

Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 4656

DATED 28th November 98

[Despatch Abstract.]

Recording B.P. Submitting
proper report of Jannam of Collectors in Malabar
for April 1898.

BACK PAPERS.

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

FURTHER PAPERS.

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

Revenue (1898) Department.

CURRENT No. 4396

From

The Board of Revenue,
Revenue Settlement,
Land Records and Agriculture
Madras.

No. 3636/1901

Order mis N^o 4656728¹ Nov^r 1898

Recorded.

orders have ~~been~~ now
issued on 13.12.98

25-11-98

11/2/99

James Board (left) Dec 30-11-98

Dated 17th June 1898

Received 21 -

Registered 22 -

Enclosures 2

Spare copies

SUBJECT.

Submitting to Government,
with remarks, statement
showing the progress made
in the registration of
Jannam titles in Mala-
bar, for the month of
April 1898.

11/2/99

BACK PAPERS. A

G.O.	No.	Department.	Date.
	C. no. 3739 4-28		
	act-III 13 1896		
	G. 2027 18-5-96		
	Bo 620		

20-10-97

FURTHER PAPERS.

G.O.	No.	Department.	Date.

N.O. 1010
Rev. 1898

Statement showing the progress made in the registration of Janmam Titles in Malabar, under Madras Act III of 1896, for the month of April 1898

Appendix A.

Taluk.	Total no. of items as per Survey and Settlement registers	No. of applications received						
		Up to the end of last month				In this month		
		Disputed cases		Judis. cases		Disputed cases		Judis. cases
		No. of applications	No. of items involved in the application	No. of applications	No. of items.	No. of applications	No. of items.	No. of applications
1	2	3	4	5	6	7	8	9
By the Special Dy. Collector Palghat.	183,297.	4999	22963	9594	19214	205	1344	"
By the Tahsildar of Palghat		"	"	10979	30244	"	"	"
Ponnani		166,164	2683	5200	10553	13475	"	192
Total:	349,461	7682	28163	31126	62933	205	344	192
By the Special Dy. Collector Walluvanad.	156,156	2066	3943	4575	20275	28	56	231
By the Tahsildar of Walluvanad		"	"	13416	34138	"	"	"
Total.	156,156	2066	3943	17991	54413	28	56	231

for registration					No. of applications disposed of							
Total					Up to the end of last month				In this month			
Disputed Cases		Judis. - puted cases			Disputed Cases		Judis. - puted cases		Disputed Cases		Judis. - puted cases	
No. of items	No. of applications	No. of items	No. of applications	No. of items	No. of applications	No. of items	No. of applications	No. of items	No. of applications	No. of items	No. of applications	No. of items
10	11	12	13	14	15	16	17	18	19	20	21	22
"	5204	24307	9594	19214	2333	6924	9494	18440	62	370	24	51
3251	"	"	11171	33495	"	"	9979	28432	"	"	650	4120
"	2683	5200	10553	13475	204	283	9461	12035	"	"	"	"
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
3251	57887	29507	31318	66184	2537	7207	28934	58927	62	370	674	4171
1349	2094	3999	4806	21624	1443	2394	3033	16866	70	153	591	2548
"	"	"	13416	34138	"	"	946	3853	"	"	233	356
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
1349	2094	3999	18222	55762	1443	2394	3979	20719	70	153	824	2904

N.º 1010
Rev. 298

Statement showing the progress made
in Malabar, under Madras Act

pendix. A.
in the registration of Janmam Titles
III of 1896, for the month of April 1898

