M.R.O. 1—20,002—12-8-65.

(1) Number of Pages 14

(2) Date of repair 18.3.67

(3) Initials of the Referencer

MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	1407	Press	
B.P. No.		Mis.	
Dated	7. 11. 1874	~~196~~	

Not to be folded or roughly handled

No. 51. Read the following Proceedings of the Board of Revenue, dated 9th October 1874, No. 2,937 :—

Read the following letter from W. S. WHITESIDE, Esq., Collector of North Arcot, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Palamanair, 31st August 1874, No. 461 :—

I HAVE the honor to submit, for the instructions and orders of the Board of Revenue, the following case in which a portion of a Mahomedan religious endowment has been alienated by sale :—

2. In the Village of Poloor, in the Poloor Taluq, Takkya Inam, as particularized in the margin, was granted to the Manager of Mohabatsha Takkya for the use of that religious institution, and this Inam is confirmed, tax free, so long as the conditions of the grant are duly observed, and a Title-deed No. 421 is also issued by the Inam Commissioner.

Dry acres	3	71
Wet	0	41
Total ...	4	12

Assessed at Rupees 18-12-0.

3. The Managers holding the said title-deed have recently sold C. 0-10-0 or 83 cents dry out of the Inam for Rupees 269 to twelve individuals for building houses, and they say that the sale was made in order to spend the proceeds thereof in the improvement of the Takkya.

4. The lands thus sold being situated in the midst of the Town of Poloor, and consequently well suited for building purposes, were appropriated by the purchasers for erecting houses.

5. It is doubtful whether any portion of an Inam of this description can be disposed of in the above manner, as the reversionary right to it vests in Government in case the conditions of the grant are not duly fulfilled. I consider therefore that the sale is illegal (*vide* Act XXIII. of 1871) and that the present occupants of the land should be ousted by a Civil action, as there is no other regular way by which to secure the reversionary rights of Government in the said Inam.

6. The Inam title-deed in question is herein enclosed, and may be returned when no longer required.

ENCLOSURE No. 1.—Title-deed.

SUBMITTED for the orders of Government.

2. In this case one acre out of four which form the Inam endowment of a Mahomedan religious institution has been alienated.

3. The case is a trifling one, and the money realized by the alienation is said to have been devoted to the improvement of the institution, but the Board think the principle that Government will not permit such alienations which has been adopted in G. O., dated 17th July 1874, No. 892, and August 11th 1873, No. 829, must be enforced, in order that such alienations may become more difficult to effect than they are at present.

4. The land was sold to twelve men for use as house sites, and it seems somewhat hard to make them pay twice over for land which they probably bought in

the belief that the Managers had a right to sell it, but, after all, the assessment of the land distributed amongst them will only amount to a charge of about 5 Annas each.

5. The Collector thinks it will be necessary to oust the occupants and proposes to do this by means of a Civil Suit, but the Board think it will be sufficient to assess the land fully.

No. 52. ORDER THEREON, 7th November 1874, No. 1,407.

Miscellaneous.

THE Board are correct in principle, but in consideration of the trifling nature of the case, the Governor in Council does not think it necessary to interfere. Further alienation will involve the imposition of full assessment.

(True Extract.)

(Signed) C. G. MASTER,
Acting Secretary to Government.

To the Board of Revenue.

Exd. G. A. Turton.

No. 2,937.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 9th October 1874.

Read the following letter from W. S. WHITESIDE, Esq., Collector of North Arcot, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Palamanair, 31st August 1874, No. 461 :—

I HAVE the honor to submit, for the instructions and orders of the Board of Revenue, the following case in which a portion of a Mahomedan religious endowment has been alienated by sale—

2. In the Village of Poloor, in the Poloor Taluq, Takkya Inam, as particularized in the margin, was granted to the Manager of Mohabatsha Takkya for the use of that religious institution, and this Inam is confirmed, tax free, so long as the conditions of the grant are duly observed, and a Title-deed No. 421 is also issued by the Inam Commissioner.

Dry acres	3	71
Wet	0	41
Total ...	4	12

Assessed at Rupees 18-12-0.

