CHAPTER - III

INAM COMMISSION AND ITS WORKS
The primary and abiding interest of the colonial Government in the settlements of Inam was the extraction of a part of surplus in the form of increased quit-rent. In Madras Presidency, after much debate and several experiments, the British took interest into an arrangement to this end with the Inamdars. This remained throughout the nineteenth and twentieth centuries as the basic institutional form through which the Inamdars were dealt all over the Presidency.

The other factor that influenced the Government was the concern of the British to continue the traditional institution for the fear that the total abolition would bring a social revolution against its rule. Most of the Inamdars, whatever may be the nature of their position, were continued during the initial stages of the colonial rule.

The official policy in Madras Presidency was predisposed to disturb the traditional structure. The reasons for the positional change in the privileged structure were many. The major cause was the pragmatic political consideration of causing as little dislocation as possible to the sustenance of these traditional elites. This would ensure a social and political security to the alien Government as well as the steady, though less, source of income to it. It was made clear in the despatch of the Court of Directors stating that the settlements of Inam was necessary for two objects:

On the one hand to vindicate the just rights of the State, meaning thereby not the Government but the great body of the public, by retrenching exemptions and privileges standing on no valid ground, and injurious to the payers of revenue generally and thus making it practicable to lighten the burden of taxation to the general body, or to devote a large amount annually to the execution of public works for their advantage;
and on the other hand, to confirm the titles of the rightful holders of Inam.

The settlements of Inam assumed importance as it involved the sacrifice of a large amount of revenue to the Government. The concern for the revenue was so much that it fixed higher quit-rent on different types of Inams when compared to the earlier rents. Such a difference was the result of the policy of private economy pursued by the British Government in the belief that it would bring about a commercial revolution in India. The other reason, according to the Government, was the confused state of affairs of Inams that forced it to establish the Inam Commission for the settlements. This made the colonial government to recognize the importance of a general inquiry into the titles of these privileged land tenures. The earliest measure which they adopted was a rough revenue survey.

Experiments prior to Inam Commission:

In pursuance of the policy indicated by the Court of Directors, a general survey of the lands in the whole of the Presidency, except Northern Circars was conducted and the Inam lands in every village were carefully recorded.\(^1\) But

\(^1\) Despatch from the Court of Directors, No. 8, dt. 1 September, 1858, in CPRIS, p.31, para 4.
\(^2\) The Government recognized the importance of investigating the titles of Inams in the beginning of their rule itself. Accordingly, the inquiry was held in all parts, except in Northern Circars because most of the land in this part of the Presidency held by the Zamindars. The reason for not instituting the inquiry was that the policy did not allow the Government to carry out investigation in those lands whose administration was entrusted to others. In these lands a general scrutiny into the rights of Inam holders was not admitted but the Government now and then made a partial investigation of such tenures in limited tracts. The result was that Inam lands were largely left without a proper inquiry of the titles from the Government in the initial years. Blair Report, in CPRIS, Madras, 1948, p.312, para 8.
due to the unsettled state of the British administration and also the inadequacy of its administrative apparatus, the inquiry proved rather very imperfect.

The Government, when found their Revenue Surveys failed to achieve the object for which it was carried on, passed a number of regulations, in order to safeguard their reversionary right in Inam. Regulation XXXI of 1802 empowered the Collectors to inquire into the titles of the Inamdars. The government according to the section II of the regulation could take action against those Inamdars who did not register their lands at the Cutchery. However, it was not able to implement this regulation as the administration had not penetrated deep into all parts of the Madras Presidency. The next attempt was made in 1825 when orders were issued for inquiring the Inam tenures and a special establishment was sanctioned for that purpose in Bellary district of the Madras Presidency. But these measures failed to materialize.

