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MADRAS RECORD OFFICE.

To be treated as original.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1124

Press
Mis.

Dated

4-11-1892.

Not to be folded or roughly handled

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Revenue ¹⁸⁹² (~~193~~) Department.

Pres SERIES.

G.O. No. 1124

DATED 4-11-1892

[Despatch Abstract.]

(To be treated as original)

3

4TH NOVEMBER 1892, No. 1124, REVENUE.

GOVERNMENT MADRAS.

REVENUE DEPARTMENT.

READ—the following G.O., dated 21st April 1891, Mis. No. 2498, Revenue :—

Read—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture) dated 9th March 1891, No. 127 :—

MR. SECRETARY.

Read—petition from M.R.Ry. RUNGASWAMY AIYENGAR and others, Inamdars of Kannapirandi and Serukudi Villages, Shiyali Taluk, Tanjore District, dated 4th December 1889.

Reference on the above at February 1890.

Referred to the Deputy Commissioner, No. III Party, for report.

(Signed) P. JARATNA MUDALIAR,

Secretary.

To the Deputy Commissioner, Revenue Settlement, No. III Party,
Shiyali Taluk, Tanjore District, for the petition (to be returned).

Read—the following letter from G. P. JENSEN Esq., Deputy Commissioner, Revenue Settlement, No. III Party, Tanjore, to the Secretary to the Commissioner of Revenue Settlement, Land Records and Agriculture, dated Shiyali, 11th September 1890, No. 271 :—

I have the honour to reply to the Board's reference, dated 21st February last, on the petition No. 162 of 1890 addressed to the Board by Rungaswamy Aiyengar and others, inamdars of Kannapirandi and Serukudi villages in the Shiyali taluk, Tanjore district, complaining against the demarcation and inclusion of the said inam villages in the Government village of No. 26, Madanur.

2. It appears from survey map of Madanur that the two inam villages in question have been demarcated as 4th and 8th khandams and included in the boundary of that village without showing the names of the inam villages in the map.

3. The 4th-khandam consists of one survey number, viz., 139, measuring acres 162.47 of irrigated lands, and the 8th khandam, 11 numbers, from 326 to 336, measuring acres 215.81 of wet and dry together.

4. The Tahsildar of Shiyali, to whom a reference was made on the subject, reports that in 1868, when the village establishments were re-organized, inam villages also were clubbed with the Government villages to form a village circle or vattam for the purposes of revenue administration; that the two inam villages in question, which are treated as "entire inam villages" in the revenue accounts,

have been included in Madanam circle; and that the Survey Department has pursued the same course in the demarcation of villages.

5. The maps and land registers of all the villages of Shiyáli show that all the shrotriem and inam villages as well as mohini inam and mokhasa villages, as noted in the margin, have been merged with the Government villages in accordance with the revenue circle or vattam.

Shrotriem villages	...	...	...	7
Inam villages	...	...	...	15
Mohini inam	...	...	...	8
Mokhasa	...	...	...	3

Not a single inam or shrotriem village is shown as an independent village in the printed alphabetical list of villages of the taluk furnished by the Survey Department.

6. In Kumbakonam also in which there are 107 entire inam and shrotriem villages, as per list received from the Collector, about 66 villages have been merged with Government villages by the Survey Department.

Shrotriem villages	...	...	...	4
Entire inam	...	...	...	103
				107

7. In like manner several of the inam villages in the Tanjore taluk have been merged with the Government villages.

8. As the inam and shrotriem villages above referred to have been demarcated as separate khandams and included in the boundaries of the Government villages, they have been classified like minor inams and their extent included in the abstracts under the head "inam."

9. There seems no cause for the anxiety expressed by the petitioners in the two inam villages referred to having been included in the boundaries of the Government village Madanam.

10. The petition under report is herewith returned.

Reference on the above, dated 25th September 1890.

Forwarded to the Collector of Tanjore for favour of his opinion.

2. He is requested to report whether the whole inam villages in his district clubbed with Government villages for administrative purposes have ever contributed towards the maintenance of village establishments.

(Signed) P. RAJARATNA MUDALIAR,
Secretary.

To the Collector of Tanjore.

Read—the following letter from G. P. CLERK, Esq., Deputy Commissioner of Revenue Settlement, No. III Party, Tanjore, to the Secretary to the Commissioner of Revenue Settlement, Land Records and Agriculture, dated Tranquebar, 10th January 1891, No. 10-B:—

In continuation of my letter No. 271-B, dated 11th September 1890, I have the honour to state that the inamdar of another entire inam village called Thottan, in the Tanjore taluk, has addressed to me a petition protesting against the inclusion of the village in the adjoining Government one.

2. It is clear that in each taluk of this district several entire inam villages have been merged with the adjoining Government ones by the Survey Department, and it is not known on what authority this has been done. Each such village has been classified by this department.

