

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	561	Press
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96-97		
Dated	4 th March 1969.	

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Revenue Department,
4th March 1869.*

No. 96. Read the following Proceedings of the Board of Revenue, dated 18th December 1868, No. 8,879.

Read the following papers:—

Board's Proceedings, dated 14th September 1868, No. 6,546.

Letter from the Officiating Inam Commissioner, to the Acting Secretary to the Board of Revenue, dated Madras, 14th October 1868, No. 17.

In reply to the Proceedings (enclosures herewith returned) of the Board of Revenue, dated the 14th September 1868, No. 6,546, I have the honor to state that there is no written statement of evidence in this Office for the case therein referred to. The only records kept in this office of the inquiries conducted by this department, are the Statement presented by the Inamdar, and attested by the Village Officers, and the Register prepared by the Deputy Collector on the verbal inquiry conducted by him in the presence of the Village Curnum and the Inamdars.

2. It will be observed from the Inam Register, and from paragraph 8 of Mr. Thornhill's letter, that the Muttum was claimed before the Deputy Collector by one Bhagavan Doss as its then holder, and that his claim was supported by the evidence of the Curnum.

3. I do not think that it will be of any use at this distance of time to call upon the Deputy Collector, who settled the case, to report upon what evidence he based his opinion that, the Muttum and garden were held tax free, with the permission of the Revenue Authorities. As the Muttum and Garden were held tax free at the date of the inquiry, while all the other Inams attached to the Muttum were paying assessment, and as no assessment had been collected on the garden at any rate for nearly twenty-four years previous to the enquiry, the Deputy Collector naturally concluded that the garden had never been resumed along with the other Inams belonging to the Muttum, and that its enjoyment, tax free, was with the permission of the Revenue Authorities.

4. The fact of the Muttum having been under Government management in 1837, was evidently not brought to the notice of the Deputy Collector. But I do not see how, when the garden had once been subjected to assessment, it could afterwards have been allowed to be held tax free without some orders either verbal or written, of the Revenue Authorities.

5. Under the circumstances recorded by the Deputy Collector, the confirmation of the Inam was in accordance with the rules of the Department. The garden was stated to have been held free of tax for upwards of fifty years, and not to have been included in the order of resumption, and the Muttum was also reported to be in existence at the date of settlement. I, however, see no objection to the Inam being now fully assessed, if the Muttum does not exist and no charity is rendered, since the Inam was confirmed on the express condition of the Muttum being kept up.

ENCLOSURE No. 1.—Memorandum on the Byragi Muttum.

ENCLOSURE No. 2.—Plan.

ENCLOSURE No. 3.—Extract from the Shrotriem Village of Poongathoor.

*Proceedings of the Madras Government, Revenue Department,
4th March 1869.*

SUBMITTED for the orders of Government.

2. These papers relate to an old ruined Byragi Muttum, situated in the village of Poongathoor, a Shrotriem village belonging to the Trivellore Pagoda.

3. This village was formerly granted rent free for the performance of certain charities in connection with the above Muttum; but these charities having been discontinued about twelve years previous to the year 1835, and the endowment grossly misappropriated by Bhagavan Doss, the village and maniem lands attached to the Muttum were resumed under the sanction of Government, granted in their Order, No. 215, dated 27th February 1835.

4. The endowment has never been restored, although petitions for its restoration have been received; but one Ramaprasad is reported to have been living in the Muttum "with the permission of Government" in 1837, when it, with the garden attached, was under the Collector's management.

5. The site is now a nuisance to the neighbourhood, and the ruined state of the building, recently attracted the attention of Mr. Fane, and gave rise to an inquiry as to its present character and position.

6. It appears that one Bany Sing calls himself the owner of the Muttum, and that the Inam Department has issued a Title Deed for the site and compound, containing more than two cawnies of land in the name of this individual, free of tax, but on the express condition that the Muttum is to be kept up.

7. The Board believe that the intention of Government in 1835 was to resume the garden and site of the Muttum, as well as every other part of the endowment, and their opinion is confirmed by the fact that the Muttum was in the hands of Government in 1837, but the Inam Deputy Collector took a different view of the case.

8. Bany Sing, the present claimant, petitioned Government in the early part of this year for the restoration of the entire endowment, when Government declined (Proceedings, dated 10th April 1868, Petition Department,) to comply with the request in respect of either "the whole or any part of the endowment".

9. It rests with Government to determine, whether they will now cancel the deed and resume the Muttum, the conditions of the grant being still unfulfilled, or whether they will take up the land under Act VI. of 1857 (for the acquisition of land for public purposes, as the site of the Muttum is required by Government, being situated within the compound of the new Talook Cutcherry at Trivellore, as will be seen from the plan furnished by the Acting Collector.

