Revenue Department

Minutes of Considerations

26th Jan 1858

Buckras 17 18

Circ no 85 D 21st Jan 1858

பாதுகாப்பு பிரிவு–1

செப்பனிடுபவர் பெயர் த.மணி.

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள் 3/10/07

சரிபார்க்கும் முதல் மு.நி.பா.எ. கையொப்பம்

சரிபார்க்கும் 2–ம் மு.நி.பா.எ. கையொப்பம் 6/10/07

ஆராய்ச்சி உதவியாளர் கையொப்பம்

No. 17. Read the following Extract from the Proceedings of the Board of Revenue; dated 19th November 1857, No. 4036.

Read letter from the Acting Collector of Ganjam dated 18th July 1857,* reporting on the Enams in the Bramanachaye Estate recently acquired by Government.

* *In Cons. 19th Nov.* 1857.

(Here enter No. 112.)

Read again also letter from the same officer dated 16th and recorded in Consultation 25th October 1855.

Resolved that the above letters be laid before Government, with reference to Extract Minutes Consultation 27th September 1855, No. 1091, Revenue Department.

1. In this Extract, Government in reviewing the report of the late Commissioner Northern Circars on the sale of the Bramanachaye Estate for arrears of Revenue, called for specific information on the following points.

1st. As to why legal steps had not been taken for enforcing payment of the kists when it was found that the defaulter was passing kist after kist unpaid.

2nd. As to the probable receipts of the defaulter from the Estate.

3rd. Respecting the Enams said to have been illicitly held by others but claimed by the Ex-Proprietor as forming part of the Estate.

From Acting Collector 16th in N. C. Dy. Cons. 25th Oct. 1855.
15th May 1851.
12th July 1855.
In N. C. Dy. Cons. 30th August 1855.

2. With regard to the first, the Acting Collector pleads that it was not the practice in the Ganjam District to attach an Estate at an early period of the year as kists fell in arrear. In the Circular of the Commissioner referred to by that officer defaulting Estates were directed to be sold when the *last* kist became due. The Bramanachaye Estate fell into arrears in Fusly 1264, (1854-55) and was accordingly brought to sale at the close of the same Fusly and purchased by Government for one Rupee, as reported in the Commissioner's letter of 29th August 1865.

From Acting Collector 16th in. N. C. Dy. Cons. 25th Oct. 1855 & 18th July 1857, para. 21.

	Demand.	Collection.
Average of 10 years	2038	2603
Fusly 1265 1855-56.....	2356	2356
Fusly 1266 1856-57.....	2416	2389
Peishcush.....	3200	

Para. 22.

3. With reference to the second point receipts of the Ex-Proprietor from the Estate, it is observed that they amounted to Rupees 2,252-6-11 out of a demand of Rupees 2,308-9-0, and that Rupees 399 only were paid on account of the Peishcush, leaving a balance of Rupees 2,801. It is shown from the collections of the last 12 years that the Estate was unprofitable and never yielded its full Peishcush.

4. Respecting the enams said to be illicitly held, the first case brought to notice is an aggraharam comprising 200 Burnums or 40 Acres in the possession of Bharto Bhuskonum. The only document produced in support of this grant is a Cadjan Sunnud of doubtful authenticity bearing date Friday 1765. The grant does not occur in the earliest accounts, though it appears to have been enjoyed by the present holder and his ancesters for a very long period. It's value is not stated. The Quit Rent fixed at Rupees 25 per annuam has been regularly paid by the present holder who has had possession for the last 20 years, and who seems to have brought it to its present improved state by a large outlay from his own resources. The Acting Collector thinks it should be left undisturbed on the death of the present incumbent however, the lapse should be reported for the orders of Government, as it is open to consideration whether, adverting to the circumstance that the claim receives no support from the public accounts, the land should not be brought to full assessment, either at once or gradually, after the death of the present incumbent.

From Acting Collector 18th July 1857, Para. 11.
5 Burnums to an Acre.

Para. 12.

5. The next enam is the one held by one Eswara Prahiraj, whose ancestors possessed much influence in the District soon after it was ceded to the British. Its extent was originally 61

Burnums, or about 12 acres, and by gradual encroachments, it is now 256 Burnums or 51⅕ acres as shown below.

