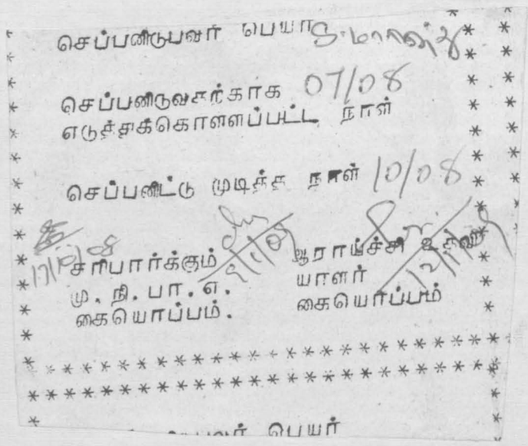
Revenue Department

Minutes of Consultation

11th May 1858

Bach No 71 to 72

Order No 620. 71 11th May 1858




1 71+72

1v

*Fort Saint George, Revenue Consultation of 11th May 1858.*

No. 71. Read the following Remarks of the Board of Revenue on a Statement of lapsed Enams, dated 16th April 1858, No. 1330.

*In Consultation 16th April* 1858. From the Collector of Vizagapatam, dated 18th December 1857.

No. 1. This Enam is said to have been granted prior to the permanent settlement. No document is forthcoming in support of the alleged sale; but as the Collector expresses himself satisfied of its authenticity, the Board concur in his recommendation for the continuance of the enam to the heirs of the deceased subject to the payment of a quit-rent of ¼ of the assessment, but only during the life of the eldest son, after that, the full assessment to be imposed.

No. 2. Though unsupported by any entry in the permanent settlement accounts, the Board, in consideration of its enjoyment by the family of the original grantee for a period of fifty-five years, agree with the Collector that it should be continued to the heirs, but as the grant was only made by Villagers, they would restrict it to the life of Chinna Poorooshotum Raz, elder son of the deceased.

No. 3. Is entered in the accounts of the permanent settlement in the name of the last holder's father, and considering that they have had undisturbed possession for more than half a Century, the Board recommend its renewal in favor of the elder son of the deceased for the term of his life.

This enam and Nos. 1, 2, 4, 5, and 6 were all held by the same party.

No. 4. Is somewhat similar to No. 1 and for the same reasons the Board support the Collector's recommendation for its continuance to the heirs on the same condition as in that case, viz. to the elder son, subject to a quit-rent of ¼ of the assessment.

Nos. 5 and 6. These being unauthorized grants conferred by the villagers subsequent to the permanent settlement in contravention of Section XII. Regulation XXV. of 1802, the Board recommend their resumption.

No. 7. The circumstances of this enam are analogous to those in case No. 3, and on the same grounds, the Board concur with the Collector in recommending the continuance of the lapsed share; but with reference to the nature of the grant, they would limit it to the life of the adopted son.

½ Veesum of she hare held by this person is said to have been alienated in 1855. The sale is invalid as it occurred after the Public had been warned against purchasing enams of this description. The ½ Veesum should be assessed to the revenue.

*C. O. 27th July* 1848.

No. 8. This grant was held on Sunnud dated 1761, prior to the period of limitation, and was in possession of the grantee's family at the passing of Regulation XXXI. of 1802. The deceased having acquired it by bonafide purchase as appears from the Bills of sale dated 1821 and 1826 respectively, the Board concur with the Collector that it should be continued to his son Somaswadoo subject to a quit-rent of ¼ of the assessment.

No. 9. Tho' of doubtful title because granted by the villagers subsequent to the period of limitation, yet, in consideration of the price paid for it (Rupees 105¾) and the length of time it was held by deceased, viz. 24 years, the Board would continue it to his son, but with the same condition as in the preceding case, viz. that it be charged with a quit-rent of ¼ the assessment.

This enam as well as Nos. 8 and 10 were all in possession of the same person.

No. 10. Looking at the long period of its enjoyment by the family, the Board would support the Collector's proposal that it should be continued to the heirs subject to a quit-rent equal to ¼ of the assessment, but they would suggest that it be registered in the name of deceased's son Soobroydoo.