No. of applications disposed of (Continued)				No. of applications pending at the end of the month				Items disposed of by the Registering Officer at his own motion.				Particulars of items disposed of as per cols. 24, 26 & 33.				Remarks.		
Total				Disputed Cases		Undisputed Cases.		Up to the end of last month	In this month	Total.	Number finally registered		Total.	No. of items pending disposal.	Difference. Cl: 2 & 36.			No. of items inspected by the Revenue Inspectors & awaiting order of the Settlement Officer.
Disputed cases	Undisputed cases	Disputed cases	Undisputed cases	No. of applications	No. of items	No. of applications	No. of items				No. covered by tenants' applications or registered by the Registering Officer at his own motion & requiring further action.	No. covered by tenants' applications or registered by the Registering Officer at his own motion & requiring further action.						
23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	
2395	7294	9518	18491	2809	17013	76	723	63511	7458	70969	16673	80081	96754	41004	53016.	The Easter and the Visuk holidays account for the difference between the figures of March & April.		
"	"	10629	32552	"	"	542	943	10641	2346	12987	20096	25443	45539					
204	283	9461	12055	2479	4917	1092	1420	800	"	800	5192	7946	13138	153026	7073.			
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		
2599	7577	29608	63098	5288	21930	1710	3086	74952	9804	84756	41961	113470	155431	194030	60089.			
1513	2547	3624	19414	581	1452	1182	221	5624	1016	6640	18267	12334	28601	122766	72749.	The Easter and the Visuk holidays account for the difference between the figures of March & April.		
"	"	1179	4209	"	"	12237	29929	"	"	580	2866	1923	4789					
✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓		✓	
1573	2547	4803	23623	581	1452	13419	32139	5624	1596	7220	21133	12257	33390	122766	72749.			

Continued: J. H. Gwynne

Malabar Chis Office. Calicut. 27.5.98.

(Signed) J. H. Gurnee
For R. S. Collector.

N.O. 1010
Rev. 298

Statement showing the progress made in the registration of Janmam Titles
in Malabar, under Madras Act III of 1896, for the month of April 1898

Appendix. A.

4

	Nalgeshat			Ponnani			Wallaavanad		
	March		April	March		April	March		April
	By Collyer	By Taluqdar	Total	By Collyer	By Taluqdar	Total	By Collyer	By Taluqdar	Total
(1) No. of items relating disputed cases to applications disposed of during the month	625	370	1000	93	153	246	93	153	246
(2) No. on the officers own motion.	2589	2968	5557	2219	533	2752	2219	533	2752
(3) No. of items finally registered during the month.	10467	2385	12852	676	1076	1752	676	1076	1752
	13056	5353	18409	2895	533	3428	2895	533	3428
	2589	1352	3941	1755	274	2029	1755	274	2029
	10467	2385	12852	676	1076	1752	676	1076	1752
	13056	5353	18409	2895	533	3428	2895	533	3428
	2589	1352	3941	1755	274	2029	1755	274	2029
	10467	2385	12852	676	1076	1752	676	1076	1752
	13056	5353	18409	2895	533	3428	2895	533	3428
	2589	1352	3941	1755	274	2029	1755	274	2029
	10467	2385	12852	676	1076	1752	676	1076	1752
	13056	5353	18409	2895	533	3428	2895	533	3428
	2589	1352	3941	1755	274	2029	1755	274	2029
	10467	2385	12852	676	1076	1752	676	1076	1752
	13056	5353	18409	2895	533	3428	2895	533	3428
	2589	1352	3941	1755	274	2029	1755	274	2029
	10467	2385	12852	676	1076	1752	676	1076	1752
	13056	5353	18409	2895	533	3428	2895	533	3428
	2589	1352	3941	1755	274	2029	1755	274	2029
	10467	2385	12852	676	1076	1752	676	1076	1752
	13056	5353	18409	2895	533	3428	2895	533	3428
	2589	1352	3941	1755	274	2029	1755	274	2029
	10467	2385	12852	676	1076	1752	676	1076	1752
	13056	5353	18409	2895	533	3428	2895	533	3428
	2589	1352	3941	1755	274	2029	1755	274	2029
	10467	2385	12852	676	1076	1752	676	1076	1752
	13056	5353	18409	2895	533	3428	2895	533	3428
	2589	1352	3941	1755	274	2029	1755	274	2029
	10467	2385	12852	676	1076	1752	676	1076	1752
	13056	5353	18409	2895	533	3428	2895	533	3428
	2589	1352	3941	1755	274	2029	1755	274	2029
	10467	2385	12852	676	1076	1752	676	1076	1752
	13056	5353	18409	2895	533	3428	2895	533	3428
	2589	1352	3941	1755	274	2029	1755	274	2029
	10467	2385	12852	676	1076	1752	676	1076	1752
	13056	5353	18409	2895	533	3428	2895	533	3428
	2589	1352	3941	1755	274	2029	1755	274	2029