		According to the accounts of the permanent settlement.	According to the accounts of Fusly 1226 1816-17.	Puttah or Sunnud.	Present enjoyment.
		Burnums.	Burnums.	Burnums.	Burnums.
1	Bramanachaye...	11	13	113	136
2	Chengudabadranowgam... ...	50	50	120	120
		61	63	233	256

6. The present holder is thus in the enjoyment of 195 Burnums, or 39 acres above the extent entered in the Permanent settlement accounts. This excess appears to have been usurped by him through the connivance of the party who rented the village in Fusly 1261 (1851-52.)

Para. 15.

Para. 14.

7. In the accounts of the permanent settlement the original entry is,

Dry land.....1 Burnum.
Wet do.....10 do.

but the figure 10 has, by some unknown person, been surreptitiously altered to 110 in the accounts of the permanent settlement, and a similar falsification occurs in those of Fusly 1226 (1816-17.)

Para. 15.

Besides this, the document or puttah on which Eswara Prahiraj rests his claim bears internal evidence of spuriousness, and seems to have been recently fabricated inasmuch as it accords with the interpolation in the public accounts made, as is supposed, *after* Mr. Bannerman had, in 1848, rejected his claim to 100 Burnums as entirely unfounded. By the original entry in the accounts, the grant, if genuine, is 11 burnums only, and Mr. Knox is of opinion that Eswara Prahiraj would not have brought forward such a fictitious claim, but for the support he received in the office.

8. Considering that the public accounts have been tampered with, and the puttah referred to is spurious, the Board think that as a punishment the entire enam should be resumed.

Para. 20.

9. The third enam referred to is the aggraharam of Odey—Boorgam containing an area of 1183 Burnums or 236⅗ acres. Though originally granted to a single individual it is now in the possession of several families. As the grant is of old date and appears to have been deducted from the assets of the estate at the time of the permanent settlement, the parties may be allowed to remain in possession as proposed by the Acting Collector. The land in excess of the original grant, viz. 473 Burnums or 94⅗ acres will be immediately brought under full assessment.

10. With regard to these and other Enams to be presently noticed, Mr. Knox is of opinion that the Ex-Proprietor has no claim on the indulgence of Government as he was aware of the extent to which land was enjoyed as enam when he purchased the Estate, and that he could only recover it by a suit at law. Adverting, however, to the loss he has sustained by the purchase of so unprofitable an Estate, and to the fact of his having thrown it up on that very account, the Board cannot but agree with the Acting Collector in the opinion previously expressed by him as to the propriety of remitting the balance of Rupees 2,801 due ; but the Ex-Proprietor should be required to execute a document transferring to Government any claim he may possess in regard to these Enams and to balances against the ryots.

	Rupees.
Paid by Puttabe Ramia for the estate in 1854.	5,100
Paid on account of Peishcush for Fusly 1264 1854-55 ..	399
Deduct.	5,499
Collections for Fusly 1264	2,252
Estimated loss	3,247

Note.—From Acting Collector 18th in N. C. Dy. Con. 30th August 1855, para. 2. Submitted to Government with letter from Commissioner, dated 29th in N. C. Dy. Con. 30th August 1855.

11. With the letter under consideration the Acting Collector has submitted a Statement of all the Enams in this Estate including the alienated lands above noticed of which the following is an abstract.

	Items.	According to the accounts of the permanent settlement.	According to the Curnums' accounts.	Difference.	Proposed. To be continued	Proposed. To be resumed.
		Burnums.	B.	B.	B.	B.
1	Enams granted before the Permanent Settlement	878	1121	243	882½	238½
2	Enams subsequent to the Permanent Settlement	287	287	.....	.....	287
3	Enams held without Sunnuds.....	.....	161¼	.....	65	96¼
4	Disputed Enams enjoyed by Eshwara Prahiraz.....	11	136	125	.....	*125
5	Aggraham of Odey Boorgam.....	710	1183	473	710	473
		1,886	2,888¼	841	1,657½	1,219¾

* Note.—The excess of 125 Burnums enjoyed by Eshwara Prahiraz is included in the lands to be resumed

12. The estate, it is stated, consists 8,199 acres, of which 6,871 are under cultivation, of this 2,888¼ Burnums or 577⅗ acres according to the returns given in by the Curnums are held on Enam tenure ; 1885½ Burnums or about 377 acres being charged, as is inferred from para. 3 of the letter from the Acting Collector, with a Quit Rent of Rupees 91, and the remainder or 1,002¾ Burnums held rent free. The extent of Enam land however as given in para. 3 of the Acting Collector's letter is 2,025 acres. Both these figures as to the extent of Enam differ from the entries in column 33 to 40 of the Statement forwarded by the Acting Collector as shown in the margin. Explanation of these discrepancies should be afforded. Assuming the accuracy of this statement the extent of land to be continued is 1,657½ Burnums or about 331 acres, that to be resumed is 1,094¾ or about 218⅗ acres.