3. In some cases it was found difficult to form classification blocks without including these inam numbers, as the latter are scattered amidst Government lands.

In other cases it was necessary to form a separate block for a single inam field of a large extent comprising 170 to 760 acres and place it in a particular class and sort, though it may contain different classes and sorts of soil, because it is not split up and demarcated in detail as in the case of Government lands.

4. Though these whole inam villages have hitherto been classified and their areas included in the abstract, I consider that they may be advantageously excluded from the operations of the Settlement Department in future, inasmuch as the inamdars object to the classification and as the contingency of their lapsing to Government is remote.

5. In excluding these lands it will be necessary to increase the number of classification blocks wherever the former run into Government lands.

6. As the question of the propriety or otherwise of classifying these entire inam villages has to be determined, I beg to submit the matter for the consideration of the Board, and request final instructions for future guidance.

Reference on the above, dated 22nd January 1891.

Forwarded to the Collector of Tanjore for remarks, with reference to Board's Reference on G.R. No. 4856, dated 25th September 1890.

(Signed) P. RAJARATNA MUDALIAR,
Secretary.

To the Collector of Tanjore.

Read—the following letter from J. THOMSON, Esq., Acting Collector of Tanjore, to the Secretary to the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture, dated Vallam, 9th February 1891, No. 91:—

I have the honour to reply to Board's Reference on General Register No. 4856, dated 25th September 1890, and No. 108, dated 22nd January 1891, calling for my opinion on the petition of the inamdars of Serukudi and Kannapirandi villages, Shiyáli taluk.

2. The petitioners request that their inam villages which have been clubbed with the Government village of Madanam be not classified by the Settlement Department. From paragraph 8 of the Deputy Commissioner's letter, embodied in the Board's Reference on No. 4856, dated 25th September 1890, it appears that as the inam villages have been demarcated as separate khandams and included in the boundaries of Government villages, they have been classified like minor inams and their extent included in the abstracts under the head "inam." In the survey map of No. 26, Madanam village, the name of "Kannapirandi" alone is given without the prefix "inam." No inam area has been deducted from the total area of the village.

3. In paragraph 4 of his letter to the Board, No. 10-B, dated 10th January 1891, the Deputy Commissioner considers that the inam villages may advantageously be excluded from the operations of the Settlement Department, and I concur with him. The survey records may be amended accordingly.

4. The inam villages in this district have never contributed towards the cost of the village service establishment.

5. The Board's petition No. 162 of 1890, with its abstract, is herewith returned.

Resolution—dated 9th March 1891, No. 127.

The petitioners, Rungaswamy Aiyengar and others, are the inamdars of Kannapirandi and Serukudi, Shiyáli taluk, Tanjore district. These two villages appear to have been granted by the Native Rajahs, and subsequently treated by the Inam

Commissioner as entire inam villages. During the recent survey they were amalgamated with the Government village of Madanam, of which they were surveyed as khandams Nos. 4 and 8, the former consisting of a single survey number (139), measuring 162.47 acres of irrigated lands, and the latter of 11 numbers (326 to 336), measuring in all 215.81 acres of wet and dry lands. There is in fact nothing in the survey records to show that these villages were entire inam villages, nor has any mention been made of their names, nor have they been excluded from the entire area of the Government village.

2. Proceeding on the basis of the survey records, the Settlement Department have classified the lands of the villages treating them as minor inams and entering their extents in the abstracts under the head "in m." To this classification as well as to the inclusion of their villages within the boundaries of the Government village, the petitioners object, and their objection seems reasonable. To treat the villages as parts of the Government village will render them liable to the payment of the village-cess, and to the additional charge usually made on excess areas discovered by survey, besides doing away with the existence of the villages as separate units with their own establishments.

3. It appears from the Deputy Commissioner's letters read above that these are not the only cases of the kind. There are 30 such cases in Shiyali and 66 in Kumbakonam, and probably several others in the remaining taluks of the district.

4. This system of clubbing inam villages with Government villages is said to have arisen from the survey following the clubbing, which had been made during the re-organization of village establishments in 1868, when "vattams" or village circles were formed for the purposes of revenue administration. In several cases these "vattams" were formed by clubbing Government and inam villages together, both being placed apparently under the charge of the same set of village officers. The reasons which led to this anomalous arrangement are not known, but the inam villages contributed nothing towards the cost of village establishments. The Survey Department treated each "vattam" as a single village and surveyed it accordingly; and, as already stated, the Settlement Department have classified the lands of inam villages in all such cases as if they were minor inams of the Government villages with which they were clubbed.