There were other attempts through the Regulations IV of 1831, XXXI of 1836 and XXXIII of 1838 which prohibited civil courts from taking cognizance of suits relating to personal or hereditary Inams whose creations or continuance was due to the British government. Regulation VI of 1831 extended this prohibition to hereditary village service Inams. These regulations did not prove to be a success. In 1845 the government issued orders to local officers, to examine the matter of continuance of confirmation of Inams. The government limited the continuance of charitable grants to the lives of the existing holders, on the ground that it was objectionable in principle to exempt a portion of the land for the maintenance of a class of persons who had no

3 Section II, Regulation XXXI, of 1802 in MELAC, part I, Pp.198-199.
"legitimate" claim on the state. In 1846, the government ordered that Inam lands should not ensure for the benefit of adopted heirs, unless the adoption had been intimated to it at least six months prior to the death of the Inamdar. These and other similar rules passed by the government gave rise to the revolt of Palegar Narasimha Reddy in the then Cuddapah district. After this revolt the government changed its policy with regard to the Inamdar's rights in land for a higher period. All the Inams were continued according to the instruction of the government, except in few, where there was dispute in the possession of title. The immediate resumption or forfeiture of Inams on the failure of an issue, thus, was abandoned, for the time being. But, at the same time, a notification was issued prohibiting the Inamdars without a sanad from "alienating" their Inam lands and warning other people from purchasing them. This notification caused serious anxiety and discontentment among the people.

During the middle of the nineteenth century the government wanted to revise the assessment throughout the Madras Presidency. The government during this time was under pressure for more revenue and held the opinion that the "proposed inquiry would be one source from which to replace the immediate loss of revenue". The Government aware of the fact that the revenue accrues from the Inam lands "would not be great, but ultimately it would be very

5 The Government has given lot of importance to the sanad because the failure to produce it would enable it to resume the Inam land. This idea did not reflect while the grant was made by the grantor in the pre-colonial period. "What the ruling power did bestow by the issue of a sanad of Inam, was the alienation of a portion of the land tax to some specific object, sometimes in favour of an individual for past or present services, sometimes as a mere mark of the favour or caprice of the sovereign, sometimes to a community or public institution, in the nature of an endowment for its support." Refer Minute of W.Elliot, 16 June, 1859, in CPRIS, p.56, para 9.
considerable". These factors received the attention of the court of directors and they sent their assent through their revenue despatch No. 17, 1856. The government also wanted to formulate a policy which comprehensively dealt with the Inams in Madras Presidency. The earlier surveys made clear that they were not done properly. The details of the surveys carried out at different periods varied from district to district according to the Revenue officer's views and capacity. The investigations were determined to some extent by local factors. The methods followed at different times were not the same and were sometimes not just. The methods pursued by the Revenue officers affected many Inamdars, since they practiced extortion and oppression on holders eventhough the hereditary titles possessed by the holders were proved valid. Their effects on land revenue were in many instances harmful, for the assessment was done blindly on the survey rates. The initiation of the general survey and revision of the assessment led to definite proposals being made to the home government for the appointment of a special commission to deal with Inam tenures of all kinds. Accordingly, the government established the Inam commission on 16th

8 Ibid., para 22.
9 G.O. No.1069, 9 August, 1859, p.63, para 5.
10 No.8, Despatch of Court of Directors, 1 September, 1858, p.31, para 4. In some districts the register of Inams was prepared without reference to the records of Collectors office. Such incomplete investigation of Tahsildars was the result of non cooperation of different officials in the administrative structure of the early British Government. The papers were moved in different directions again and again, uselessly, and were sent back for further enquiry, which needed fresh witnesses to be taken again. This process involved lot of time and money which was a source of annoyance to both the officers and Inamdars. It ultimately resulted only in the corruption of the officials. See G.O. No.1069, 9 August, 1859, p.64, para 6.
11 The Government kept the reversionary right to itself and resumed Inams wherever it was possible. It did not favours the continuation of Inams wherever the lapses occurred. The Government defended its action arguing that if it
November, 1858 during the period of Lord Harris, with G.N. Taylor as its commissioner. In his reports of 22nd February and 28th March in 1859, Taylor proposed certain modes of procedure with regard to the registration of Inams, the object of which was to be carried on through the district revenue agency either under the orders of the Inam Commission or of a member of the Board of Revenue. These principles served as a temporary measure in the investigation of titles of Inams. Later, Sir Charles Trevelyan assumed charge as the Governor of Madras, and the first question engaged to his attention was the settlement of the Inams in the Madras Presidency. In his minute of 13th May, 1859, Trevelyan proposed certain rules by which the principles enunciated by the court of directors were to be practically applied by the Inam Commission in the investigation of the titles of Inams.