Burnums.	
1,657½	*to be continued.*
12,193¾	*to be resumed.*
2,877¼.	

Para. 5.

13. With reference to the first item mentioned in the tabular view in para. 11 above, the land at present in the enjoyment of the Enamdars consists of 1,121 Burnums or 224⅕ acres, of which 48⅗ acres are above the extent shown in the accounts of the Permanent settlement ; but as the Curnums accounts from which this excess is taken are not always reliable, the Acting Collector proposes to continue the enams as at present enjoyed, where the difference is inconsiderable, but where it is great the excess, tested by actual measurement, will be resumed. Where land has already lapsed to the Zemindar it is not proposed to restore it. The Board approve of the course proposed, but subject to the usual report of lapses.

Para. 6.

14. The second item comprises all enams acquired subsequent to the Permanent settlement, and these Mr. Knox proposes to resume summarily. Viewing these grants as held without a proper title and merely in the light of subsequent grants, the claims of the parties are untenable, but as sudden resumption may be attended with hardship in cases of long enjoyment, the Board do not concur in a summary rejection of all claims indiscriminately. When Families have been long dependant on the income desired from this source, some indulgence is called for, and the Board would make such cases exceptional to the rule laid down by the Acting Collector ; the land to be brought to full assessment on the death of the parties respectively.

15. The third item includes enams which do not appear in any of the Public accounts and are unsupported by any documentary evidence. Of these 65 Burnums, which are held on

service tenure the Acting Collector suggests should be continued, and the remaining portion or 96¼ Burnums resumed. The information furnished is not sufficient, to enable the Board to express any definite opinion as to the course to be adopted in regard to these grants. Mr. Knox will, therefore, submit a separate Statement showing the number and designation of the village servants to whom enams are to be continued, and the extent and value of each allotment. He will also report whether, besides these, they cultivate other lands; and if so, to what extent, and also what emoluments are enjoyed by the same class of village servants in the other *Government* talooks.

(A true Extract.)

(Signed) J. D. SIM, *Acting Secretary.*

No. 18. ORDER THEREON, No. 85; dated 21st January 1858.

1. In Extract from the Minutes of Consultation of the 27th September 1855, No. 1091, the Government had under consideration a correspondence with the Acting Collector of Ganjam submitted by the late Commissioner of the Northern Circars, regarding the sale of the Bramanachaye Estate in that District, for arrears of revenue, and its purchase on behalf of Government; and they called for information on certain points, with reference to the recommendation of the Commissioner, that, in the event of the sale being confirmed, proceedings should not be taken against the defaulter, G. Puttabheramiah, for the recovery of the arrears still due by him. This information, which the Board furnish in their Proceedings above recorded, relates to the following points: 1st, the omission of the Acting Collector to use legal means for enforcing payment, when he found the defaulter leaving kist after kist unpaid; 2dly, the probable receipts of the defaulter from the estate; 3dly, regarding the Enams said to have been illicitly held by others, but claimed by the Ex-proprietor as forming part of the estate.

2. With reference to the first point, the Acting Collector pleads the practice of the District for not having earlier attached the estate; and it appears from para. 2 of the Board's proceedings, that, in a Circular of the Commissioner, dated 5th May 1851, it was directed that defaulting estates should be sold when the last kist became due. The Acting Collector however states that he has warned all proprietors and Zemindars, that the rules relative to the attachment and sale of estates, will be strictly enforced for the future.

3. As regards the second point, it appears that, out of a demand of Rupees 2,308, the Ex-proprietor realized Rupees 2,252 from the estate, and paid only Rupees 399 in satisfaction of a Peishcush of Rupees 3,200. It is shown however in the marginal entry in para. 3 of the Board's proceedings, that, for the last 12 years, the estate has been unprofitable, and has never yielded its full peishcush.

4. With respect to the enams alleged by the Ex-proprietor to have been illicitly held by others, the first case brought to notice is an Agraharam of the extent of 200 Burnums, or 40 acres, in the enjoyment of Bharto Bhaskanum. The particulars of this case are stated by the Collector, and recapitulated by the Board in para. 4; and under the circumstances represented, the Government resolve to leave the enam in the possession of the present incumbent, subject to report at his death.