3. The Managers holding the said title-deed have recently sold C. 0-10-0 or 83 cents dry out of the Inam for Rupees 269 to twelve individuals for building houses, and they say that the sale was made in order to spend the proceeds thereof in the improvement of the Takkya.

4. The lands thus sold being situated in the midst of the Town of Poloor, and consequently well suited for building purposes, were appropriated by the purchasers for erecting houses.

5. It is doubtful whether any portion of an Inam of this description can be disposed of in the above manner, as the reversionary right to it vests in Government in case the conditions of the grant are not duly fulfilled. I consider therefore that the sale is illegal (*vide* Act XXIII. of 1871) and that the present occupants of the land should be ousted by a Civil action, as there is no other regular way by which to secure the reversionary rights of Government in the said Inam.

6. The Inam title-deed in question is herein enclosed, and may be returned when no longer required.

ENCLOSURE No. 1.—Title-deed.

SUBMITTED for the orders of Government.

2. In this case one acre out of four which form the Inam endowment of a Mahomedan religious institution has been alienated.

3. The case is a trifling one, and the money realized by the alienation is said to have been devoted to the improvement of the institution, but the Board think the principle that Government will not permit such alienations which has been adopted in G. O., dated 17th July 1874, No. 892, and August 11th 1873, No. 829, must be enforced, in order that such alienations may become more difficult to effect than they are at present.

Copy of No. 2,937, dated 9th October 1874,

TO

THE BOARD OF REVENUE.

Dated November 7th.

Read

Nos. 51-52.

4. The land was sold to twelve men for use as house sites, and it seems somewhat hard to make them pay twice over for land which they probably bought in the belief that the Managers had a right to sell it, but, after all, the assessment of the land distributed amongst them will only amount to a charge of about 5 Annas each.

5. The Collector thinks it will be necessary to oust the occupants and proposes to do this by means of a Civil Suit, but the Board think it will be sufficient to assess the land fully.

(A true Copy and Extract.)

Secretary.

To the Acting Secretary to Government, Revenue Department,
with Title-deed.

" the Collector of North Arcot.
Copy to the Inam Commissioner.

Read No. 3671.

BOARD OF REVENUE.
1874.

PROCEEDINGS, 9TH OCTOBER 1874, No. 2,937.

Read letter from Collector of North Arcot, dated 18th July 1874, No. 63.

Ordered—

Entd. G. A. Turton.

OCTOBER.
No. 2,937.

Mahomedan religious institution—in North Arcot District.—Letter from Collector reporting that a portion of Inam land forming endowment of certain — has been alienated by sale, and suggesting that the present occupants of the land so alienated be ousted by a Civil Suit, submitted for orders of Government, with remark that it will be sufficient to assess the land fully.

REVENUE DEPARTMENT.

No. 3671.

From the Board of Revenue.
Dated 9th October 1874.

FOR ORDERS.

Letter dated 18th July 1874 No. 63.

Ordered—

FOR ORDERS.

c 30/10/74
r 5/11/74

Revenue Department.

No. 1407.

Proceedings of the Madras Government.

Under date the 7th November 1874.

Read the following

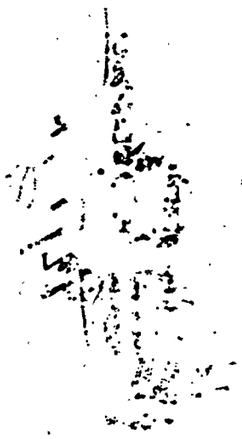
Pro: of the Bd. of Rev:

Subj. Letter from Coll. reporting that a portion of Sriam land forming endowment of certain Mahomedan religious institution in N. West Dist. has been alienated by sale, and suggesting that the present occupants of the land so alienated be ousted by a Civil Suit	R.C. 9th October 1874 No. 2937

The Board are correct in principle but in consideration of the trifling nature of the case the Governor in Council does not think it necessary to interfere. Further alienation will involve the imposition of full assessment.

List from orders in Council 6/11/74

14 Feb. Bd. of Rev. 1876 No.



51-52.