5. The Deputy Commissioner, in the second of his letters read above, proposes to discontinue this system and to exclude all inam villages from the future operations of the Settlement Department, and the Collector concurs with him. The Board accepts the recommendation and directs that the inam villages concerned should be entirely omitted from settlement operations.

6. With regard to the Collector's proposal to amend the survey records, the Superintendent of Survey will be requested to favour the Board with his opinion. The Collector will, as early as possible, prepare and furnish him with a complete list of inam villages clubbed with Government villages in the several taluks of his district, forwarding at the same time a copy thereof to the Board.

7. The following endorsement will be given to the petitioners:—

"The Board has issued orders to the Deputy Commissioner to exclude the lands of the petitioners' villages from classification and other settlement operations. As regards the cancellation of their amalgamation with the Government village of Madanam, the Board is in correspondence with the Superintendent of Revenue Survey and the matter will be decided after ascertaining his views."

(True Copies and Extract.)

(Signed) P. RAJARATNA MUDALIAR,
Secretary.

To the Deputy Commissioner of Revenue Settlement, No. III Party.

" Superintendent of Revenue Survey

" Collector of Tanjore.

" Petitioners (endorsement only, para 7).

Copy to the Secretary to Government Revenue Department.

Order—dated 21st April 1891, Mis. No. 2498, Revenue.

Recorded.

(True Extract.)

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

To the Commissioner of Revenue Settlement, Land Records and Agriculture.

Read—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), dated 2nd February 1892, Mis. No. 1128:—

Read—Memorandum from the Acting Assistant Secretary to Government, Revenue Department, dated 23rd January 1892, for C. No. 10385 of 1891.

Resolution—dated 2nd February 1892, Mis. No. 1123.

Board's Proceedings, dated 22nd July 1863,
No. 4516.

Board's Proceedings, dated 4th June 1891, No. 2770, Mis. The marginally-noted papers will be submitted to Government.

Board's Proceedings, dated 30th July 1891,
No. 3944, Mis.

(True Extract.)

(Signed) P. RAJARATNA MUDALIAR,
Secretary.

To the Secretary to Government, Revenue Department, with enclosures.

ENCLOSURES.

* * * * *

Read—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), dated 4th June 1891, No. 2770, Mis.:—

Read—the following letter from the Deputy Commissioner of Revenue Settlement, Party No. III, Tanjore, dated 5th May 1891, No. 110-B.:—

I have the honour to report that in his arzi, No. 289 of the 22nd ultimo, the Supervisor solicits orders as to whether Mohini inam lands should be sub-divided as per present enjoyment like Government patta lands as prayed for by the mirasidars, or left untouched. These so-called inams are assignments of revenue to temples. The pattadars simply pay the assessment to the temples instead of to Government. For the second crop and teerwajasti they are dealt with like Government patta lands at the annual jamabandi as is done with other inam lands. But in the classification register they are entered as inams (with names of temples, managers, &c.), with reference to the revenue accounts. A separate statement showing the mirasi right has also been prepared for these lands. They have not been brought under settlement as they are included under the head of inams. It seems that there is no revenue chitta as they are entirely under the management of the inamdars. The sub-division of these lands was not dealt with by Survey Department.

2. Under these circumstances I think that where such inams are situated in small numbers in the midst of Government lands they might be measured and registered, but when they form a considerable area and are quite separate from Government lands, they might be left as they are, for the sub-division and registry according to present enjoyment of all these lands throughout the district would necessitate much labour and expense. I request that the Board will be pleased to issue early orders on the subject.

Resolution—dated 4th June 1891, No. 2770, Mis.

The Deputy Commissioner's recommendations are approved.

(True Copy and Extract.)

(Signed) P. RAJARATNA MUDALIAR,
Secretary.

To the Deputy Commissioner of Revenue Settlement,
No. III Party.

Copy to the Deputy Commissioner of Revenue Settlement,
No. II Party.

„ „ „ Collector of Tanjore.

Read—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), dated 30th July 1891, No. 3944, Mis. :—

Read—the following letter from the Collector of Tanjore, dated 6th July 1891, No. 473 :—

It has been decided in the Board's Proceedings, dated 4th June 1891, No. 2770, Mis., copy of which has been communicated to me, that the Mohini inam lands need not be sub-divided as per present enjoyment like other Government patta lands.

2. The Board is aware that these are not regular inams, but only assignments of land revenue in lieu of Mohini allowances to the temples, and that the ryots simply pay the assessment to the temples instead of to Government.

3. The total extent of lands originally assigned was 5,019 * velies and 99 gulis or 33,382-15 acres; but in a number of cases the lands have since been resumed, and the Mohini allowances to the temples paid by beriz deductions as prayed for by the trustees of such temples. The lands in question are situated on Government property; and second-crop assessment and water-rate are levied exactly in the same manner as on Government lands. They may have to be resumed at any moment. The trustees of the institutions demand payment of their allowances by beriz deductions. In the new settlement the assessment of these lands will be affected, and the increase, if any, will be to Government and not the temples.

