Revenue Department

Minutes of Consultation

13th July 1858

Bach nos 17 + 18

Order no 9L2 79 9th July 1858

(79 cons)

No. 17. Read the following Remarks of the Board of Revenue, dated 23rd June 1858, on the following Tabular Report on Enams dated Fort Saint George; 23rd June 1858, No. 2172.

In Cons. 23rd June 1858, *No.* 648. From the Acting Collector of Tanjore dated 1st February 1858.

No. 82. The share assessed at Rupees 16-6-2 held by the deceased having been obtained as a gift in 1798, the Board in consideration of long enjoyment concur with the Acting Collector that it should be continued to his family, but as the grant is supported by no document and was not held by the present family previously to the date specified in Section II. Regulation XXXI. of 1802, possession, they think, might be limited to the life of the eldest son Gurù Samì Sastrè.

No. 83. This grant is of old date, having been made by Telûgè Rajah in 1769. The share held by the deceased was acquired by a bonâfide purchase. Looking at the valuable consideration given for it and the length of time (34 years) it was enjoyed, the Board recommend its being continued to Vencatachella Vadier eldest son of the deceased subject to report on his death.

84. The two grants under report in this case were conferred on two different persons by the same authority as in the preceding case.

With regard to the first grant, the deceased, who succeeded to a share consisting of 4 M. 33½ G. belonged to a different family *from the original* grantee. Its transmission to him was therefore irregular but as it was enjoyed for many years the Board propose to continue the lapsed share viz. G. 21 13-2 to his son Gooroosami Iyen for life.

The second grant differs in its character from the first; and as it is one of those grants, which are not subject to interference, or resumption under the orders of Government of 9th May 1848, para. 8 the continuance of the share held by the last holder to his son Gooroosawmy Iyen is recommended.

C. O. B. R. Vol. 1. *p.* 455.

No. 85. From the translation of the Sîeca Sunnud in this case, it appears that the land appertaining to this Enam was originally purchased by the grantee and was afterwards conferred on him on rent free tenure by Rajah Pretapsing. The deceased, who succeeded to the whole Enam in virtue of an alleged purchase in 1836 mortgaged it in 1851 for Rupees 1600 to the parties now in possession thereof. Considering the price paid for the Enam, the Board concur in the opinion of the Acting Collector that it should be continued and accordingly propose its registry in the name of Rama kistna maitah, elder member of the family, leaving the parties to adjust the mortgaged claim among themselves without prejudice to the right of Government to resume hereafter under the Enam rules.

86. This case comprises two grants, both of which are of ancient date, having been made respectively in 1769 and 1742 by one Mallajee Gauday whose authority to alienate the revenue of these lands is not mentioned.

The share held by the deceased in the first Grant was acquired by gift in 1772. The share in the second grant was obtained by purchase in 1819. On the ground of long possession the Board support the Acting Collector's recommendation for the continuance of the lapsed shares to Vencatarayen son of the late incumbent subject to report on lapse.

87. This grant was held without Sunnud. The share enjoyed by the deceased is said to have been acquired by his father partly by *mortgage* and partly by *purchase* but as the particulars of the mortgage and the value of the land so held are not given, the Board are at a loss to determine the degree of consideration due to the claimants. In supplying this information the Acting Collector will also mention whether the Institution for the support of which a portion of this Enam was originally granted is still in existence. He will also explain the cause of so great a difference between the land entered in the Sunnud and the Survey Accounts in this case as well as in others.

The Circular Order of 11th August 1853 quoted by the Acting Collector based as it is on Section II. Regulation XXXI. of 1802 does not apply to this case in as much as neither the holder of the share under report, nor his ancestors were in possession of it at the date of that enactment.

Record that the Inâm was

பாதுகாக்கும் பிரிவு

செப்பனிடுபவர் பெயர்: G. கோபாலராவ் 1/08

செப்பனிடுவதற்காக எடுத்துக்- 08/08
கொள்ளப்பட்ட நாள்.

3/11/08
சரிபார்க்கும்
முதல் முறியாள
கையொப்பம்

19/11/08
சரிபார்க்கும்
2ம் முறியாள
கையொப்பம்

30.11.08
ஆராய்ச்சி
உதவியாளர்
கையொப்பம்

88. The lapsed share assessed at Rupees 10-0-8 formed part of a subsistence grant conferred by Rajah Surboge in 1799 long after the date specified in Section II. Regulation XXXI. of 1802 and was acquired by the deceased by gift in 1839 from a purchaser. The Board concur with the Acting Collector that it should be renewed in favor of Soobramanien grandson of the deceased, but as it is a recent alienation they would restrict it to his life.

