

REVENUE DEPARTMENT.

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Revenue (1897) Department.

MISCELLANEOUS SERIES.

• G.O., No. 285

DATED 18th January 1899

[Despatch Abstract.]

[Despatch Abstract.]

Receiving B.O. 2.

Communicating to the collector of Malabar and the Assistant Commissioner in charge of Rev: Settlement No: VI Partij. Government Order Rev: Dep: passing orders on the Board's proposals for the speedy completion of the Registration of jammam titles in Malabar and requesting the collector to furnish information on certain points in connection therewith.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Cus	1480/88						
	1182						
	21-371						

Revenue (1899) Dep^t

REVENUE DEPARTMENT.

1898.

Board of Revenue

(Revenue Settlement, Land Records and Agriculture),

MADRAS.

Current No. 152

Recd. 8
Regd. 9 } January 1899.

Enclosures

Spare copies



Printed January th, 1899.

Proceedings, No. 439, 3rd December 1898.

DECEMBER.

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Registration of janmam titles.—Communicating to the Collector of Malabar and the Assistant Commissioner in charge of Revenue Settlement, No. VI Party, Government Order, Revenue Department, passing orders on the Board's proposals for the speedy completion of the — in Malabar and requesting the Collector to furnish information on certain points in connection therewith.

PROCEEDINGS OF THE BOARD OF REVENUE
(REVENUE SETTLEMENT, LAND RECORDS AND AGRICULTURE).

Read—the following G.O., No. 709, Revenue, dated 24th November 1898 :—

Read—Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), No. 680, dated 20th October 1897.

ABSTRACT.—Submitting to Government proposals for the speedy completion of the registration of janmam rights in Malabar.

Read—again the following G.O., Mis. No. 6445, Revenue, dated 16th December 1897 :—

Read—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture) Mis. No. 9599, dated 30th November 1897 :—

Read—the following letter from G. W. DANCE, Esq., Collector of Malabar, to the Secretary to the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture, dated 23rd November 1897, No. 81-J.T. :—

In reply to Board's Proceedings, Mis. No. 3221 (Land Revenue), dated 27th August 1897, communicating G.O., Mis. No. 4343, dated 19th August 1897, I have the honour to state that my estimate, that the janmam registration work in Malabar would take not less than five years more to complete, was founded on no detailed calculations, but on the fact that, although the registration establishment has been working for two years, the work has not yet approached completion even in one taluk.

2. I subjoin extracts from the reports of the Special Deputy Collectors showing what progress had been made up to the end of September last. I also submit a skeleton map and some appendices 1 to 4 prepared by the Special Deputy Collector, Palghat.

Palghat.—With the exception of certain survey numbers reserved for disposal hereafter of the 138 desams in the taluk, 62 were disposed of by the end of September.

Wallawand.—By the end of September 1897 out of 317 desams in the taluk the work of janmam registration has been completed in 28 desams excepting such of the items as may require subdivision and as may not have been plotted in the field books.

3. Proposals for the speedy completion of the work have already been submitted to Government by the Commissioner for Settlement in Board's Proceedings, No. 680, dated 20th October 1897. If I may, however, be allowed to speak plainly, I would respectfully submit that the best way of completing the work of janmam registration is to abrogate the Act introducing it. When the High Court declared that the system of recovering revenue which had hitherto been followed in Malabar was illegal, it was open to the Government to have passed an Act legalising the practice which had up till then worked smoothly. Instead of doing this, the Government decided that endeavours should be made to find the janmi. The janmi does not want to be found and it is very doubtful whether any good will come of finding him.

4. It is quite clear that the Government, when it entered upon this quest, had no idea of the enormous expenditure of time and money that it would involve. The Government was indeed informed that there was no authentic register of janmis and that "it was not known and could not be decided authoritatively who the janmi of a particular land was."