4. In these circumstances I would suggest that these lands be sub-divided like other Government patta lands without any delay being made. I have communicated my views to the Deputy Commissioner.

Resolution—dated 30th July 1891, No. 3944, Mis.

Forwarded to the Deputy Commissioner for remarks.

(True Copy and Extract.)

(Signed) P. RAJARATNA MUDALIAR,
Secretary.

To the Deputy Commissioner of Revenue Settlement,
No. III Party.

Copy to the Deputy Commissioner of Revenue Settlement,
No. II Party.

Read—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), dated 4th December 1891, No. 773 :—

Read—again Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), dated 9th March 1891, No. 127.

ABSTRACT—Directing that certain inam villages referred to in the Tanjore district should be entirely omitted from settlement operations and requesting the Superintendent of Revenue Survey to favour the Board with his opinion to the proposal to amend the survey records relating to those villages.

Read—also letter from the Deputy Commissioner of Revenue Settlement, No. II Party, Negapatam, dated 4th August 1891, No. 141.

ABSTRACT.—Stating that, in the circumstances mentioned within, it is necessary to sub-divide the "Mohini" inam lands in the Tanjore district.

Read—also the following letter from G. P. CLERK, Esq., Deputy Commissioner of Revenue Settlement, No. III Party, Tanjore, to the Secretary to the Commissioner of Revenue Settlement, Land Records and Agriculture, dated Nidamangalam, 13th August 1891, No. 184-B. :—

With reference to the Board's Proceedings, Mis. No. 3944, dated 30th July last, I have the honour to state that, if the increase of assessment by settlement on the Mohini inam lands is to go to Government immediately on the introduction of the new rates, as stated in paragraph 3 of the Collector's letter, embodied in the above Proceedings, it seems advisable that these lands should be sub-divided and registered like ordinary Government patta lands. If the Government takes the excess revenue on those lands on which there is an increase in assessment by settlement, it follows, as a matter of course, that the trustees of the temples must be compensated for loss of revenue where there is a decrease by settlement. There will, no doubt, be an increase by settlement on almost all these Mohini lands, but in a few cases, since my proposed rates of assessment are to be lowered, there will, I have reason to believe, be a decrease.

2. If arrangements are to be made for the collection of the increase of revenue by settlement on behalf of Government, and for the payment of cash as compensation to the trustees for a decrease in land revenue, it is very necessary that chittas should be prepared and rough pattas issued by the Settlement Department. The Revenue Department will then have to prepare a separate chitta showing the particulars of increase or decrease for each individual ryot, and the ryots will be under the necessity of paying a portion of the assessment to Government and the balance to the trustees, who will also be obliged to maintain a separate account.

3. In these circumstances, I venture to suggest that these Mohini inam lands be resumed, and the former system of paying the allowances to the temples in cash by beriz deductions be again resorted to. This would greatly simplify matters, and I have no reason to believe that either the trustees or the ryots concerned would object to this proceeding.

Read—also the following letter from H. M. WINTERBOTHAM, Esq., Acting Collector of Tanjore, to the Superintendent of Revenue Survey, dated Vallam, 26th October 1891, No. 7894 :—

Referring to paragraph 6 of Board's Proceedings, dated 9th March 1891, No. 127 (Revenue Settlement, Land Records and Agriculture), and your letter, dated 9th July 1891, No. 1577 M., I have the honour to submit herewith a list of inam villages clubbed with the Government villages in the several taluks of the district.

2. In this connection, I beg to submit that the "Mohini inam" villages shown in the list are, in fact, Government villages, the assignment of revenue therefrom being resumable at any time. It was, therefore, submitted in this office letter to the Board of Revenue (Revenue Settlement, Land Records and Agriculture), dated 6th July 1891, No. 473, which is now pending orders, that these villages should be surveyed in detail like other Government villages.

Endorsement by H. M. WINTERBOTHAM, Esq., Acting Collector of Tanjore, dated Vallam, 26th October 1891, No. 756.

Submitted to the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture, with a copy of the list referred to in paragraph 6 of Board's Proceedings, No. 127, dated 9th March 1891.

Resolution—dated 4th December 1891, No. 773.

The foregoing papers relate to the treatment of Mohini inam lands in the Tanjore district.

2. In its Proceedings, dated 9th March 1891, No. 127, the Board ordered that these Mohini and certain other inams should be excluded from the operations of the Settlement Department. On a reference, however, from the Deputy Commissioner, No. III Party, the Board in its Proceedings, No. 2770, dated the 4th June 1891, approved Mr. Clerk's suggestion that where these inams comprised small holdings situated in the midst of Government lands, they should be measured and registered, but that where they formed considerable areas in distinct blocks, they should be left as they are.