5. The next Enam is that held by one Eswara Prahiraj, and is referred to by the Board in paras. 5 to 8 of their Proceedings. Its original extent was only 61 Burnums; but by gradual encroachments, it is now 256 Burnums, or 51⅕ acres. The excess is supposed to have been obtained by a surreptitious alteration of the accounts; and it is stated that the Puttah on which Eswara Prahiraj rests his claim, bears internal evidence of fraud. The Government therefore resolve, in accordance with the recommendation of the Board, and as a warning to others, to order the resumption of the entire Enam.

6. The last Enam referred to by the Collector is the Agraharum of Odey-boorgam, comprising an area of 1,183 Burnums, or 236⅗ acres, of which 473 Burnums, or 94⅗ acres, are in excess of the original grant. The Enam is of old date, and was deducted from the assets of the present incumbents, and the land in excess of the grant be brought, as directed by the Board, under full assessment.

7. With regard to these Enams, the Collector observes that the Ex-proprietor was aware, when he purchased the estate, that the lands were in the possession of others, and that they could only be recovered by a suit at law. He is therefore of opinion that, as regards this plea, he has no claim on the consideration of Government; but adverting to the fact that the estate was a losing one, and that the Ex-proprietor threw it up on that account, he thinks his case deserving of some indulgence. Under these circumstances, and with reference to the* loss which the Ex-proprietor supposed to have sustained by is the purchase of the Estate, and its sale for one Rupee, estimated at Rupees 3,247, the Right Honorable the Governor in Council is pleased, in conformity with the recommedation of the Board, to sanction the remission of the arrears specified in para. 1 of the Acting Collector's letter to the Commissioner, dated 18th August 1855, amounting, after deduction of the purchase money, to Rupees (2,952-8-8) two thousand, nine hundred and fifty-two, annas eight, and pice eight. The Acting Collector, will require G. Puttabheramiah to execute a document to the effect suggested by the Board in para. 10 of their Proceedings.

* *Paid by Puttabheramiah for the Estate in* 1854	*Rs.* 5100
Do. on account of Peishcush for Fusly 1264	399
	5499
Deduct.	
Collections for Fusly 1264	2252
	3247

8. The Acting Collector has also forwarded a Statement of all the enams in the Bramanachaye Estate, including the alienated lands above referred to. The following abstract, as given by the Board in para. 11, shows the extent of these enams, and the mode in which the Acting Collector proposes to deal with them.

	Items.	According to the accounts of the Permanent Settlement.	According to the Curnum's account.	Difference.	Proposed.	
					To be continued	To be resumed
		Burnums.	B	Burnums.	B	B
1	Enams granted before the Permanent Settlement...	878	1121	243	882½	238½
2	Do. subsequent to do. ...	287	287	0	0	287
3	Do. held without Sunnuds...	0	161¼	0	65	96¼
4	Disputed Enams enjoyed by Eshwara Brahiraz	11	136	125	0	†125
5	Aggraharam of Oodey Boorgam..	710	1183	473	710	473
		1886	2888¼	841	1657½	1219¾

† Note.—The excess of 125 Burnums enjoyed by Eshwara Brahiraz is included in the lands to be resumed.

9. The Acting Collector's proposals are considered by the Board in paras. 13 to 15; and the instructions issued by them regarding the disposal of the enams granted before and after the Permanent settlement, appear to Government to be judicious, and are approved. With regard to the enams held without grants, the Board, it is observed, have called for further information from the Acting Collector, to enable them to form an opinion as to the course which should be followed.

(Signed) H. FORBES,
Acting Secretary to Government.

Revenue Department

No. 4036

Extract from the Proceedings of the Board of Revenue,
dated 19th November 1857.

In cons.y 19th Nov.r 1857

Read letter from the Acting Collector of Gaya dated 18th July 1857 Reporting on the Emaun in the Bramanachaye Estate recently acquired by Government.

(Wood to date No. 112)

Read again also letter from the same Officer dated 16th and recorded in Cons.s 23rd October 1855.

Resolved that the above letters be laid before Government with reference to Extract Minutes Consultation 27th September 1855 No. 1091 R.O.

