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Revenue Department

Minutes & Consultation

2nd July 1857

Back No. 18 × 19

Order No 874 dt 24th June 1857

(5) Sheet

பாதுகாப்பு பிரிவு-1

செப்பனிடுபவர் பெயர் : மா கோபாலகிருஷ்ண

செப்பனிடுவதற்காக எடுத்துக்-
கொள்ளப்பட்ட நாள். 07/08

25/8/08

சரிபார்க்கும்
முதல் முநிபாள
கையொப்பம்

சரிபார்க்கும்
2ம் முநிபாள
கையொப்பம்

ஆராய்ச்சி
உதவியாளர்
கையொப்பம்

Fort Saint George, Revenue Consultation of 2d July 1858.

No. 18. Read the following Remarks of the Board of Revenue, dated 28th May 1858, on the following Tabular Report on lapsed Enams for the fourth Quarter of 1857, No. 1918.

In Cons. 28th May 1858. From the Collector of Vizagapatam, 3rd May 1858.

No. 1. This Grant is said to have been made by a renter of the village and to have recently passed into the hands of the deceased incumbent by purchase. The Board therefore concur with the Collector that it should be resumed as an unauthorized alienation.

No. 2. This too is a recent and unauthorized grant. The present holder purchased it in 1851, after the promulgation of the order prohibiting such alienations. Its resumption is therefore recommended.

No. 3. In the copy of the permanent settlement accounts, this grant is entered as having been made "by the then authorities." Adverting to the valuable consideration said to have been paid, the Board concur in the Collector's proposal to continue it to the heirs of the deceased purchaser with an assessment of one-fourth or Rs. 2½ of the revenue it now pays, and suggest its registry in the name of the eldest daughter at whose death the lapse will be reported.

No. 4. This is another unauthorized grant by villagers after the permanent settlement. Adverting to the order of Government in a similar case, viz. "that the rule laid down in Section XII. Regulation XXV. of 1802, be rigidly conformed to in all cases for the future," the Board are unable to support the Collector's recommendation for the renewal of this Enam in favor of the widow of the deceased for life. Its resumption is recommended.

E. M. C. 20th June in Cons. 7th July 1857, *R. D. No.* 614.

No. 5. This is analogous to the preceding case, and for the same reasons, the Board propose to resume it.

Nos. 6 and 7, though granted by the Villagers, who are wholly incompetent to alienate the public revenue, they are entered in the accounts of the permanent settlement and have not been alienated from the family of the original grantee. The Board recommend their being continued to the widow of the late holder, to be resumed at her death, in consideration of their unauthorized origin.

No. 8. Although this grant was made by an incompetent authority, and does not appear in the accounts of the permanent settlement, yet looking to the fact of its enjoyment by the family of the grantee for a period of 57 years, the Board think it may be continued to the widow of the grandson of the grantee on the terms proposed by the Collector; viz., subject to payment of moiety of the full assessment. This grant and Nos. 6 and 7 were in possession of the same party.

No. 9. On the ground of long possession the Board recommend that the share held by the deceased, viz., 1½ veesum be continued to his brother Nagiah, and that the share granted to the village washerman by the late Proprietor be continued to his eldest surviving son, subject in both cases as in No. 8, to payment of a moiety of the full assessment as suggested by the Collector.

The land in the possession of the parties, when measured by the former Head Assistant Collector, was found to contain $6\frac{2}{16}$ veesums while the grants only gave them $2\frac{3}{4}$ veesums. The excess land should be brought under full assessment, if not already so entered.

No. 10. This is precisely similar to grant No. 8, and for the same reasons it is recommended to be continued to the eldest son of the late incumbent, (who was grandson to the grantee) subject to one-fourth of the proper assessment.

No. 11. Besides being an alienation by an incompetent authority, the grant has long passed out of the family of the grantee by an alleged purchase, in support of which no documentary evidence has been adduced. This being the case, the Board support the Collector's recommendation for its resumption.

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

No. 19. ORDER THEREON, No. 874; dated 24th June 1858.