3. In his letter, No. 473, dated the 6th July 1891, the Collector pointed out that the so-called Mohini inam lands are virtually Government lands, the assessment of which has been assigned to certain temples in lieu of cash allowances which they were formerly receiving from the State; that for the purposes of second-crop assessment and water-rate they are treated like ordinary patta lands; that what the temples are entitled to get are certain fixed sums represented by the present assessments of the lands, so that if the new settlement should result in an increase, such increase will go to Government; while in the case of a decrease the deficit will have to be made good by the Government, either by a fresh assignment or by a money payment; and that at any moment, the temple authorities may ask for reversion to the system of payment of their allowances by beriz deductions. In these circumstances, the Board agrees with the Collector and the Deputy Commissioners that the inam lands in question should be brought under the operations of the Settlement Department like ordinary Government patta lands and should be sub-divided according to their present enjoyments.

4. The recommendation of the Deputy Commissioners to resume the grants in question and to revert to the old system of money payments is opposed to the orders of Government and cannot be carried out unless the grantees themselves apply for the change.

(True Copies and Extract.)

(Signed) P. RAJARATNA MUDALIAR,
Secretary.

To the Deputy Commissioner, No. II Party, with copy of
Board's Proceedings, dated 9th March 1891, No. 127.

" Deputy Commissioner, No. III Party.
Collector of Tanjore.

" Superintendent of Revenue Survey, with reference
to paragraph 2 of his letter, dated 8th May 1891, No. 120-R.

Copy to the Secretary to Government Revenue Department.

" " Commissioners of Land Revenue, with copy of
Board's Proceedings, dated 9th March 1891, No. 127.

No. 15.

OFFICIAL MEMORANDUM.

With reference to its Proceedings, dated 7th March 1891, No. 127, and 4th December 1891, No. 773, the Board of Revenue is requested to furnish information on the following points:—

(1) In paragraph 4 of the first Proceedings, the Board remarks that the system of clubbing inam villages with Government villages arose from the survey following the clubbing which had been made during the reorganization of village establishments in 1868, and this remark appears to be based on the report of the Shiyali Tahsildar

referred to in paragraph 4 of the Deputy Commissioner's letter, dated 11th September 1890, No. 271. But from G.O., dated 8th October 1867, No. 2359, and the papers * printed therein it is observed that the revision of village establishments was confined to the Government villages only. It appears also from page 428 of the Tanjore manual that the number of

* Paragraph 3 of the Tanjore Collector's letter printed at page 6 of the Government Order, paragraphs 2 and 3 of letter printed at page 24, and paragraph 9 of Board's Proceedings, printed at page 29, and paragraph 14 of Board's Proceedings printed at page 31.

vattams remained unaltered from 1868 to 1883 and no papers can be traced authorizing a change since. The Board is, therefore, requested to ascertain the authority for the statement that inam villages are included in vattams and report the results at a very early date. If inam hamlets or so-called villages are included in vattams, the Board's ruling in the first Proceedings quoted appears to be open to question.

2. In the judgment of the High Court reported at page 319 of the Indian Law Report XIII, Madras, reference is made to a patta having been granted by Government to a ryot, the assessment on whose land had been assigned to a temple. The Collector should be called upon to report whether this is true of all Mohini inams, minor inams as well as inam villages.

FORT ST. GEORGE.
19th March 1892.

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

To the Commissioner of Revenue Settlement, Land Records
and Agriculture.

READ—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), dated 4th July 1892, No. 5730, Mis.:—

MR. E. GIBSON.

Read—the following letter from the Collector of Tanjore, dated 21st June 1892, No. 391:—

I have the honour to reply to Board's references † on General Register Nos. 738 and 1278 of 1892, dated 21st March and 27th May 1892, respectively.

2. With the District Gazette of Saturday, 20th June 1868, the Collector, Mr. Lee-Morris, published, "for general information," a list of the 1,446 Government vattams, and the last column of the statement shows the names of the inam and other non-Government villages attached to each vattam. This is the origin of the grouping of every inam village with some vattam. The object of the grouping was to facilitate collection of quit-rent and other Government dues, and to obtain statistical information. Some of the inam villages had and have no establishments, and where establishments existed, the village servants were not under the control of the Collector, and the necessity for the arrangement is therefore obvious.

3. In a circular published by the Collector, Mr. Stokes (now Sir H. E. Stokes) in 1883, I find the following recognition of the amalgamation:—

"Every whole inam village belongs to some vattam and accordingly falls within the charge of a Government kurnam," and the circular goes on to remind the Government kurnams of their duty to watch extensions of cultivation in inam villages so that no occupied land may escape the land-cess.