exempted one class of persons it would increase the burden upon others. The principles of justice and institution of private property also caused the Government to resume the Inam lands. Later it pointed out that the continuation of Inam lands has the following consequences which were described thus: "Of the justice and necessity of an investigation of the titles of Inamddars there seems no room for question. It is just and necessary for two opposite objects, on the one hand to vindicate the just rights of the state, meaning thereby not the government but the great body of the public, by retrenching exemptions and privileges standing on no valid ground, and injurious to the payers of revenue generally; and thus making it practicable to lighten the burden of taxation to the general body or to devote a large amount annually to the execution of public works for their advantage; and on the other hand to confirm the titles of the rightful holders of Inam. The second object is scarcely less important than the first. At present the tenure of Inam lands is so uncertain, being dependent on arbitrary rules little known and liable to continue to change and the title being subject to interference and inquiry on every lapse, that is undoubtedly less valuable as property than it otherwise would be." G.O.No 66, 19th January, 1857, in CPRIS, Pp. 17-18, para 13.

12 For details of 22nd February memorandum of G.N. Taylor refer CPRIS, Pp. 41-46. The abstract of these two letters is given in Blair's report in CPRIS, para 28.
Composition of Inam Commission:

The Inam Commission constituted in 1858 was headed by one commissioner. This commissioner was provided by two assistants and a number of Deputy Collectors were appointed as members. The Commissioner was selected among the European officers. The Deputy Collectors belonged to the native agency and were provided with an establishment to enquire the titles of Inamdar. These officers stayed at taluk cutcheries and the proceedings were generally conducted at taluk level. The Deputy Collectors were charged with the duty of investigating the titles and to record the proceedings of the enquiry. They were responsible for the due communication of the cases to the commissioner, and orders of the commissioner, to the parties concerned. All the cases pertaining to the titles of Inams were first verified by the village officers in the village itself and then they were taken to the Deputy Collector’s establishment with all records ready at hand, along with the Inamdar. The Commission through its investigations secured a complete and valuable record of Inam tenures and rights of the holders, which was, hitherto, not done by the Government. The investigation was proceeded in all the districts one after the other. The entire strength of the commission was at a time concentrated in one locality. This would facilitate the work to progress with ease and also help the commission to interchange the correspondence with the Inamdar in all parts of the district as the members were scattered all over the district. The commissioner was given a salary of Rs. 2500 per month while the salary of the deputy commissioners was Rs. 1200 each. After one year of working, the commission recommended the government to increase the number of members. The recommendations of the commission were accepted by the government and the
number of members were increased. The number of Deputy Collectors had been increased to sixteen and the total establishment of the commission and their salaries stood as follows.  

<table>
<thead>
<tr>
<th>Designation</th>
<th>Salary in Rs.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Commissioner</td>
<td>Rs. 2,500</td>
</tr>
<tr>
<td>Two Special Assistants</td>
<td>Rs. 1,000</td>
</tr>
<tr>
<td>One second-class Deputy Collector</td>
<td>Rs. 500</td>
</tr>
<tr>
<td>Three third Class Deputy Collectors</td>
<td>Rs. 1,050</td>
</tr>
<tr>
<td>Three fourth class Deputy Collectors</td>
<td>Rs. 2,500</td>
</tr>
<tr>
<td>Two fourth class Deputy Collectors</td>
<td>Rs. 500</td>
</tr>
<tr>
<td>Commissioner's Establishment</td>
<td>Rs. 1,331</td>
</tr>
<tr>
<td>Two special assistant Establishment</td>
<td>Rs. 268</td>
</tr>
<tr>
<td>Sixteen Deputy Collectors Establishment</td>
<td>Rs. 1,276</td>
</tr>
</tbody>
</table>

| Monthly Total                           | Rs. 10,925    |
| Annual Total                            | Rs. 131,106   |


With the increase in strength the commission expected that it would complete the operations in less than three years since 1860. But the work could not be completed. G.N. Taylor was succeeded by W.T. Blair as the Inam Commissioner in 1862. The commission completed most of the work by November, 1869 and submitted a report regarding Inams.14

Adjudication of Title-deeds:

In accordance with the objective of the Government the commissioner, G.N. Taylor, prepared a draft of rules and practical directions for the guidance of the officers to be employed in the adjudication of the Inams of Madras Presidency. These rules were framed in accordance with the general principles laid down in the minute of the Governor, Charles Trevelyan. The rules dealt with all classes of Inams which existed in all districts of the Presidency. The rules also framed in such a way that all the varieties of Inams could be dealt with. Taylor reported that if any further questions with regard to the Inams arise, which were difficult to be disposed, that would be solved by the Government.