Proceedings of the Board of Revenue
(Revenue Settlement, Land Records and Agriculture),

Dated 14th June 1898.

No. 3636. mis.

READ

the progress report of Janmam
* Copy Reached registration, submitted by the
Collector of Malabar, for April
1898, with No. 1010
Rev. 798, dated 27.5.98.

Resolution.

Submitted to Government
in continuation of Board's Pro-
ceedings, No. 3220. mis, dated 19.5.98.
Cm 3739/98.
V: 2652
22.6.98.

2. On June 8th & 9th, the Settle-
ment Commissioner met the Collector
(Mr. Parsons), and both the Special
Deputy Collectors, at Calicut, and
discussed with them the progress
made in registering Janmam
titles.

3. From the commencement, progress reports have been showing a considerable amount of registration as accomplished by the Tahsildars, and it only recently occurred to the Commissioner to enquire under what authority they were deemed competent to order registration. He finds that the question was raised by the Special Deputy Collector of Wallavanad (M. R. Ry. C. Gopalan Nair), and that the Collector ruled in August 1897 that the Tahsildars were competent registering officers, and should continue to register titles in undisputed cases.

This appears to have been the general opinion, but the Commissioner can find nothing in Act III of 1896, or elsewhere, under which the Tahsildars are, or can be empowered as

as Tahsildars to perform the duties of Collectors under Section 6 of the Act.

Under section 3 of the Act, Tahsildars can be, and have been, empowered to receive applications; and under G. O. No. 202. Rev. 18.5.96, they have been empowered to enquire into titles, but under section 6 of the Act, "a collector" alone can order registration, and a Collector cannot do so unless he has held the prescribed enquiry at the appointed time and place. If the "Collectors" are unable to attend at the time and place appointed under section 6, the Tahsildars cannot act for them as they have been doing.

4. Under this view, the District Collector should prohibit the Tahsildars, from ordering registration.

registration in future, and the registrations ordered by them must be eliminated from future progress reports. The Special Deputy Collectors must take such formal steps as are necessary to enable them to order registration in the undisputed cases disposed of by the Tahsildars.

In some instances the Special Deputy Collector was present when the Tahsildar ordered registration under section 6, and in such cases, the Special Deputy Collector can at once pass orders without infringing the section.

Where the Deputy Collector was not present at the time and place appointed under section 6, and the Tahsildar ordered registration in his

absence, there seems no alternative but to issue a fresh notification.

5. The next point which the Commissioner wishes to note is that in para 9 of Board's Proceedings 680. Press 20.10.97, a mistake was made in assuming that an appeal lay to the District Collector, under section 10(1) of the Act, from an order of the Special Deputy Collector. The District Collector (Mr. Dance) was in fact beginning to hear appeals under Section 10(1), and the Commissioner was misled thereby. Under the Act, the District Collector need entertain no revision application unless he chooses, and it is doubtless expedient that revision applications should generally

decide

P
C 9549

registration in future, and the registrations ordered by them must be eliminated from future progress reports. The Special Deputy Collectors must take such formal steps as are necessary to enable them to order registration in the undisputed cases disposed of by the Tahsildars.

In some instances the Special Deputy Collector was present when the Tahsildar ordered registration under section 6, and in such cases, the Special Deputy Collector can at once pass orders without infringing the section.

Where the Deputy Collector was not present at the time and place appointed under section 6, and the Tahsildar ordered registration in his absence

absence, there seems no alternative but to issue a fresh notification.