5. But these objections, it was thought, would not "present any grave difficulty. In the case of all occupied lands the janmi is known and can be at once registered by the officer entrusted with the conduct of the settlement. The janmi will be readily ascertainable probably for 90 per cent. of the land. In the case of waste lands, claimants would come forward on its being widely notified that the Government intended to register janmam titles, and in the event of rival claims being preferred the Settlement Officer would hold a summary enquiry and register the person who, in his opinion, adduced the strongest *prima facie* title, other claimants being referred to the civil courts" [G.O., No. 1152, Revenue, dated 3rd December 1891, printed with Board's Proceedings, No. 17 (Land Revenue), dated 9th January 1892.]

6. How completely these illusions have been dispelled is now well known to the Board and Government. A melancholy interest is attached to the fact that the Hon'ble Mr. Sankaran Nair, by whose advice the Government, as I understand, was largely guided in this matter, has not yet presented any application for the registration of his own lands in accordance with section 4 of the Act.

7. If, however, it is considered that we have gone too far to turn back, I would most earnestly recommend that the registration should be conducted with the utmost thoroughness and care. It is impossible in any case to foresee the results of the registration, and it therefore behoves us to insist on the greatest attainable accuracy. When I joined the district last year I saw that there was a tendency to rush the work through. But I put on the break at once, and I find, from paragraph 5 of Board's Proceedings, No. 680 (Revenue Settlement), dated 20th October 1897, that my views have the full approval of the Board.

Resolution—Mis. No. 9599, dated 30th November 1897.

Submitted to Government with reference to G.O., No. 4343, dated 19th August 1897, and in continuation of Board's Proceedings, No. 680, dated 20th October 1897.

2. The Collector would like to see Act III of 1896 repealed and the old plan of dealing with the tenant legalized. This alternative was considered by Government and definitely disapproved, and it is now too late to turn back, though there is much truth in the Collector's remark that "the janmi does not want to be found, and it is very doubtful whether any good will come of finding him."

3. The Board has nothing further to add to its Proceedings quoted in paragraph 1.

(True Copy and Extract.)

(Signed) R. V. SRINIVASIAH,
Secretary.

To the Secretary to Government, Revenue Department,
with enclosures to the Collector's
letter in original to be returned.

Order—Mis. No. 6445, Revenue, dated 16th December 1897.

Recorded.

(True Extract.)

(Signed) G. S. FORBES,
Ag. Secretary to Government,

4 BOARD OF REVENUE (REV. SETT., L. RDS. AND AGRI.), No. 439, 3RD DEC. 1898.

Read—the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), Mis. No. 706, dated 1st February 1898:—

Read—again the following Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture), Mis. No. 9948, dated 15th December 1897:—

Read—the following letter from G. W. DANCE, Esq., Collector of Malabar, to the Secretary to the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture, dated 27th November 1897, Ref. on C. No. 70-A—J. T.:—

I have the honour to request that the sanction of Government may be obtained for the retention of the temporary gumastah menons entertained in connection with the registration of janmam titles in this district until the work of registration is completed.

2. In G.O., Mis. No. 2573, dated 1st July 1896, communicated with Board's Proceedings, Land Revenue, No. 3213, dated 14th July 1896, sanction was accorded for their entertainment for six months. This period expired in the case of 56 gumastah menons in the Palghat taluk in September last and of 51 gumastah menons in the Walavanad taluk in the current month. The Special Deputy Collectors have now applied for the further retention of these menons.

3. A sum of Rs. 12,000 has been provided in the special fund budget for the current year to meet the pay of gumastah menons and a similar provision has been made in the budget for 1898-99.

Resolution—Mis. No. 9948, dated 15th December 1897.

In the estimates received from the Collector in the Land Revenue Department, the amount provided for the current and the ensuing years on account of the pay of temporary menons is only Rs. 10,000 and not Rs. 12,000, as stated in paragraph 3 of the letter read above. The Collector is requested to state whether the former amount is sufficient. He is also requested to state whether in providing this amount he has taken into account the probable number of temporary hands likely to be required in connection both with the work of janmam registration and with survey and settlement work. It is observed that when the Collector applied for an additional allotment of Rs. 8,000 for the current year, he stated in his letter, No. 2585—R., dated 13th October 1897, that it was required to meet the increase of pay to gumastah menons sanctioned in G.O., No. 472, Revenue, dated 26th January 1897, and the special allowance sanctioned to the menons employed in Palghat in G.O., Mis. No. 2092, Revenue, dated 26th April 1897.