Nos. 11, 12 and 13, are all liable to resumption as they were granted by the Zemindar and do not appear to have been deducted from the assets of his estate at the time of the permanent settlement, but adverting to the fact of their long uninterrupted enjoyment by the family of the original grantee, and the trifling value of the shares held by deceased, the Board support the Collector's recommendation for their continuance to his mother during her life, to lapse finally at her death, as she appears to have no other means of subsistence.

| | G. | C. | C. | *Assessment.* | *Quit-rent* |
|---|---|---|---|---|---|
| *No.* 11.... | 2 | ,, | ,, | *Rs.* 11½ | *Rs.* 5 ,, |
| *No.* 12.... | 1 | ,, | ,, | ,, 7⅓ | ,, 2 8 |
| *No.* 13.... | 2 | 15 | ,, | ,, 15 | ,, 5 4 |
| *Total.* | 5 | 15 | ,, | ,, 33¾ | ,, 12 12 |

No. 14. The circumstances of this enam are much the same as those of the preceding one. The widow being entirely dependent for support on the small extent of enam enjoyed by her husband, the Board would support the Collector's proposal for continuing it to her for life.

| *No.* | G. | C. | *Assessment.* | *Quit-rent.* |
|---|---|---|---|---|
| | ,, | 27 | *Rs.* 9¾ | *Rs.* 2-2-8 |

No. 15. The service for which this enam was granted has long ceased to be performed. The last holder, who belonged to a different family from the grantee died without issue. The alleged purchase of deceased's share being unsupported by documentary evidence, and her nephews being members of another family and not entitled to succeed, the Board recommend the resumption of the lapsed share.

Nos. 16, 17 and 18, are all unauthorized grants having been conferred subsequent to the permanent settlement, the Board see no reason for continuing them on the enhanced quit-rent proposed by the Collector. They should be assessed to the full revenue.

No. 19. This is a charitable grant entered in the permanent accounts of 1802, in the name of one Achuntah Veeraraz, by whose son it was sold in 1819 to the father of the deceased. Considering the price paid for the land, viz. Rupees 550, and the length of time it has been in the purchaser's possession, the Board would support the Collector's proposal for continuing it to the widow charged with a quit-rent of one half of the assessment.

With regard to the other portion of the enam said to have been sold by the purchaser, the Collector will report the date of sale, whether there is any document in support of it and who the present holders are.

*Nos.* 2, 3, 7. In some of the cases above considered, the relationship in which the last holders stood to the original grantees is not stated; and without this information the Board are often at a loss how to decide on the claims advanced by different parties. The Collector will, in future, supply these particulars in every case, if possible by a Genealogical table appended at the foot.

By Order

(Signed) G. S. FORBES, *Secretary.*

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No. 72. ORDER THEREON, No. 620; dated 11th May 1858.

1. The assumption of the Collector that this grant was made prior to the permanent settlement seems wholly unwarranted. The Huzzoor accounts (it is said in column 2) are damaged, and in the village, the entry of the Enams in the register only rests upon rumour. Whether copies of the accounts exist in the village, and whether reference has been made to them, seems uncertain. Again, the deed of sale on which the heirs of the deceased holder rest their claim is not forthcoming. The Enam is consequently supported by no evidence whatever, and will be forthwith resumed.

1. *Survasiddy Talook. Madootooroo.*

| | *C.* | *V.* | *P.* |
|---|---|---|---|
| *Extent*... ... ... ... | 0 | 1 | 0 |
| | *Rs.* | *A.* | *P.* |
| *Assessment*.... ... ... | 5 | 0 | 0 |

2 7172

No. 1330.

*Remarks of the Board of Revenue on a Statement of lapsed Enams.*

In Con. 16th April 1858. From the Collector of Vizagepatam, dated 18th December 1857.