5. The next point which the Commissioner wishes to note is that in para 9 of Board's Proceedings 680. Press 20.10.97, a mistake was made in assuming that an appeal lay to the District Collector, under section 10(1) of the Act, from an order of the Special Deputy Collector. The District Collector (Mr. Dance) was in fact beginning to hear appeals under Section 10(1), and the Commissioner was misled thereby. Under the Act, the District Collector need entertain no revision application unless he chooses, and it is doubtless expedient that revision applications should generally

decide

P
C 9549

decided by the Special Deputy Collector, who passed the order, revision of which is sought.

6. It is to be regretted that no steps have yet been taken to comply with the requirements of Section 9(1) regarding the publication of registrations in the District Gazette. The attention of the acting Collector Mr. Parsons is invited to paras 6 & 7 of Board's Proceedings. $\frac{680}{20.10.94}$. An application for the necessary advance for printing charges should be made without further delay, supported by an estimate shewing the approximate cost per item of printing and circulation. The lists of registered lands will have to be published in Gazette extra-ordinary.

ordinary, and the cost of printing and postage will be recoverable from the gannis concerned.

7. The prescribed Form of Progress Report exhibits very imperfectly the amount of work done, and it is now too late to attempt to reconcile the different methods in which the two Special Deputy Collectors have been reckoning the disposals of applications and items.

Both officers agree that on an average they can not hope to dispose of more than 300 disputed items (ie - Subdivisions of Survey fields) in a month. The enquiry in disputed cases appears already to be as summary as it can be made.

For the more rapid registration of undisputed cases, a larger staff of Revenue Inspectors is required, and the early orders of Government on this point are required.

Para 15 of Board's Proceedings 680,
dated 20.10.97 are accordingly
elicited.

8. It will be a useful
supplement to the monthly pro-
gress report if the Special De-
puty Collectors submit there-
with, a Taluk Skeleton map
showing by the following sym-
bols the progress made in each
Desam. —

 = one quarter done

 = one half done

 = Three quarters done

 = Completed.

The Superintendent, Revenue
Survey, will be requested kindly
to furnish 24 Skeleton maps of
Palghat and Malavanad Taluks,
showing Desams in outline,
each Desam being identified
by its allotted number.

It is understood that the
maps can be easily supplied.
The Special Deputy Collectors
will fill up a map in the man-
ner indicated, and submit
one with each monthly progress
report. They can enter such
brief remarks in the map, as they
think will tend to a clearer
understanding of the progress
made.

(True Extract.)

R. V. Iminian
Secretary.

To, Secretary to Govt., Rev. Department,
with 2 statements.

Supd. of Revenue Survey Mar 8 only
Copy to Collector of Malabar with
copy of B. N. No. 3220
19.5.98

Encl
1876

Read B.P. 3636 m. dy 17. 6.
(Cuo 4396).
(Cuo 5111)

Note.

with its Progs: read abt
the Board of Revenue submit
with remarks, a statement sh
ing the progress made in the regis
tration of gannam titles in
Malabar for the month of April
1898. A comparative abstract
statement of the work done dur
the month is appended to the
B.P. and from ^{which} ~~this~~ it will
be seen that the out-turn of
work by the Special Dy Coll.
Balghat shows a considerable
decrease under all items, that
by of the Special Dy Coll. Walluvan
exhibits an increase, while
that by the Puthiada Tahsildar
constitutes, as usual, the
major portion of the out-turn (undisputed cases)
and shows generally an increase
over that of the preceding
month. The Easter and the
Vishu holidays are stated to
account for the difference between
the figures of March and

79 L

✓ 5

in figures
only

vide Remarks column of
Appendix A to B.P.

oil, but this explanation
it is submitted, but
considered satisfactory
with respect of the Palyhat
period by Colbr's short out-turn
being that, during the month,
both the Tahsildars and the
Tahsildars of Palyhat, the
period by Colbr, Walluwanad,
and the Tahsildars of Walluwanad
have found it possible to
exhibit of an increased out-turn.