4. In like manner, where the inam village has no monigar, the monigar of the vattam to which it is attached exercises jurisdiction as Village Magistrate and Village Munsif.

5. Some of these whole inam villages measure but a few acres, but since the Inam Commissioner has enfranchised them, whole inam villages, their right to continue to be treated as such is, I think, beyond challenge. The resulting privileges and exemptions are correctly pointed out by the Board in paragraph 2 of its Proceedings, dated 9th March 1891, No. 127.

6. In connexion with the report due on the Proprietary Village Service Bill (*vide* Board's Proceedings, dated 2nd April 1891, No. 212, Land Revenue), I am collecting information regarding whole inam villages, but the statistics furnished by the Tahsildars are so extraordinary that I shall be obliged, in most cases, to make a reference to the inam register. In many instances, the annual rent value has been returned by the Tahsildar at less than one rupee. In reference to the inam register, I beg that the list of whole inam villages forwarded with my letter, dated 26th October 1891, No. 756, may not be acted upon.

7. To the question whether lands are assigned to Mohini inams, minor inams and inam villages, I beg to reply in the negative. The practice of the district is not to issue pattas for mohini inam lands so long as the revenue on the lands is assigned to a temple; but, if the lands are resumed and the mohini allowances paid by beriz deduction, then ryotwari pattas are issued for them.

8. The suit reported in Indian Law Reports, Madras, vol. XIII, 319, was brought in respect of sums due for fasli 1293.

In fasli 1294 the mohini inam land was resumed at the request of the grantee and the allowance was thereafter made by beriz deduction. In 1294 pattas were, of course, issued for the land thus resumed, but so long as the land continued as mohini inam, no patta had been issued. To prevent mistake, I have ascertained this by inquiry of the karnams and of the district munsif. The patta alluded to in the judgment of the High Court must be taken to be the patta issued after the mohini inam was resumed.

Read—also memorandum from Revenue Department, dated 28th June 1892, No. 55 R.

Resolution—dated 4th July 1892, No. 100.

Submitted for the orders of the Government, with reference to its memorandum No. 55, dated 19th March 1892.

(True Extract.)

(Signed) RAJARATNA MUDALIAR,

Secretary.

To the Secretary to Government, Revenue Department.

ORDER IN COUNCIL.

From paragraph 5 of the Inam Commissioner's letter, dated 27th May 1873, No. 277, it is observed that inam villages were granted to religious institutions in the Kurnool district in respect of lands the assessment on which was assigned to them in commutation of tasdic or religious allowances, and this statement is confirmed by paragraph 5 of the Board's Proceedings printed in G.O., dated 30th October 1873, No. 1217. The Board is directed to request that the Inam Commissioner will report whether title-deeds were granted, in similar cases in the Tanjore district, and, if so, to the Government. If no title-deeds were granted, it should be explained why a different procedure was followed in the case of the Tanjore district.

2. It should also be reported whether the lands, the assessment on which was assigned, are shown in the inam register as minor inams or whole inam villages.

OOTACAMUND,
3rd August 1892.

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

To the Inam Commissioner.

READ—the following letter from the Honorable Mr. H. W. BLISS, Acting Inam Commissioner, to the Secretary to Government, Revenue Department, dated Madras, 19th August 1892, R.C. No. 924 of 1892:—

With reference to your official memorandum, dated 3rd August 1892, No. 157, I have the honour to state that title-deeds were issued for the inams of the kind mentioned in the taluks of Shiyali and Mayavaram of the Tanjore district. Specimen copies of the inam register and of the title-deed issued for the inams are herein enclosed. Such cases were treated as minor inams.

2. No register can be found in the records of this office to show that title-deeds were issued for these inams in the Kurnool district. I have addressed the Collector on the subject and will, if necessary, report further on the subject on receipt of his reply.

ORDER—dated 4th November 1892, No. 1124, Revenue.

Miscellaneous.

The foregoing Proceedings of the Board relate to two distinct questions: firstly, the treatment, for the purpose of the revenue settlement, of the whole inam villages in Tanjore included within the limits of vattams or circles formed for the purpose of revenue administration at the reorganization of village establishments in 1868; secondly, the treatment of what are termed mohini lands, i.e., lands the assessment on which was assigned to pagodas under G.O., dated 18th July 1863, No. 1319, in commutation of the ready-money payments formerly made from the treasury.

2. As regards the first question, it appears that the Survey Department has treated each vattam as a single village and surveyed it accordingly, and the Settlement Department has classified the lands of inam villages as if they were minor inams of the Government villages with which they were clubbed. The holders of some of these villages (which are treated as entire inam villages in the revenue accounts) objected to this method of treatment on the ground that it would render them liable to payment of village cess and to the additional charge made on excess areas discovered by survey, besides doing away with the existence of the villages as separate units with their own establishments. The Board has decided, after consulting the Collector, that the plan hitherto followed should be discontinued and that all whole inam villages should be excluded from the operations of the Settlement Department. The Superintendent, Revenue Survey, has been asked for his opinion as to the amendment of the survey records.