No. 97.

ORDER THEREON, 4th March 1869, No. 561.

Miscellaneous.

Poongathoor, and the land adjacent thereto, for which a Title Deed has been granted by the Inam Commissioner in the name of the "Burmakurta" for the time being of the Muttum. The individual who now holds the Title Deed is P. R. Bany Sing, residing at Madura, but the Muttum itself is stated to be in ruins, and the service to have been long since discontinued.

*Proceedings of the Madras Government, Revenue Department,
4th March 1869.*

2. A portion of the site of the Muttum is now required for the new Talook Cutcherry of Trivellore, and the attention of the Collector has thus been specially directed to the tenure on which the land attached to the Muttum is held.

3. In 1835, the Government directed the resumption of the village of Alinjocvakum and the other Maniem lands attached to the Muttum, but this order does not appear to have been carried out in its integrity. In the enquiry instituted by the Deputy Collector attached to the Inam Commissioner in October 1861, it was suggested that the Inam tenure of 3 Acres 63 Cents should be confirmed to the claimant, on payment of a quit-rent equivalent to $\frac{1}{4}$ th of the full assessment. The Special Assistant, however, in January 1862, without recording his reasons for so doing, recommended that the grant should be confirmed free of tax, and in February 1865, this course was approved by the Officiating Inam Commissioner.

4. The Government are not prepared to question the correctness of the Inam Commissioner's decision after this lapse of time, though they consider that the subordinate Revenue Authorities of the Madras District are to blame for not having then brought to notice the facts which have now come to light. They do not consider that it is advisable to cancel the Title Deed, but as the service for which the Muttum, &c., were originally granted has been discontinued, they resolve to direct that the land entered in the Title Deed be fully assessed.

5. The portion of the site required for the compound of the Talook Cutcherry should be taken up by the Collector under the provisions of Act VI of 1857, and the necessary authority is hereby conveyed for the submission of the usual Notification.

6. The Collector, in his capacity of Magistrate, should also see that the Muttum itself is not allowed to continue a nuisance. He has full power to prevent this, under Chapter XX of the Criminal Procedure Code.

(True Extract.)

(Signed) R. A. DALYELL,

Acting Secretary to Government.

To the Board of Revenue.

.. the Officiating Inam Commissioner.
.. the Public Works Department.

Ed. G. A. Terton.

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Memo on the Byragi Matham at Pongathur,
Trivellore Taluk by Mr. Jones.

In January 1835, Mr. Maclean the late Collector of Chingleput, wrote to the Board of Revenue recommending the resumption of the village of Shingirakum which had been attached as Inam to a Byragi Matham situated about a quarter of a mile from the Pagoda at Trivellore and about a hundred yards from the road leading to the Railway Station. It appears from Mr. Maclean's letter that the village of Shingirakum and 25 Caines of waste-
not included in it which had been originally granted by a former Musulman Government were on the death of the incumbent Ramasanthi, given to a Byragi by name Raghava Doss on condition that he maintained certain charities for Byragis. On reading the Purwanah given to this latter it is clearly seen that the alienation was only a temporary one to last during his lifetime. After the death of Raghava Doss, the alienation was not resumed and the charities were administered by his son until he was ousted.

Cent. of 1860 Madras.

REVENUE.

THE BOARD OF REVENUE.

Ac. 40. 20.

Dated March, 4th.

RE. L.

Secy.

G. O., 4th March 1860, No. 661

From Collector of Madras
10th July, 1860 (G.O. No. 2261-
MARCH.

Nos. 96-97.

Byragi Matham belonging to the Trivellore
Pagoda.—Land belonging to it ordered to be
fully assessed, and the portion of site required for
the Talook Cutcherry compound, ordered to be taken
under Act VI of 1837.

by Bhagavandas in 1818, on the ground that his religious principles differed from those of his predecessors in the Mathum. Bhagavandas continued to perform the duties specified in the Purananch granted to Raghava Dofs until 1822, from which time until the date of the Collector's letter (1835) he discontinued the charities and appropriated to his own use the whole of the funds which should have been devoted to them. In consequence of Mr. Maclean's representations, resumption was made by Government on the 27th February of the same year. In this order the village of Alinjivakam and the Maniam lands attached to the Mathum only are mentioned as being resumed, though nothing is said about the Mathum itself although from the Uzyes and takees written upon the subject, it seems certain that the Mathum itself was confiscated; and, according to the Regulations, would necessarily escheat to Government on the resumption of the Inam lands attached to it. From