1. See this Extract. Government in reviewing the report of the late Commissioner Northern Circars on the sale of the Bramanachaye Estate for arrears of Revenue, called for specific information on the following points.

1st. As to what legal steps had been taken for enforcing payment of the Kists when it was found that the defaulter

defaulter was passing Rist after Rist unpaid.

2dly As to the probable Receipts of the defaulter from the Estate.

3dly Respecting the Guanos said to have been illicitly held by others but claimed by the Ex-Proprietor as forming part of the Estate.

2. With regard to the first, the Acting Collector pleads that it was not the practice in the Ganjam District to attack an Estate at an early period of the year as Rists fell in arrear. In the Circular of the Commissioner referred to by that Officer defaulting Estates were directed to be sold when the last Rist became due. The Bramanchaye Estate fell into arrears in Fusly 1265/1855/56 and was accordingly brought to sale at the close of the same Fusly and purchased by Government for one Rupee as reported in the Commissioner's letter of 29th August 1855.

From Acting Collector 15th to 19th & 25th October 1856.

15th May 1857.

12th July 1855.

In ace 30th Sept 1855.

3. With reference to the second point Receipts of the Ex-proprietor from the Estate, it is observed that they amounted to Rupees 2,252-6-11 out of a demand of Rupees 2308-9-0 and that Rupees 399 only were paid on account

From Acting Collector 15th to 19th & 25th Oct 1855 & 18 July 1857. p. 21.

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	Demand	Colln
Average of 9 years	2638	2603
Fusly 1265 1855/56.	2356	2335
Fusly 1266 1856/57	2416	2389
Pachcush	3200	
Para 22.		

From Acting Collr 18th July 1857 p 11.

5 Burmans to an Acre.

of the Pachcush, leaving a balance of Rupees 2801. It is shown from the Collections of the last 12 years that the Estate was unprofitable and never yielded its full Pachcush.

4. Respecting the Guano said to be illicitly held the first case brought to Notice is an aggraharam comprising 200 Burmans or 40 acres in the possession of Black Blue Konam. The only document produced in support of this Grant is a Cadjan Sunnud of doubtful authenticity bearing date Fridey 1765. The Grant does not occur in the earliest accounts, tho' it appears to have been enjoyed by the present holder and his ancestors for a very long period. Its value is not stated The quit rent fixed at Rupees 25 per annum has been regularly paid by the present holder who has had possession for the last 20 years and who seems to have brought it to its present improved state by a large outlay from his own resources.

p 12 The Acting Collector thinks it should be left undisturbed on the death of the present incumbent however, the lapse should be reported for the orders of

Government

Government as it is open to Consideration whether, adverting to the circumstance that the Claim receives no support from the public accounts, the land should not be brought to full assessment either at once or gradually after the death of the present incumbent.

5. The next Claim is the one held by one Eswara Pathiar, whose Ancestor possessed much influence in the District soon after it was ceded to the British. His Patta was originally 61 Puruvus or about 12 Acres, and by Gradual Encroachments, it is now 256 Puruvus or 51⅕ Acres as shown below.

	According to the Accounts of the Permanent Settlement.	According to the Accounts of Fasly 1226 1815/17.	Pattah granted.	Present Enjoyment.
	Puruvus	Puruvus	Puruvus	Puruvus
1. Puruvus above	11	13	113	136
2. Chengudabadrumoregam	50	50	120	120
	61	63	233	256.

6 The present holder is thus in the enjoyment of 195 Puruvus or 39 Acres above the Extent entered in the Permanent Settlement Accounts. This excess appears to have been usurped by him p16

thro

(X)

thro the connivance of the party who reached the village in Fasly 1261/1851/52

p14 7 In the Accounts of the Permanent Settlement the original Entry is.

Dry Land — 1 Burruvu
Wet Do. — 10 — Do.

but the figure 10 has, by some unknown person, been surreptitiously altered to 110 in the Accounts of the Permanent Settlement and a similar falsification occurs in those of Fasly 1226/1816/17. Besides this, the document p15 or Pattah on which Eswara Pathiar rests his Claim bears internal Evidence of Spuriousness and seems to have been recently fabricated inasmuch as it accords with the interpolation in the Public Accounts made as is supposed, after Mr Bannerman had, in 1848, rejected his claim to 100 Puruvus as entirely unfounded. By the original Entry in the Accounts the grant if genuine, is 11 Puruvus only, and Mr Rhode is of opinion that Eswara Pathiar would not have brought forward such a fictitious claim, but for the support he received in the Office.