3. The Government is decidedly of opinion that the arrangement under which these inam villages in Tanjore have been attached to vattams for nearly 25 years should not be disturbed. Such a course would completely upset the village administration of Tanjore and destroy a system which has worked well and to which the people have now become fully accustomed. It would deprive these villages of the services of the Government village establishments and leave them for some time after the introduction of the new settlement without any establishment at all. Eventually these villages might come under the operation of the Proprietary Estates Village Service Bill, but this would possibly subject them to increased burdens, inasmuch as complete and separate equipments of officers would have to be provided for them, while the services of the Government establishments would probably be more efficient than those of any staff which might be organized under the Proprietary Estates Village Service Bill.

4. Moreover, the survey maps and land registers have been prepared according to vattams and the separation of the inam villages would affect the whole of these records and entail their revision. It is observed that the Collector states in his letter of the 21st June 1892 that some of them consist of a few acres only and the Government is of opinion that, for the purpose of the Village Cess Act now under revision, these villages should be treated as minor inams; they are virtually hamlets of the vattam, which has in each case been constituted the parent village for all purposes of village administration, and as they benefit from the services of the village establishments, they ought to be required to contribute to the cost. The rights of the inamdars, as assignees of the revenues of these whole villages, in respect of the enjoyment of the waste land and immunity from the survey excess will of course subsist intact. All that will be necessary is to draw the revised Village Cess Act so as to render these villages in Tanjore liable to the village service cess, and steps to this end will be taken in the Legislative Department. It appears from the Deputy Commissioner's letter of the 10th January 1891 that these inam villages have not in all cases been classified in detail, but it will be necessary that the assessment should be ascertained and recorded just as in the case of minor inams to serve as the basis of the village cess. If there is any difficulty in this respect, special provision must be made in the Bill for the revision of Act IV of 1864 for making the cess leviable on the rental. The Commissioner of Settlement will report on the amount of work involved in detailed classification of the land.

5. The second question relates to the position of what are termed mohini lands. It appears that these mohini lands have not been sub-divided by the Survey Department according to present requirements or brought under settlement as they were included under the head of inams in the revenue accounts and find no place in the revenue chitta (*vide* Mr. Clerk's letter dated 5th May 1891, No. 110-B). A reference was made to the Collector on the subject and on his expression of opinion that these lands are virtually Government lands, the assessment only having been assigned to the temples and that they are liable to be re-assessed, the Government being entitled to any increase resulting from re-assessment, whilst it will have to make good to the assignees any decrease, the Board has directed that the lands in question should be brought under the operations of the Settlement Department like ordinary Government patta lands and should be sub-divided according to present enjoyment. The Board has not discussed the question of how any alteration of the assessment should be dealt with, but apparently accepts the Collector's view.

6. The Government, however, considers that this view is entirely erroneous. It has been ascertained that the Commissioner has dealt with these assignments in Tanjore and has issued title-pattas to the assignees acknowledging their right to the Government revenue on the lands assigned. The temple authorities are, therefore, inamdars and land-holders who are entitled to the revenue of Act VIII of 1865 and the assessment on the land has been collected as "rent," which cannot be altered except in accordance with the provisions of the Act, nor can it be revised by the State. This was the view held by the Board and Government when a similar question was raised in connection with assignments of a like nature in Kurnool (*vide* G.O., dated 30th October 1873, No. 1217), and the view receives support from the judgment of the Madras High Court in S.A. No. 75 of 1883 and 838 of 1882 (pages 262 and 325, vol. VII, Indian Law Reports—Madras Series) in which it was held that the only patta which the occupant of land, the revenue of which had been assigned as a temple endowment, was bound to accept was a patta prescribing payment of the revenue charge on the land and that revenue payments assigned to inamdars are summarily recoverable under Act VIII of 1865.

The judgment in S.A. No. 14 of 1881 (page 319, vol. XIII, Indian Law Reports, Madras Series), which might be alleged as at variance with this view appears to have been based on a misapprehension owing to the facts not having been placed before the High Court correctly. The decision in that case entirely turns on the supposed grant of a patta by Government for the land, the revenue of which was assigned; but it has been ascertained that the Collector of Tanjore (*vide* his letter dated 21st June 1892) that the patta referred to in the judgment was not issued