No. 1. This Enam is said to have been granted prior to the permanent settlement. No document is forthcoming in support of the alleged sale; but as the Collector expresses himself satisfied of its authenticity, the Board concur in his recommendation for the continuance of the enam to the heirs of the deceased subject to the payment of a quitrent of ¼ of the assessment, but only during the life of the eldest son, after that, the full assessment to be imposed.

No. 2. Tho' unsupported by any entry in the permanent settlement accounts, the Board, in consideration of its enjoyment by the family of the original grantee for a period of 55 years, agree with the Collector that it should be continued to the heirs, but as the grant was only made by Villagers, they would restrict it to the life of Chinna Poorooshotum Raz, elder son of the deceased.

No. 3. Is entered in the accounts of the permanent settlement in the name of the last holder's father, and considering that they have had undisturbed possession for more than half a Century, the Board recommend its renewal in favor of the elder son of the deceased for the term of his life.

This enam and Nos. 1 2 4 5 and 6 were all held by the same party.

No. 4. Is somewhat similar to No. 1 and for the same reasons the Board support the Collector's recommendation for its continuance to the heirs on the same condition as in that case, viz. to the elder son, subject to a quit rent of ¼ of the assessment.

Nos. 5 and 6. These being unauthorized grants conferred by the villagers subsequent to the permanent settlement in contravention of Section XII Regulation XXV of 1802, the Board recommend their resumption.

No. 7. The circumstances of this enam are analogous to those in case No. 3, and on the same grounds, the Board concur with the Collector in recommending the continuance of the lapsed share; but with reference to the nature of the grant, they would limit it to the life of the adopted son.

½ Veesum of the share held by this person is said to have been alienated in 1855. The sale is invalid as it occurred after the Public had been warned against purchasing enams of this description. The ½ Veesum should be assessed to the revenue.

C. O. 27th July 1848.

No. 8. This grant was held on Sunnud dated 1761, prior to the period of limitation, and was in possession of the grantee's family at the passing of Regulation XXXI of 1802. The deceased having acquired it by bonafide purchase as appears from the Bills of sale dated 1821 and 1826 respectively, the Board concur with the Collector that it should be continued to his son Somaswadoo subject to a quit rent of ¼ of the assessment.

No. 9. Tho' of doubtful title because granted by the villagers subsequent to the period of limitation yet, in consideration of the price paid for it (Rupees 105¾) and the length of time it was held by deceased, viz 24 years, the Board would continue it to his son, but with the same condition as in the preceding case, viz. that it be charged with a quit rent of ¼ the assessment.

This enam as well as Nos. 8 and 10 were all in possession of the same person.

No. 10. Looking at the long period of its enjoyment by the family, the Board would support the Collector's proposal that it should be continued to the heirs subject to a quit rent equal to ¼ of the assessment, but they would suggest that it be registered in the name of deceased's son Soobroydoo.

Nos. 11 12 and 13, are all liable to resumption as they were granted by the Zemindar and do not appear to have been deducted from the assets of his estate at the time of the permanent settlement, but adverting to the fact of their long uninterrupted enjoyment by the family of the original grantee, and the trifling value of the shares held by deceased, the Board support the Collector's recommendaton for their continuance, to his mother during her life, to lapse finally at her death, as she appears to have no other means of subsistence.

| | G. | C. | C. | Assessment | Quitrent |
|---|---|---|---|---|---|
| No. 11. | 2. | ,, | ,, | Rs. 11¼ | Rs. 5 ,, |
| No. 12. | 1. | ,, | ,, | ,, 7⅓ | ,, 2 8 |
| No. 13. | 2. | 15 | ,, | ,, 15 | ,, 5 4 |
| Total. | 5 | 15 | ,, | ,, 33¾ | ,, 12-12 |

No. 14. The circumstances of this enam are much the same as those of the preceding one. The widow being entirely dependent for support on the small extent of enam enjoyed by her husband, the Board would support the Collector's proposal for continuing it to her for life.

| No. | G. | C. | Assessment | Quitrent |
|---|---|---|---|---|
| | ,, | 27 | Rs 9¾ | Rs. 2-2-8 |

No. 15. The service for which this enam was granted has long ceased to be performed. The last holder, who belonged to a different family from the grantee died without issue. The alleged purchase of deceased's share being unsupported by documentary evidence, and her nephews being mem[illegible]rs of another family and not entitled to succeed, the Board recommend the resumption of the lapsed share.