8. Considering that the Public Accounts have

have been tampered with and the Pattah referred to is spurious, the Board think that as a punishment the entire Inam should be resumed.

9. The third Inam referred to is the aggrahanam of Ody-boorgam containing an area of 1183 Bunnums or 236 3/5 acres. This originally granted to a single individual it is now in the possession of several families. As the grant is of old date and appears to have been deducted from the assets of the Estate at the time of the Permanent Settlement, the parties may be allowed to remain in possession as proposed by the Acting Collector. The land in excess of the original grant viz 1073 Bunnums or 964 3/5 acres will be immediately brought under full assessment.

10. With regard to these and other Inams to be presently noticed Mr Knox is of opinion that the Ex-proprietor have no claim on the indulgence of Government as he was aware of the extent to which land was enjoyed as Inam when he purchased the Estate and that he could only recover it by a Suit at law. Adverting however

Note

Paid by Pattah Rents for the Estate in 1854 } 5100

Do on Account of Pattah Rents for Fasly 1264 Rec'd 1855 } 399

5499

Deduct Collections for Fasly 1264 } 2252

Estimate bfp 3247

From Off. Collr 18th Jan 1856 Para 2 Submitted by Govt with Letter from Commissioner dated 29th Jan & C. 27th Mar 30th August 1856

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however, to the loss he has sustained by the purchase of so unprofitable an Estate and to the fact of his having thrown it up on that very account, the Board cannot but agree with the Acting Collector in the opinion previously expressed by him as to the propriety of remitting the balance of Rupees 2801 due, but the Ex-Proprietor should be required to execute a document transferring to Government any claim he may possess in regard to these Inams and to balances against the ryots.

11. With the letter under Consideration the Acting Collector has submitted a statement of all the Inams in this Estate including the alienated lands above notice of which the following is an abstract-

Items.	According to the Account of the Permanent Settlement.	According to the Commissioners Accounts.	Difference.	Proposed to be continued.	Proposed to be resumed.
	Bunnums	D.	Bunnums	D.	D.
1 Inams Granted before the Permt Settlt	878	1121	243	882½	238½
2 Do — Subsequent to — Do — — —	287	287	"	"	287
3 Do — held without Summuds —	"	161¼	"	65	96¼
4* Disputed Inams Enjoyed by Echwara Pattiar	11	136	125	"	*125
5 Aggrahanam of Ody Boorgam — —	710	1183	473	710	473
	1886	2888¼	841	1657½	1219 3/4

* Note

The excess of 125 Bunnums enjoyed by Echwara Pattiar is included in the Inams to be resumed.

No

12. The Estate, it is stated consists of 8199 Acres, of which 6871 are under Cultivation of this 2888¾ Burunus or 577⅗ acres according to the returns given in by the Ceranums are held on Enam tenure; 1885½ Burunus or about 377 acres being charged, as is inferred from p 3 of the letter from the Acting Collector, with a quit rent of Rupees 91 and the remainder or 1002¾ Burunus held rent free. The extent of Enam land however, as given in para 3 of the Acting Collectors letter is 2025 acres. Both these figures as to the extent of Inam differ from the Entries in Columns 33 to 40 of the Statement forwarded by the Acting Collector as shown in the Margin. Explanation of these discrepancies should be afforded. Assuming the accuracy of this Statement the extent of land to be continued is 165⅞ Burunus or about 331 acres. That to be resumed is 1094¾ or about 2187⅕ acres.

Burunus
165⅞ to be cont.d
1294¾ to be resumed
2877½

13. With reference to the first item mentioned in the tabular view in para 11 above, the land at present in the enjoyment of the Enamdars consists of 1121 Burunus or 224⅕ acres. Of which 48⅗ acres are above the extent shown in the Accounts

p. 5.

of the Permanent Settlement, but as the Ceranums accounts from which this excess is taken are not always reliable, the Acting Collector proposes to continue the Inams as at present enjoyed, where the difference is inconsiderable, but where it is great the excess, tested by actual measurement, will be resumed. Where Enam has already lapsed to the Zemindar it is not proposed to restore it. The Board approve of the course proposed, but subject to the usual Report of Lapses.