(True Copy and Extract.)

(Signed) R. V. SRINIVASIAH,
Secretary.

To the Collector of Malabar.

BOARD OF REVENUE (REV. SETT., L. RDS. AND AGRI.), No. 439, 3RD DEC. 1898. 5

Read—also the following letter from G. W. DANCE, Esq., Collector of Malabar, to the Secretary to the Commissioner of Revenue Settlement and Director of the Department of Land Records and Agriculture, dated 14th January 1898, No. 3—J. T.:—

With reference to Board's Proceedings, Mis. No. 9948 (Revenue Settlement), dated 15th December last, I have the honour to report that the amount provided in the current and ensuing year for the entertainment of temporary gumastah menons is only Rs. 10,000, and not Rs. 12,000 which is a clerical error.

2. It will be seen from the particulars noted in the margin * that the probable expenditure in the current year will amount to only Rs. 6,300.

3. For the next year also, the provision appears to be sufficient, calculated with reference to the probable expenditure of the current year, the next year's estimate comes to only about Rs. 7,200 as detailed in the margin †. The difference of Rs. 2,800 as compared with the estimate will, I think, suffice for any gumastah menons who may be entertained in connection with the survey and settlement work.

* Actuals of first nine months of 1897-98	Rs. 4,773
Actuals of last three months of the previous year	486
Add proportionate increase for three months during which the menons were paid at the old rate of Rs. 3.	324
Special allowance to Palghat menons.	715
Total	6,298
† Estimate for 1898-99	6,298
Deduct special allowance	715
	5,583
Add proportionate increase for first three months when pay was given at the old rate	1,093
Provision for arrears	500
Total	7,176

Resolution—Mis. No. 706, dated 1st February 1898.

The Collector's letters will be submitted for the orders of Government.

2. In connection with the registration of janmam titles, Government in its order No. 2573, R.D., dated 1st July 1896, sanctioned the employment of a gumastah menon on Rs. 5 per mensem, for a period of six months, in each amsam of the several taluks in the Malabar district, excluding the Wynaad and Cochin. This period recently expired in the case of 56 gumastahs in Palghat and of 51 gumastahs in Walavanad, in which taluks the work of registration is now in progress. The Special Deputy Collectors having applied for the further retention of the menons, the Collector requests sanction for the retention of all temporary menons entertained under the Government Order, until the work of registration is completed. The Board recommends that the sanction asked for may be granted.

3. The amount originally sanctioned for the current year on account of gumastah menons was only Rs. 2,000, but an additional allotment of Rs. 8,000 has been sanctioned by the Board in the Land Revenue Department. For the ensuing year, a provision of Rs. 10,000 has been made in the budget estimates sanctioned in G.O., No. 1082, Financial, dated 23rd December 1897. The Collector reports that these grants are sufficient.

(True Copy and Extract.)

(Signed) R. V. SRINIVASIAH,
Secretary.

To the Secretary to Government, Revenue Department,
with copy of Board's Proceedings, No. 9948,
dated 15th December 1897.

Collector of Malabar.

Copy to the Secretary to the Commissioners of
Land Revenue Department.

Order—No. 709, Revenue, dated 24th November 1898.

Miscellaneous.

With reference to its Proceedings, No. 9599, dated 30th November 1897, recorded in G.O., No. 6445, dated 16th December 1897, read above, the Government agrees with the Board, and considers, apart from the question of the protection of the revenue, that it is essential not only for promoting the security of title, but also for dealing with the economic and agrarian problems which arise in the Malabar district, that the real proprietor should be brought on the record, and the initial interest in the soil legally registered. It cannot be doubted that such registration, even if only for revenue purposes, will have great effect and that the legal title will in time coincide generally with the registered title. Another indirect benefit which may be looked for as a result of the enquiry is that many unfounded and factitious janmi titles will in all probability disappear to the great advantage of the occupant.