Nos. 16 17 and 18, are all unauthorized grants having been conferred subsequent to the permanent settlement, the Board see no reason for continuing them on the enhanced quitrent proposed by the Collector. They should be assessed to the full revenue.

No. 19. This is a charitable grant entered in the permanent accounts of 1802, in the name of one Achuntah Veeraraz, by whose son it was sold in 1819 to the father of the deceased. Considering the price paid for the land, viz Rupees 550, and the length of time it has been in the purchaser's possession, the Board would support the Collector's proposal for continuing it to the widow charged with a quitrent of one half of the assessment.

With regard to the other portion of the enam said to have been sold by the purchaser, the Collector will report the date of sale, whether there is any document in support of it and who the present holders are.

In some of the cases above considered, the relationship in which the last holders stood to the original grantees is not stated; and without this information the Board are often at a loss how to decide on the claims advanced by different parties. The Collector will, in future, supply these particulars in every case, if possible by a Genealogical table appended at the foot.

REVENUE BOARD OFFICE,
Fort Saint George,
16*th April* 1858.

(By order.) G. Dale
*Secretary.*

To

H. FORBES, ESQ.,
*Acting Secretary to Government, Revenue Department.*

Copy to Vizagapatam.

Revenue 1858 April
Cons. 11 May No. 3

Remarks by the Board
of Revenue.

Dated 16 April 1858.
Rec'd. 19 "
Read 5 Aug. Postponed
" 1330.

68 Pgs. 6 Enc. 11 May 1858.

Reviewing a State-
ment of Lapsed Enams
submitted by the Collector
of Vizagapatam.

Cap. 21 April 1858

3

71.12

Ans. 15 May

Rev Dept 5V

No 620

4 7 | 72

Extract from the Mins of Consultation
Under date the 11th May 1858.

Read Remarks of the Board of Revenue
on a statement of lapsed Inams in
Vizagapatam dated 16 April 1858 No 1330

1. Survadikary Tk
Madoolooroo
C. V. P
Extent 0. 1. 0
Apl. Rs 5

1. The assumption of the Collector that this grant was made prior to the permanent settlement seems wholly unwarranted. The Rayapa Account, if it is said in cl 2 / are damaged, and in the Village, the Entry of the Inam in the register only reads upon rumour. Whether copies of the accts. exist in the village, and whether reference has been made to them, seems uncertain. Again, the deed of sale on which the heirs of the deceased holder rest their claim is not forthcoming. The Inam is consequently unsupported by evidence whatever, and will be forthwith resumed.

2. Do Tk. Rajalla
Ext. C. V. D.
Apl. 15 Rs

2. The same remarks apply to No.

No 2. The Govt have noticed on a former occasion, in passing orders on Vizagapatam Inams, that unless the local authorities give grounds for their conclusions that the family claimants have been in possession, it is impossible for the Govt to give such claimants the benefit of assertions made in their favour. For example, in this case, in the face of the state-ments in Cl 2 "Is document" and "No entry in the Permanent Accounts", the Collector says in his recommendation that the ancestors of the present holder appear to have received the grant 55 years before; though whether 55 years before the settlement or 55 years ago he intended, from what grounds in either case the assumption is based it does not appear.

3. This Inam is entered in the Settlement account in the name of the father of the deceased holder, and seems to have been possessed uninterruptedly by him and

3. Do. Tk.
Gollamaachelly
Cl. 4. 0
Sct. 0.1.6
Apt. Rs. 8.

4. Do. Tk
Do
Sct C. 4. 0
0. 1. 0
Apt Rs. 8

5. Do Tk.
Gokwada
Sct C. 4. 0
1.
Apt Rs. 13

6. Do Tk.
Kittoor
Sct C. 4. 0
0. 1. 0
Apt. Rs 15
Tdy. Rs
Do Tk.

7. Dimilay
Sct. C. 4. 0
0 6. 6
Apt. Rs 60
Tdy. Rs 12

Suvvasiddy Tk.
Rayavaram
Sct C. 4. 0
0 3. 0
Apt. R. 30
Tdy. A 3. 12

7172
64
his son. It will therefore be continued as recommended by the Board, but only for life, in consequence of the unauthorized nature of the grant.