until fasli 1294 after the inam had been resumed at the request of the inamdar and that no Government patta was in existence for fasli 1293, the year to which the claim to the revenue due on the land which formed the subject of the suit related. It is clear that, on the assignment of the lands as inam in the case in question, the issue of pattas by Government ceased and Mr. Clerk expressly states that mohini lands are no longer registered in the chitta as ryotwari. There is therefore no tenancy under Government and the Government is precluded from imposing revised assessments. The fact that, for purposes of second-crop assessment and water-rate, these lands are treated as ordinary patta lands has no bearing on the question, as a charge for water is imposed on all inams when water is taken in excess of the supply which the State undertook to furnish without extra charge; but, although the assessment already fixed on these lands cannot be altered, the rates according to the new settlement must still be ascertained and recorded, not in order that they may be collected by Government, but as a basis for the imposition of the village service cess and land cess. The Inam Commissioner states that the mohini lands in Tanjore have been treated as minor inams and the assignees of the revenue thereon are accordingly liable to payment of the village service cess. The area to be dealt with is not more than about 4,000 velies or 26,500 acres (*vide* statement appended to G.O., dated 18th July 1863, No. 1319). At paragraph 3 of his letter dated 6th July 1891, the Collector gives the area as 5,049 velies or 33,382 acres, but he has erroneously taken into account the extent on which jodi formerly payable by the temples was remitted in lieu of assigning an equivalent amount of assessment on patta lands.

7. The grantees must, however, be compensated for the liability to pay cesses, which did not attach to the grants in their original form of money payments. This has been recognized in regard to land cess (*vide* G.O.s., dated 5th February 1872, No. 235, and 5th March 1873, No. 257), and this claim is equally valid in respect of village service cess. The ruling in those orders is obviously inconsistent, for it was held that the village service cess should continue to be paid by the ryots in occupation, the tenure being thus treated as ryotwari, whilst the assignee of the revenue was held liable for only half the road cess, the remaining moiety being declared recoverable from his tenant on the principle that the tenure was inam. The assignees are clearly inamdars; both cesses are therefore payable by them and they are entitled to compensation to the full amount of these charges; such compensation should take the form of a beriz deduction, not of an additional assignment of land revenue. It was originally ordered that the loss to the pagoda trustees arising from their liability to road cess should be made good by supplementary assignments of land revenue, but, on a representation of the difficulties experienced in giving effect to that order, it was directed that the moiety of the road cess, for which the inamdar was considered liable, should be transferred from Imperial to Local Funds by direct payment from the treasury (*vide* G.O., dated 11th August 1873, No. 829). This was intended to be a merely temporary expedient pending decision of the question then under reference to the Government of India of a reversion to cash payments in all cases in which the pagoda trustees would prefer them to the existing land assignments. After prolonged discussion, the Secretary of State in his despatch, dated 22nd June 1876, No. 23, authorized a reversion to the system of beriz deductions and the arrangement was applied more or less to every district except Tanjore—*vide* G.O., dated 28th April 1882, No. 436; but, as land revenue assignments already made were apparently not disturbed, the result is that both systems are in force in some districts. There is, however, no objection to the substitution of beriz deductions for assignments of land revenue provided the inamdars consent and it is highly desirable that the change should be carried out everywhere if possible. All difficulties in regard to the position of the assignees of the land revenue in relation to the occupants of the jodi and in regard to their liability to cesses will thus be obviated, whilst a large saving from the discontinuance of the extra allowance of 10 per cent. granted to cover vicissitudes of season and cost of collection and avoidance of the necessity for further compensation for the cesses will result.

8. The question cannot, however, be disposed of without fuller information as to the amount of these assignments of land revenue and the manner in which they have been treated. It is not known whether they have been dealt with by the Inam Commissioner in all districts in which they exist; whether in cases in which the

revenues of whole villages have been assigned the grants have been confirmed as those of whole inam villages; whether village service cess and land cess have been levied on the assignments, and, if so, by whom they have been paid; and to what extent compensation has been granted to the assignees. His Excellency the Governor in Council resolves, therefore, to call upon the Board to furnish a comprehensive report regarding these grants and to ascertain whether the grantees will agree to the substitution of beriz deductions and to the cancellation of the inam title-deeds whenever such have been issued; it will then be possible to determine whether the change is feasible.

(True Extract.)

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

To the Legislative Department.
,, the Commissioners of Land Revenue.
,, the Commissioner of Revenue Settlements, Land Records and Agriculture.
,, the Inam Commissioner.
,, the Superintendent of Survey.

(True Copy)

Revenue Secretariat,
Port St. George,
22nd October 1931.

W. L. S. Srinivas
Assistant Secretary to Government.

Exd. J. Henricus.

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G.O., 4th November 1892, No. 1124.

NOVEMBER.

Whole inam villages.

Passing orders on papers relating to the treatment, for the purpose of the Revenue Settlement, of the — in Tanjore, included within the limits of vattams and the treatment of mohini inam lands, i.e., lands the assessment on which was assigned to pagodas.