14. The second item comprises all Enams acquired subsequent to the Permanent Settlement, and these Mr Wase proposes to resume summarily. Viewing these grants as held without a proper title and merely in the light of subsequent grants, the claims of the Parties are untenable, but as sudden resumptions may be attended with hardship in cases of long enjoyment, the Board do not concur in a summary rejection of all claims indiscriminately. Where Families have been long dependant on the income derived from this source, some indulgence is called for and the Board would make such cases exceptional to the rule laid down.

down by the Acting Collector, the land to be brought to full assessment on the death of the parties respectively.

15 The third item includes Inams which do not appear in any of the Public accounts and are unsupported by any documentary evidence. Of these 65 Parcums, which are held on Service tenure the Acting Collector suggests should be continued, and the remaining portion or 96½ Parcums resumed. The information furnished is not sufficient, to enable the Board to express any definite opinion as to the Course to be adopted in regard to these Grants. Mr Knox will, therefore submit a Separate Statement showing the number and designation of the Village Servants to whom Inams are to be continued, and the extent and value of each allotment. He will also report whether, besides these, they cultivate other lands, and if so, to what extent, and also what Emoluments are enjoyed by the same class of Village Servants in the other Government Talooks.

I have &c.

(Signed) H. Forbes

(A True Extract)

H. Forbes Esq.
Acting Secretary to Govt.
Revenue Department.

Acting Secretary

(10)

Cons 2d Oct 55 Nos 15-16.

Copy in a Letter to Engd
of 18th June /56 No 66

Revenue 1857 Depart
Dft to Cons 26th Jany /58.
No 1420.

Extract from the Proceedings
of the Board of Revenue

Date 19th November 1857.
Rect 24th Do "
3 Encls Returned.
No 4036

No 17.

S & Rs 85. 21st January 1858.

Submitting with the
Boards Remarks & Opns from
the Acting Collector of Gaya on
Supplying the information called
for in Edn. C. of 27th September
1855, relative to the Brahmuttur
Chaya Estate recently acquired
by Government

C 15 Dec. N 4.

No 85. (1)

Extract from the Minutes of Consultation
Under date the 21st ~~December~~ January 1858

Read the following
Extract from the Proceedings of the
Board of Revenue.

/Here enter 19th November 1857 No 4036/

Extract from
the Minutes of Consultation
of the 27th September 1855 No 1091,

H
L. G.
W.C.

V. J. 2.

the Government had under con-
sideration a correspondence with
the Acting Collector of Gaya,
submitted by the late Commissioner
of the Northern Circars, regarding
the sale of the Brahmuttur Chaya
Estate in that District, for
arrears of revenue, and its pur-
chase on behalf of Government,
and they called for information
on certain points, with reference
to the recommendation of the
Commissioner, that, in the

vent of the sale being confirmed proceedings should not be taken against the defaulter, G. Puttabhiramiah, for the recovery of the arrears still due by him. Here information, which the Board furnish in their Proceedings above recorded, re. lated to the following points:

1st. The omission of the Acting Collector to use legal means for enforcing payment, when he found the defaulter leaving first after first unpaid.

2nd. The probable receipts of the defaulter from the estate.

3rd. Regarding the Enams said to have been illicitly held by others, but claimed by the Ex-proprietor as forming part of the estate.

2. With reference to the first point, the Acting Collector pleads the practice of the District for not having earlier attached the estate, and it appears from para 2. of the Boards Proceedings, that, in a Circular of the Commissioner dated 5th May 1861, it was directed that defaulting estates should be sold when the last kist became due. The Acting Collector however states that he has warned all Proprietors and Zemindars, that the rules relative to the attachment and sale of estates, will be strictly enforced for the future.

3 As regards the second point, it appears that, out of a demand of Rupees 2308, the Ex-proprietor realized Rupees 2952 from the estate, and paid only Rupees 399 in satisfaction of a Peishcush of Rupees 3200. It is shown however in the marginal entry in para 3 of the Boards Proceedings

that, for the last 12 years, the estate has been unprofitable, and has never yielded its full pristeeum.

4 With respect to the enams alleged by the Ex-proprietor to have been illicitly held by others, the first case brought to notice is an Aggraharam of the extent of 200 burnums, or 40 acres, in the enjoyment of Bharto — Bhashanum. The particulars of this case are stated by the Collector, and recapitulated by the Board in para 4; and under the circumstances represented, the Government resolve to leave the Enam in the possession of the present incumbent, subject to report at his death.