1, 2, 4, 5, 6 *and* 7. 1. The recommendations of the Board of Revenue as to the six cases noted in the margin are concurred in by Government and instructions will be issued accordingly to the Collector.

from the Purchase by Grantee

2. No. 11 will also be resumed, on account of an entire want of proof of long possession; the Board speak of the grant having passed out of the family of the grantee, but the Government do not perceive from the Collector's statement, who the grantee was. Even supposing that there were satisfactory evidence as to this point, the Inâm is further resumable on account of the absence of documentary evidence to prove the purchase by virtue of which it is claimed.

3. In case 3, the Inâm has been twice alienated; in the first place by the daughter-in-law of the alleged original grantee. This individual, who must have held by right of her husband, can have had no authority to alienate the Inâm to strangers, and under these circumstances it will be sufficient to continue it to the widow of the deceased for her life.

4. The Government cannot concur in the recommendations as to the disposal of cases 8, 9 and 10. They do not perceive such evidence of long possession as would justify the consideration with which it is proposed to treat them, and it is to be remarked that none of them are entered in the permanent accounts. Under such circumstances the Government must direct that resumption in each case be considered to have taken place on the death of the last holder.

5. In case 6, it appears that the Inâm is claimed by virtue of an adoption. But it is not stated whether the adoptee be a relation of the adopter, or a stranger. Mr. Reade should be referred to the last part of para. 4 of Extract Minutes Consultation 18th September 1851, R. D. No. 939. C. O. B. R. Vol. II. page 39.

6. Adverting to the Collector's recommendation in case 8, the Board will be good enough to refer that officer to para. 11 of Extract Minutes Consultation No. 303, dated 8th March 1858, in which it was pointed out to Mr. Reade that unless the grounds for conclusions at which the local authorities may arrive with reference to the antiquity of Inâms are stated, it is impossible to allow the claimants the benefit of such conclusions.

(Signed) W. H. BAYLEY,
Acting Secretary to Government.

R. D.

№ 874.

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Extract from the Minutes of Consultation under date the 24th June 1858

Read the following Remarks of the Board of Revenue

(Here enter 28th May/58 № 1918.)

1. 2. 4. 5. 6 and 7. The recommendations of the Board of Revenue as to the five cases noted in the margin are concurred in by Govt and instructions will be issued accordingly to the Collector.

2. No 11 will also be resumed, on account of an entire want of proof of long possession; the Board speak of the grant having passed out of the family of the grantee, but the Govt do not perceive from the Collr's Statement who the grantee was. Even supposing that there were satisfactory evidence as to this point the Inâm is further resumable on acct of the absence of documentary evidence to prove the purchase by virtue

it

which ~~the Inam~~ is claimed.

4. The Gt. cannot concur in the recommendations as to the disposal of cases 8, 9. and 10. They do not perceive ~~such~~ such slight evidence ~~of such~~ any suspicion as would justify the consideration with which it is proposed to treat them. and it is to be remarked that ~~none of the Inams~~ none of them are entered ~~as such~~ in the Permanent Accounts, and under such circumstances the Govt must direct that resumption in each case be considered to have taken place on the death of the last holder.

5. In case 6, it appears that the Inam is claimed by virtue of an adoption. But it is not stated whether the adopter be a relation of the adopter, or a stranger. Mr Reade should be referred to the last part of Para 4 of Ltr C. 18 Sept 1854 A.D. No 932. C.O.B.R. vol ii. page 32.

6. Adverting to the Collectors recommendation in case 8, the Board will be good enough to refer that officer to Para 11 of Ltr No 303, dt 8 March 1858, in which it was pointed out to Reade that under the Inam ~~Inam~~ Commission ~~as~~ which was limited as to conclusions as to which the local authorities may assume with reference to the antiquity of Inams as stated, it is impossible to allow the claimants to attempt such evidence.

3. In case 7, the Inam has been twice alienated; in the first place by the daughter in law of the alleged original grantee. This individual, who must have held by right of her husband, can have had no authority to alienate the Inam, and under these circumstances it will be useful to continue it to the widow of the deceased for her life.

W.R. 14th
3 Cobies to the Bd of Rev & Agt 25th
in the 2d Packet

W.H.L.
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23-6-57 — 34

Revenue 1858 Dep.t
Dº to Cons.: 2.d July
Nº 874.
Extract Minute of Cons.
Dº 24.th June 1858.

Sanctioning the Continuance as well as the resumption of certain Inams in the District of Vizagapatam

Nº 18419.