that time nothing appears to have been done and the Mathum abandoned ever since has been occupied by divers persons who from time to time have come there. The Mathum is now quite ruined and the tank nearly so. The place until after Mr. Fane's visit noted below was overgrown with prickly pear and weeds and so infested with snakes that persons dared not pass through it. As the Mathum is close to the new Taluk Cutchery, Mr. Fane issued an order to the Tahsildar of Trivellore to put up a notice calling upon all persons to bring within thirty days from the date of the notice any documents in support of any claim they might make to it and substantiate their statements, otherwise the Mathum and the land on which it stands would be resumed. No person applied in answer to the notice, but a man by name Bani Sing calling himself the owner of the Mathum sent 10 rupees to the Collector to defray the cost of destroying the prickly pear. It appears that a Title Deed has been granted under the Inam rules by the Inam Commission for the Mathum and ground attached to it though what right he can have have

in Government property of this description
is not so clear.

Said report
18th June 1868

Signed J. B. Jones
Arch Collector

True Copy /
Mumtaz
Arch Collector

Copy
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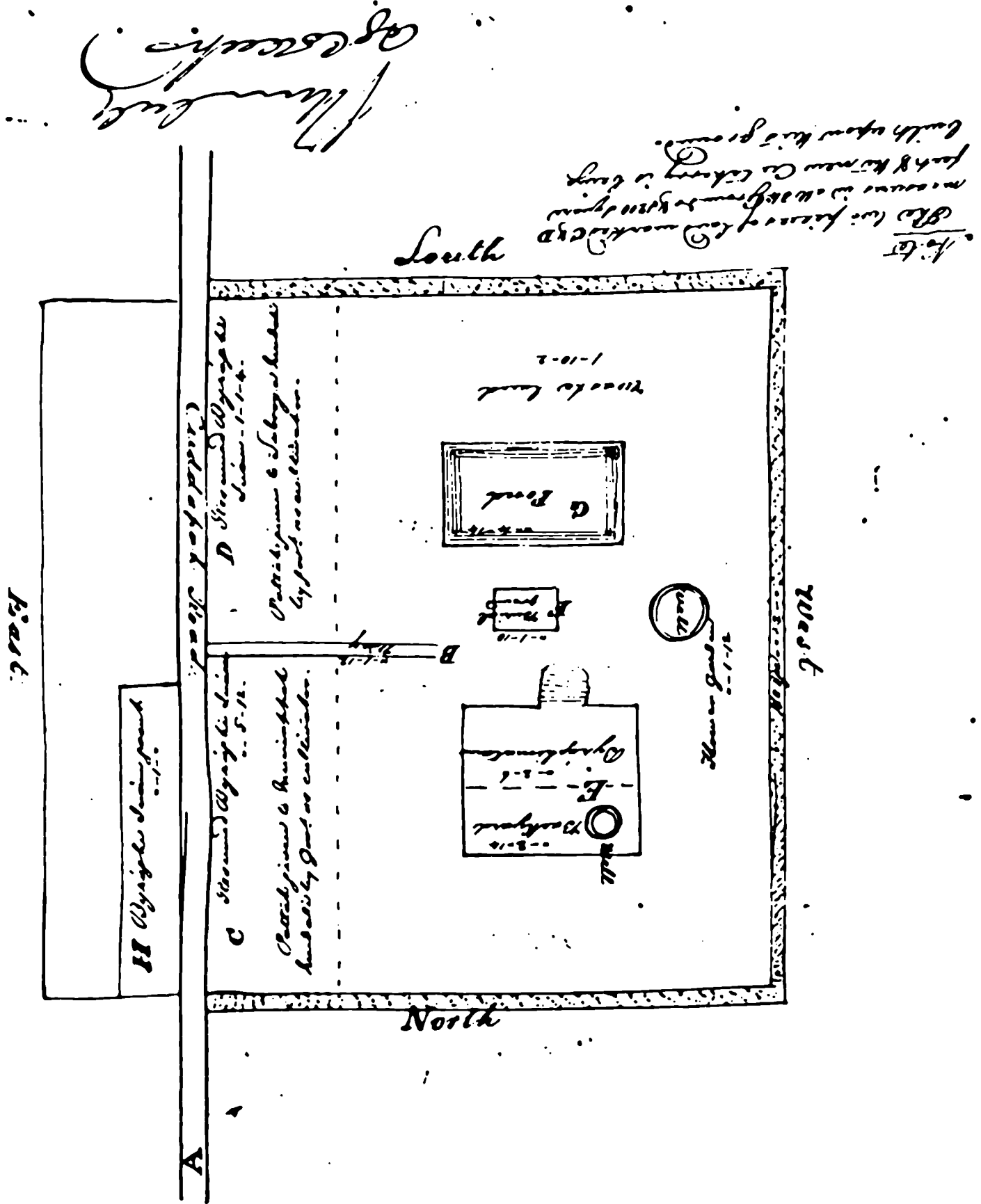
To Sir

L. P. M. M. M. 3232/18

June 1868

at 100/18

See letter from 1868
Case of 1868 17.12.1868
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Chas. Comm. Francis Officer }
• Madras, 23rd June 1868. }

Chas. Goddard
W. W. Swan
W. W. Swan Comm. & Sec.