5 The next enam is that held by one Eswara Prahiraj

(13)

Prahiraj, and is referred to by the Board in paras 5 to 8 of their Proceedings. Its original extent was only 61 burnums, but by gradual encroachment it is now 256 burnums, or 51 1/5 acres. The excess is supposed to have been obtained by surreptitious alteration of the accounts; and it is stated that the Puttah on which Eswara Prahiraj rests his claim, bears internal evidence of fraud. The Government therefore resolve, in accordance with the recommendation of the Board, and as a warning to others, to order the resumption of the entire enam.

6 The last enam referred to by the Collector is the Agraharam of Coby-boorgaur, comprising an area of 1183 burnums, or 236 3/5 acres, of which

which 473 barrums, or 94 3/5 —
acres, are in excess of the original
grant. The Enam is of old
date, and was deducted from
the assets of the estate at the
time of the Permanent Settle-
ment. It will therefore
be left in the possession of
its present incumbents, and
the land in excess of the grant
be brought, as directed by the
Board, under full assessment.

7 With regard to these
Enams, the Collector observes —
that the Ex-proprietor was —
aware, when he purchased the
estate, that the lands were
in the possession of others, and
that they could only be recovered
by a suit at law. He is therefore
of opinion that, as regards
this plea, he has no claim
on the consideration of Govern-
ment; but adverting to the
fact

	Rs
Paid by Pullatheremiah for the estate in 1854 —	5100
Do on account of Peishcush for Fusly 1264 — —	399
	5499
Deduct Collections for Fusly 1264 —	2252
	3247

that the estate was a
losing one, and that the —
Ex-proprietor threw it up on
that account, we think his
case deserving of some indul-
gence. Under these circum-
stances, and with reference
to the* loss which the Ex-
proprietor is supposed to have
sustained by the purchase of
and its sale for one rupee,
the estate estimated at Rupees
3247, the Right Honorable
the Governor in Council is
pleased, in conformity with
the recommendation of the
Board, to sanction the re-
-mission of the arrears speci-
-fied in para 1 of the Acting
Collector's letter to the Commis-
-sioner dated 18th August 1855,
amounting, after deduction
of the purchase money, to
Rupees (2952-8-8) two thousand
nine hundred and fifty two,
Annas

Annas eight and pice eight.

The Acting Collector will require G. Puttabheramiah to execute a document to the effect suggested by the Board in para 10 of their Proceedings.

The Acting Collector has also forwarded a Statement of all the Enams in the Brahmanchaye Estate, including the alienated lands above referred to. The following abstract, as given by the Board in para 11, shows the extent of these Enams, and the mode in which the Acting Collector proposes to deal with them.

Heins.	According to the Accounts of the Permanent Settlement.	According to the Enamms account.	Difference	Proposed	
				Ys to be continued	Ys to be resumed
	Burrumms	B	Burrumms	B.	B.
1 Enams granted before the Permanent Settlement	878	1121	243	882½	238½
2 Do — Subsequent to — do —	287	287	"	"	287
3 Do — held without Summuds —	"	161½	"	65	96½
4 Disputed Enams enjoyed by Eshwara Prahmaj	11	136	125	"	*125
5 Aggraharam of Oodey Boorgum	710	1183	473	710	473.
	1886	2888¼	841	1,65½	1219 3/4

*Note:—
The excess of 125 Burrumms enjoyed by Eshwara Prahmaj is included in the lands to be resumed.

(15)

The Acting Collector's proposals are considered by the Board in paras 13 to 15, and the instructions issued by them regarding the disposal of the Enams granted before and after the Permanent Settlement, appear to Government to be judicious, and are approved. With regard to the Enams held without grants, the Board, it is observed, have called for further information from the Acting Collector, to enable them to form an opinion as to the course which should be followed

BR

3 Copies to the Bd of Rev. with 3 Brots Disp: 22.
1 — " — Acctt Genl
1 — " — Civil Audr.

Coñs 2d October 55. Nº 15-16

Copy in a letter to Engd
dated 18th June 1860 No 65

Revenue 1858 Depart.

Ltr to Coñs 26th Jany.

No 85.

Extract Minutes of Coñs
of 21st Jany 58.

From Bd of Revt dated 16th May 59. No 93.
in Coñs

No 17 & 18.

* Approving of the instructions
issued by the Board to the Acting
Collector of Ganjam regarding the
disposal of the Enams granted
before and after the permanent
Settlement of the Chamanchargy
estate in that District.--

C. 15 Decr. Noted 24

17