2. In paras 3 & 4 of its report,
the Board of Revenue discusses the
question ^{as to} whether Tahsildars,
by whom a considerable amount
of registration has been accomplished
from the beginning, are legally
competent to ~~make~~ order registration.
The Board (Selt. Commr.) points out
that there is nothing in Act III
of 1896 or elsewhere, under which
Tahsildars are, or can be
empowered as Tahsildars, to
perform the functions of Collectors
under section 6 of the Act, that
under this section "a collector" alone
can order registration, ^{that he} ~~and a collector~~
must do ^{this} unless he has
held the prescribed enquiry

There is no telling;
the absence of the
work ~~might~~ ^{may} have
been even complicated.

87

at the appointed time in
place, and that if he is unable
to attend at the time and
place appointed under
Sec 6, the Tahsildars can
act for him as they have
been doing. The Board
Revenue has accordingly
inhibited the registration
titles by Tahsildars in
future and has directed
the adoption of the requisite
measures to bring under
formal (according to law)
registration all the cases
already registered by Tah
sildars. The Collector has
also been instructed to
eliminate from future
returns the number of
registrations done by Tah
sildars.

The Board's orders
are correct, for, under
Madras Act VII of 1857,
the Collector may be authori
zied to do the duties
assigned by law to a Collector.

Spence & Co.
Act & not available.

ilut a Tahsildar cannot
be so authorized unless
there is a specific provi-
sion in the law

3. Para 5 of B.P. - The
Board ^{corrects a mistake} modifies its opinion
expressed in para 9 of
B.P. 680 in the matter
20-10-97 of appeals against regis-
tration. It said appeals lay to the

Flag P.

Collectn (meaning District Collectn) ^{Sec 10(1)} and under the act the Special Dy. Col-
l. Para 6 of B.P. - The "Collector" can revise.

Collector's attention has
been drawn to the desira-
bility of taking prompt
measures for giving notices
of registration, as required
by Section 9(1) of
Act III of 1896 in cases
in which the persons re-
gistered have not applied
under Section 3.

in the District Gazette also
if his address is known by sending
a letter & post registered.

5. Para 7 of B.P. - The
Board requests early orders
relative to the strengthen-
ing of the staff of Revenue
Inspectors, proposed in
B.P. 680 & 20-10-97

Flag P. in circ. to H.B.

6. Para 8 of B.P. In-
structions

Instructions have been issued
to append to the monthly
progress reports, a taluk
sketch map indicating
therein the progress made
in the registration of
titles in each desam, and
the Superintendent of Madras
Survey has been requested
to supply the maps re-
quired.

RS
13-7-98

Levy

The Talukdar has been
registering undisputed cases only.
It will be a great waste of
time if all these are to
be done over again. It might
be considered whether a
short amendment to act III
of 1896 might not be passed
at once ^{improving} ~~abolishing~~ ^{legislation}
the Talukdar to order
registration of undisputed
cases & legalising their
past work in this direction.
~~The Board~~ ^{The Board} might be
first asked if it ~~has~~
seen any objection ^{all}
17-7-98

by the Dy. Collector who
transfer the Dy. Collector
to future if they are
to do this work

wait a few days for the
 janman title now with
 H.E.

8/19/7/98

per [unclear] 20
 8/19/98

Secy.

The Bd's review of the
 Progen reports for
 May June July
 & August are also

put up. The question of
 amending the act so as
 to ~~of~~ ^{to} import ~~ing~~ ^{ing} ~~tal~~ ^{tal} ~~audan~~ ^{audan}
 register underpated
 cases has now to
 be considered.

me
 23/11/98

When
 When
 When
 for copying
 ed
 nined
 ed
 189

IN G.O. No.
 189

DATED

Order

No.

also
 ending

OF GOVERNMENT

.. .. A A A A A A A

OF GOVERNMENT.

WITH DITTO.

NOT FILED UP, BEING MEANT FOR DISPATCH
 IN ORIGINAL.

N.B.-

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.