22/10/69

Comptroller

I send the
 draft letter referred
 to. It contains a statement
 of the case for the Secretary
 to the Executive for the
 purpose of a vote in the
 State of Ohio. 1857.
 1858. 1859.

This memorandum
 is really no help
 to a knowledge of
 the merits of the
 case. Memoranda
 by the Secretary
 & other functionaries
 should invariably
 narrate the
 facts & arguments
 in the case & then
 say yes. I send
 like to be the
 draft letter & the
 contents of the
 report to be the
 penultimate part
 of this memo.

I do not see why Government should
 take up the land under act VI
 of 1857. It seems clear that
 the intention of Government in
 1835 was to secure the whole
 endowment that the constitution
 of the nation & of the State has
 been unauthorized by or unknown
 to Government. The abolition
 of the fund of the General Dues was
 one of the causes of the suspension
 of the endowment.
 The same Deputy Director appears
 to have decided in accordance with
 the views of the Dept. - but then
 was material errors in his
 statement of 1841 for printing
 in the deed. He speaks of the
 attachment of the Shaker & other
 lands - they were unconditionally
 resumed in 1835.

- A. J.

A letter from the
 Secretary dated July 11th
 1857.

Memorandum.

Byraghi Mattum
in Pongator.

Council

Revenue Department.

82-561-

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 2^d March 1869.

Read the following. Proceedings of
the Board of Revenue

Requesting Orders for re-
sumption of Old Byragi Mattum
in Madras District

H. 7. 10. 1868 A. 8879.

1. The Board request
the instructions of Govt
regarding the Byragi
Mattum, situated in the
village of Pongator
and the land adjacent
thereto, for which a Title
Deed has been granted
by the Indian Commissioner
in the name of the
Sammakurta for the time
being of the Mattum.
The individual who now
holds the Title Deed is
P. R. Ramaling, residing
at

at Madama, but the
Museum itself is stated
to be in ruins and the
service to have been long
discontinued.

2. A portion of the site of the Museum is now required for the new Salug Butchery of Trivellon, and the attention of the Collector has thus been specially directed to the Revenue on which the land attached to the Museum is held.

3. In 1835, the Govt. directed the resumption of the village Minjerathum and Minium lands attached to the Mattium, but this order does not appear to have been carried out in its integrity. In the

1121. Party. 69 H. 4.

the inquiry instituted by the Deputy Collector attached to the Indian Commissioner in October 1861, it was suggested that the Indian tenure of 3 Acre 63 Cents should be confirmed to the claimant, on payment of a Quit rent equivalent to $\frac{1}{8}$ of the full assessment. The special Assistant, however, in January 1862, without recording his reasons for so doing, recommended that the grant should be confirmed free of tax, and in February 1865, this course was approved by the Offg Indian Commissioner.

4. The Government
are not prepared to
question the correctness
of the Insurance Commissioner's
decision

decide after this lapse
of time, though they consider
that the subordinate

Revenue Authorities of
the Madras District are
to blame for not having
then brought to notice
the facts which have now
come to light. They ^{do not} ~~are~~
~~therefore, to direct that the~~
~~land attached to the~~
~~Muttam be fully informed,~~

as the Service for which
the Muttam is
is originally granted
has been discontinued

5. The portion of the
site required for the compound
of the Taluk Butcherry
should be taken up by
the Collector under the
provisions of Act VI of
1857, and the necessary
authority is hereby conveyed

6. The Collector in
his

consider that it is ~~advisable~~
to cancel the Title Deed
but

they resolve to direct that
the land entered in the
Title Deed be fully
repealed

yes. the Muttam is a ruin.
The duties attached to the
endowment have not been
performed for many years
have not

for the submission of the usual
notification.

his capacity of Magistrate
should also see that the
Muttam itself is not
allowed to continue a
nuisance. He has full
power to prevent this
under Chapter XX of the
Criminal Procedure Code.

HCD



14 Copies Letter of of Revenue Department
5 - - - - - (for the Revenue Commissioner)
50 - - - - - (for the District)

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W. H. Bell

J. H.
The Old Burying
Ground in Na-
selle, C. D.

P.

Respectful
at Thane