4. Do 4 with be treated similarly to No 1; Nos 5 and 6 will also be retained as unauthorized alienations subsequent to the permanent settlement.

5. As the Board remark analogous to No 8, it will be continued, as proposed, to the adopted son of the deceased for life.

6. No 8 has been alienated from the grantees family; and considering that it was originally granted for a century only, it will be sufficient, the Govt think to continue it for life

D the son of the deceased.

7. This will be treated 9. as proposed by the Board. viz. continued D the son of the deceased, but only for life; the grant having been made by the villagers, and in thus deciding upon the claims of the heirs of the deceased holders in the two last cases the Govt would remark that neither "villagers" nor "renters" have any power delicate laced in perpetuity, and the conclusions arrived at are not to be taken as recognizing any right D hereditary succession, but only as acknowledgment of some claim D consideration on account of long possession.

8. The Govt are also made D look at this case in the light it has been viewed by the Mukta & Bd. the remarks recorded above in Para 2

9. Do. Do. Do.
C V R
Ext. 0.3.4
Apt. Rs 2o.

I have inserted for explanation, because when on a similar occasion, the Govt decided that certain persons were ... a ... hereditary ... D a certain ... D ... ordered by the Chairman of the Sales which have been made D ... where shares are not ... etc. but only that the order was misunderstood.

10 Do Th
Pāta Soidepoorum
C V P
Ext 0.2.0
Apt Rs 10.

6 7172

fully apply D this case. and the Govt direct that the shares be restored.

| | C. C. | Apt. | Govt | |
|---|---|---|---|---|
| | | R a k | R a k | |
| 11. | 2 " | 11.40 | 5 0 0 | |
| 12 | 1 " | 7 8.0 | 2 8.0 | |
| 13 | 2.15. | 150.0 | 5.40 | |
| Total | 5.15. | 33.12.0 | 12.12 | |

14 G. C Apt. Govt
0.27. Rs 9.12 2.2.8

Palkonda Th
Judicon.
15 Lieut G.I.C.S.
Apt. Rs 13.

9. The continuance of Nos 11. 12 and 13 D the shares of the deceased during her life is sanctioned, as proposed.

10 This grant is said D have been originally made by a Nakasadar. His descent has been irregular, but the Govt see no objection D continuing it as proposed D the widow of the deceased for her life

11. In this case, the origin of the grant, as stated in the accounts, seems D have partaken more of the nature of wages D a servant for the time being than an hereditary alienation, but, be this as it may, the services have ceased to be rendered required for a long time, and it is best

ep & discuss the pretensions of
the nephews of the deceased. the
Land sale be resumed.

12 the proposed resumption
of the 3 unauthorized grants
subsequent & the permanent Settlement, numbered 16 17 & 18
is sanctioned

13 As the transaction, 19 Palkad
by virtue of which this Inam is Vadam
claimed, is entirely unproved, Ext G. 6.
the Govt cannot agree with apl. 60
the view taken of the case by the Board of the July 22
Case, they direct that the Inam
be continued to the widow as a matter
of grace until her death, when the
whole share will be brought to Sale
for Government. the Govt will await
the result of the promised Enquiry
as to the portion said to have
been sold by the deceased, a his
Father.

14. The last Paragraph of
the Boards proceedings is fully
approved.

J G

Rk ap 21.

Copies to the Bd of Revd Dept 12th May
with 6 Packets

Revenue 1858 Dept.
Cons: 11th May

No. 620
Extract Minute of Cons.
Dt 11th May 58.

Passing orders on a
Statement of Lapsed Enams
in the District of Vizagapatam
for the 3d Quarter of 1857.

No. 71472