2. The Government agrees with the Board of Revenue that the present operations should be completed as quickly as possible; and approves the following proposals which the Board has made with this object. These are—

(i) *The increase of the number of Revenue Inspectors to fifteen in each of the Palghat and Walavanad taluks.*—As 21 Inspectors are already at work in the two taluks, the Board's recommendation is in effect to appoint nine more officers. It is presumed that the services of nine peons will be required to attend on the additional Revenue Inspectors.

(ii) *The retention of the temporary gumastah menons till the registration work is completed.*

(iii) *The employment of two additional parties for registration in the Ponnani and Kurumbranad taluks.*—For the former taluk the Supervisor of the Settlement Party in Malabar will be deputed and he will be allotted from that party as many hands as he requires. For the Kurumbranad taluk an establishment similar to that in Palghat or Walavanad will be allowed. Separate orders will be passed regarding the proposal to appoint M.R.Ry. E. Krishnan, retired Sub-Judge. The Board is requested to advise how the services of the portion of the settlement establishment that is not required for the registration work in the Ponnani taluk should be utilized.

3. The Board is also requested to report whether field-books have been obtained from the Survey Department for all the taluks. In paragraph 2 of its Proceedings, dated 20th October 1897, it stated that it had consulted the Superintendent as to the multiplication of copies of the field-books. The result of the enquiry should be reported for the information of Government.

4. It is observed that the sample register for the Palghat taluk submitted with the Board's Proceedings, dated 26th October 1897, contains a column for "Occupant", differing in this from that for Walavanad. The Board should report whether this column is filled in only when a janmi desires the registration of a person as occupant under section 14 of Act III of 1896, and when this is not the case and the real janmi is known, whether further enquiry is made to ascertain who the occupants are.

(True Extract.)

(Signed) G. S. FORBES,
Secretary to Government.

To the Board of Revenue (Revenue Settlement).
Copy to the Board of Revenue (Land Revenue).
" " Accountant-General.

RESOLUTION—No. 439, dated 3rd December 1898.

Communicated to the Collector of Malabar and the Assistant Commissioner in charge of Revenue Settlement, Party No. VI.

2. The Collector is requested to report at a very early date, in consultation with the Assistant Commissioner and the Supervisor,

(a) how many hands should be allotted from the Settlement Party to work under the Supervisor in the Ponnani taluk;

(b) whether the remaining hands of that Party can be utilized, wholly or partially, for work under the Janmam Registrars in Kurumbranad, Palghat and Walavanad taluks;

(c) what additional establishments, if any, will have to be entertained, with reference to the scale sanctioned in paragraph 2 of the Government Order; and

(d) from what date the Supervisor's deputation may commence.

In framing proposals on the above points it may be assumed that the only settlement operation that will be conducted in the district for some time to come, will be the inspection of classified villages by the Assistant Commissioner. A list showing the present staff of the Settlement Party and the proposed distribution thereof should be submitted, as also the necessary proposition statements for the additional establishments, if any, that may be required.

3. The Collector is also requested to ascertain and report whether field books have been obtained from the Survey Department for all the taluks, and if not, when they are expected to be received. It is observed that the Superintendent of Survey estimated that the field books for all the taluks would be ready by the end of March last.

4. As regards the multiplication of copies of field books (paragraph 3 of the Government Order) the Board begs to state that the result of the enquiry referred to was reported for the information of Government in Board's Proceedings, No. 719, dated 19th November 1897, and No. 10212, dated 31st December 1897.

5. The Collector is requested to furnish the information called for in paragraph 4 of the Government Order.

(True Copies and Extract.)

Secretary.

To the Collector of Malabar, with copies of "sample register."

" Assistant Commissioner in charge of No. VI Party.

Copy to the Superintendent of Survey.

" " Secretary to Government, Revenue Department.

" " Land Revenue Department.

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Revenue Department

Read B. P. No 439
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Order misc No 2850/18 Jan 1899

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To the Board of Revenue No. 20-1-99

at up with another.

Note. The information called for in para 2 (iii) of G.O. 709 24.11.98 re: how the services of the portion of the settlement establishment that is not required for registration in the Ponnani taluk should be utilized will, it is presumed, be furnished on receipt of the report for in para 2 of the B.P.

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