89. This too is an old grant having been made in 1742 by Rajah Pretapsing the share held by the deceased, who was grandson to a registered holder, having been partly inherited and partly purchased, the Board support the Acting Collector's recommendation for continuing it to the mother but as her relationship to the grantee cannot be traced, they would limit the grant to her life.

90. The Enam enjoyed by the deceased viz. 13 M. 31½ G. assessed at Rupees 12-13-4 was obtained by his father in two distinct portions one as gift in 1801 and the other as Coodebhagum at some remote period. The grant having thus been in their possession for more than half a century the Board recommend its being continued in the name of Vencata kistnien eldest son of the deceased.

91. On the ground of long possession, the Board support the Acting Collector's recommendation for continuing the share held by the deceased assessed at Rupees 13-12-0 to his son Shashadre Iyengar; but as the object for which the grant was made is no longer carried out, and the Enam has long passed out of the hands of the grantee's family, they think possession might be limited to Shashadre Iyengar's life time. The Collector will report regarding the portion alienated by mortgage with full particulars.

92. Of the entire Enam held by the deceased ¼ share was obtained as gift in 1836-37 and the remainder by purchase between the years 1836 and 1847. The Acting Collector proposes to continue the lapsed share to his widow. In this recommendation the Board concur.

93. The deceased was not related to the original grantee, but acquired the share under report by a bonâfide purchase in 1827. Its continuance to his elder son Streenevasa Iyengar alias Kristnengar is therefore recommended.

(By Order.)

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

No. 18. ORDER THEREON, No. 942; dated 9th July 1858.

82, 83, 84, 88, *and* 89. 1. The Government concur with the recommendations of the Board of Revenue in the five cases noted in the margin.

Nos. 85 *and* 91. 2. No. 85. This Inâm has been repeatedly transferred. First, the original grantee is said to have *given* the whole of his Inâm to one *Rámappa.* The donee's grandson then *sold** it to one *Subbaya,* in 1836. He "made it over" to another party, who transmitted it to his brother the last holder who mortgaged it to *Bhavâni Sankara Bhat* of Tanjore. It is not proved that the Inâm was in the original grantee's family in 1802; indeed, seeing that the alienation by the original grantee in favour of Rámappa took place soon after the grant it seems probable that it was not. And considering all the transfers that have taken place, the Government do not look upon the claimants as possessing much title to consideration; they will not however object to sanction the registry of the Inâm in the name of the senior member of the family, provided that the charity for the support of which the Inâm is said (column 4) to have been granted, is still kept up. If it is not, resumption will follow the death of the last incumbent.

* *Though from the Board's expression "alleged" sale it appears that this transaction is unproved.*

3. 86. *Mallâji Gâde,* (probably an officer of some influence about the then Rája), had no authority to alienate land in perpetuity; and in the first of the grants alienation from the family of the original grantee took place before 1802. The Government direct the resumption of the two Inâms from the date of the death of the last holder.

4. Case 87. This is an Inâm without Sanad, but registered as having been granted for the support of a Bráhman School. The institution is not shewn to exist, and even if it does, its endowments seem to have been profusely alienated from its legitimate object. If then the school does exist, the Collector will make what recommendation he thinks fit for its support; if not, the

share of each of the present holders will revert to the State at their demise. There seems no reason why the documents on the strength of which the heirs of deceased claim the Inâm should not have been submitted to Government. Adverting to the difference between the land entered in the Sanad and in the survey accounts it is no more than what might be naturally supposed to exist when it is considered that the Rájá's measurement, if it took place at all, was of the roughest and most careless description; and that moreover the Inâmdârs will have made every effort to secure as much land as possible both at the time of the grant, and subsequently. The Government have on a previous occasion directed that the excess of an Inâm holding over that specified in the Sanad or in the public accounts, be invariably resumed.

5. Case 90. The *Kudibhágam* portion of this Inâm may be continued as proposed; the other portion obtained as a gift will be considered as a life grant.

