FOR ORDERS.

Re. Endowment to the
L. F. Choultry at
Ginger, South And Dist.

The ...
The ...

No. 1077.

orders.

Submission of Draft
...
delayed in view to
... further search
... precedents or papers
... it seems likely

...
... for ... of
... to Choultrie
... intended to be
... to such as
... erected by private
... it will
... is what the
O. ... the first
... of para. 1 of S.O.
... 137, though the rules
... as
discussed by the Hon. Member
imply any such res-
triction. Nor does any
intention of such res-
triction appear either
in the R.P. with which
these rules were ...

* In the G.O. quoted
below.

1475

submitted to Govt. or
in the G.O. which has
sanctioned these rules
— G.O. 11-8-29 no. 562
2. But when in 1868
B^d. recommended
of endowment to
halting sheds or Chaur.
constructed out
Local Funds the
at first referred
G.O. 877) holding that
rules were for
erected by private
funds and the
not applicable to
case of Chaurities in
from Local Funds.
B^d. Thereupon printed
out (B.P. in G.O. 14th
no. 1959) that it is
local communitarian
whether a Chaurity is
erected by the beneficence
of a private individual
or by the united con-
tributions of the com-
munity at large, as
the case with

Yes. This settles the
question.

U
10/6
JES
14 June

10
the halting sheds which
had been constructed
out of a grant made
from the Road cess fund.
3. On this representation
the Govt. sanctioned
the usual endowment.
4. As this sanction is not
stated to be special
and as it appears from
the note for orders with
the original of the G.O.
that Govt. admitted the
B^d. reasoning, this order
may, it is thought, be
regarded as precedent for
the case in the
cont.

A draft order on this
subject is accordingly
submitted for approval.

C. no. 1077 of 1890.

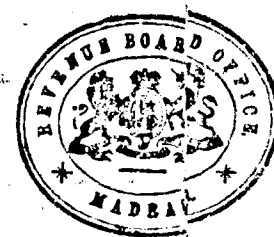
Rec.

Re. Grant of endowment
to a local fund
Choulbury

Note no. 10.

for info for information
of Hon^{ble}. Members.

Ch
10/6



Proceedings of the Board of Revenue

(Land Revenue).

Dated 6th February 1890.

No.

100

Mr. W. S. Whiteside

READ 1. Letter from the Collector of South Arcot dated
7th October 1889, No 5997.

2. The following Board's reference thereon dated 3rd
December 1889.

The Collector has not reported whether the
requirements of Banding Order No 187
(new edition) clauses 2 and 4 are satisfied
in the case under reference. This infor-
-ation should be furnished at an early
date.

3. Letter from the same offices dated 16th Decr
1889 Ref on Re's No $\frac{1560}{13 \&}$.

Resolution:-

Submitted to Government with.

2)
the Board's recommendation that sanction
may be accorded for the assignment of acres
36.84 assessed at Rs 60 as endowment to local
fund charity at Lingee.

(True Copy and Extract)

Secretary.

2) The Secy to Govt R.D. with 3 letters & Enclos.
in original thereto and with copies of
1882 Procs. dt 11-10-1878 No 10502 mis &
— dt 11-7-1889 No 4172 mis

Copy to the Collr of South Arcot

2/11
C.

Revenue Department

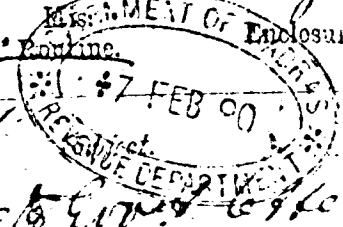
1880.
Board of Revenue
(Land Revenue)
MADRAS.

No. 1077.

To
The Secretary to Govt
Revenue Department

Print 14/6.

Proceedings, dated 18 Feb 1880
No. 1. Enclosure.



Submitted to Govt for
the C. & A. to be the assign-
ment of certain lands as
endowment to the R. & C. Choul-
ah College

Handwritten: 18/2/80, 13/4/80
E.O. 14/1/80

Sanctioned.

15/6

12/12/80

Thomson & Co. R. & C. Choul-
ah College
... acc. to General
... 18/2/80

No. 3-4-87 257.

Office
Call for
Original
9/9/80
14/7/80
18/7/80
21/7/80

Put up the papers quoted
in G.O. No. 139 of 1880
...
...
...

Ref.
(1) Put up paper quoted in
pencil in G.O. 17-7-38 No.
994. Put up
(2) Put up a few more cases
of grants of land for
maintenance of Choulahs.
While in the case in
G.O. 11-6-39 No. 756 and
G.O. 18-2-80 the land
of G.O. 17-7-38 has been
applied for, in G.O. 31-3-86
No. 756 the local Govt
has sanctioned the grant.
Can this be explained?

Ref.
Put up the papers quoted
in the correspondence
printed in G.O. 13-6-80 No.
67.

Put up G.O. 13-8-75 No. 1226
and the letter to Govt of India
dated 11-9-80 G.O. 3-2-80 No. 127
...
...

Original

24-8-39 IV

Govt. of {1890} Madras.

REVENUE.

• Issued

• Recd.

Encl.

G.O., 14th June 1890, No. 438.

JUNE

Local Fund choultry at Gingee.

The assignment of certain lands as endowment to the —, sanctioned.