6. Case 91. In column 3 of the statement this Inâm is said to have been granted to endow a Chatram and establish a water-booth on the road to Rámêswaram, but in column 4 the object of the grant (is apparently erroneously) said to have been "for subsistence." And the Inâm has been long alienated from the family of the supposed original grantee. The Collector will continue the various shares of the Inâm* or resume (after the death of the present incumbents) according as the charity for which it was granted exists and is properly kept up, or not.

* *Y.*	*M.*	*G.*
24	15	31

7. Case 92. The Board's recommendation in this case is approved; but the Inâm will be considered as a life grant.

8. Case 93. It is not shewn in this case, that the Inâm was not alienated from the family of the original grantee before 1802. There is every reason however for supposing that it was. But two transfers have taken place, and the Government think that if the heir of the deceased be allowed to hold for life, the indulgence will be sufficient. In these cases, the Collector should bear in mind that it rests *with the Inâmdâr* to produce proof that the Inâm which he claims, had not passed out of the family of the original grantee in 1802.

(Signed) T. PYCROFT,
Chief Secretary.

1842 942/3 Rd 2

Extract from the Minutes of Consultation
under date the 9th July 1858

Read Min to Evening Remarks
of the Board of Revenue

Para entered 25 June 58 No 2872

88.
82.83.84.85.

1 The Govt concur with the recommendations of the Board of Revenue in the four cases noted in the margin

2. No 85. This Inām has been repeatedly transferred. First the original grantee is said to have given the whole of his Inām to one Kāmappa. The Ināmdars from them held it Doreswāmy, in 1836. He "made it over" to another party, who transmitted it to his brother the last holder who mortgaged it to Khāsim Sahib Bhat of Tanjore. It is asserted that the Inām was

Keys from the Bd
Enquire "alleged" Sale
Appear that this
transaction is unproved.

W. 5.8.91

in the original grantee Family
in 802; indeed seeing that
the alienation by the original
grantee in favour of Ramappa
took place soon after the grant
it seems probable that it
was not. And considering
all the transfers that
have taken place, the Govt do
not look upon the claimants
as possessing much title to
consideration; they will
not however object to sanction
the expiry of the Inam in the
name of the senior member
of the family provided that
the charity for the support
which the Inam is said
to have been granted,
shall be kept up. If it
not, resumption will follow
the death of the last incum-
bent.

3. 86 9½/₁₁ Mallaji Gade (presumably an officer of some influence about the then Raja) had no authority to alienate land in perpetuity; And in the first of the grants alienation from the family of the original grantee took place before 802 The Govt direct the resumption of the two Inams from the date of the death of the last holder.

4. Case 87. This is an Inam without Sanad, but registered as having been granted for the support of a Brahman Idol. The institution is not shewn to exist, and ~~granted transfer has taken place by endowment~~ even if it does its endowment seems to have been hopelessly

alienated from its legitimate
object. If the school does
exist, the collector will make
what recommendation he
thinks fit for its support; if
not, the claim of each of the
present holders will revert
to the State at their demise.
There seems no reason why the
documents on the strength of which
the heirs of deceased claim
to Inām lands not have been
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land entered in the Jamabandi
and in the Survey accts. it
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when it is considered that
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Excess of an Inām holding
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be continued as proposed;
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as a gift will be considered
as a life grant.

6. Case 91. In col 3 of the
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for which it was granted ceases
or is properly kept up, as not.

7. Case 2nd. The Board's recommendation in this case is approved; but the Inām will be considered as a
8. case 93. It is not shown
in this case, that the Inām
was not alienated from the
family of the original grantee
before 1802. There is every reason
however to suppose that it
was. But two transfers have
taken place and the Govt think
that if the heir of the deceased
be allowed to hold for life, the
indulgence will be sufficient.

In these cases, the Collector should
bear in mind that it rests
with the Ināmdar to produce
proof that the Inām which he
claims, had not lapsed out
of the family of the original
grantee in 1802.

19 June 58

3 Copies to the Bd of Rev. & C.C. 19/7
with 2 Enclos

L & B

19

Comm. 1858 Defendant
Dep. to Com. 13th Vol. of

C.B.942

Extract Minis. of Comm.
Dep. 9th July 58.

Extract from Book of Minutes 18th Feb.
1796 No 92 pp. 1 to 6.

Rec. of the Bd. of Com. Dep. 22 July 1859
C. No. 12 to 16 Com.

Paying order on a Petition
report of Colonel Comm. in
Surjore.

C.B.947+18

C.29 Com. 26th July