The Commission explained the necessity of framing the rules for the adjudication of Inams stating that the existing rules appeared to be liberal but were not so in practice. The rules framed till the establishment of the

14 The Government always considered the existence of Inams as a source of problem to it. The expression of such sentiment could be gleaned from the report of Blair, which stated that "a long pending, which was a source of perplexity to every successive Government, a cause of much irritation among a very influential section of the community and an ever increasing burden on the energies of the local officers, has been now set at rest. The just claims of Government have been peacefully indicated and prescriptive right of the people in a vast mass of valuable property has been scrupulously respected and confirmed in perpetuity." The Government felt that it lightend its burden after the settlements of Inams by the Commissioner. For more details refer Blair Report, in CPRIS, p.326, para 73.
Commission were modified and supplemented by many subsidiary orders which proved as "a source of vexation, annoyance and uncertainty to the Inamadors."¹⁵ The tendency of the British officers was that they interpreted the rules framed by the Government in different forms and were put to unequal operations in different districts. Cases pertaining to recognition of the titles were disposed off according to the personal views of the officers who investigated them.¹⁶ These circumstances necessitated for the organisation of a special commission which was expected by the Government to improve the position of Inamadors, to provide security to landed property, to confirm the titles and to enhance the value of the land.¹⁷

The Commission framed rules with regard to the adjudication and enfranchisement of Inams in the Madras Presidency.¹⁸ The basis of the rules that guided the investigation was that where it was proved that the land was held for 50 years, free of revenue, the commissioner conferred an absolute title to the land.¹⁹ Earlier, in the beginning of their rule, the British held

¹⁵ Revenue Department, G.O.No.1063, 9 August, 1859, p.63, para 4.
¹⁷ Ibid., para 7.
¹⁸ For details refer CPRIS, Pp. 70-78. The objective of the Commission was to frame rules to adjudicate and made the final settlements of Inam based on the principles of justice and liberalism. The special commission, according to the Government would have undivided attention to the work and hoped that a complete register of Inams of the Presidency would be prepared in a given form. This would help the Government as a useful record for reference in all matters connected with Inams. Revenue Department, G.O.No. 1069, 9 August, 1859, p.64, para 8.
¹⁹ The origin of title or possession became a much debated question to the British and hence Inams were classed as follows: 1. Those held with or without grants from the earlier rulers or officers prior to the assumption of the British, 2. Those acquired immediately after the assumption and continued as the grants made by the earlier rulers or officers and 3. Inams acquired recently under the authority of the British Government or grants made by the
a different opinion on the possession of Inams for a longer period. Section 8 of the Regulation XXXI of 1802 stated that "it shall not be competent for persons holding exempted lands under invalid titles to plead possession for any length of time whatever in bar to the right of government to resume such lands." However, this decision was changed after the revolt of Narasimha Reddy in Cuddapah district in 1846. In their judicial despatch of 13 October, 1847, to the Government the Court of Directors reminded that long undisturbed possession affected evidence of right, and constituted a motive for the government not to interfere. But this rule of 50 years appeared to be irrational as it was difficult for the government to establish the length of possession. The village accounts which were supposed to contain all details with regard to Inams were lacking all the information about them. Even the commission held the view that "Inams acquired subsequent to the introduction of the permanent settlement in 1802, if it was not registered and consisted of Sanads, then it would be difficult to determine the age". The village accounts of Karnams were not of such unquestionable authority as to justify the presumption that the absence of the registration of an Inam in them was a sufficient proof of its non-existence at that time. The village accounts prepared by the Karnams, subsequent to the reversion, stating that Inams were granted in 1806 or after, were equally untrustworthy. Under such

subordinate district authorities or the Zamindars, Palegars, renters and others. G.O. No. 1069, Op.Cit., p.65, para 10.
21 Ibid., Pp. 49-50, para 16.
22 Inam Commissioner letter dt. 24 October, 1859 in CPRIS, p.126, para 2.
24 Ibid., para 2.
circumstances, the rationality behind the rule of 50 years proved extremely weak. However, the commission proceeded in its work with such rules.

The Inamdar even if he did not possess any proof of holding Inam for 50 years, the commission recognized such Inams, subject to the payment of quit rent according to the rule prescribed with regard to that particular Inam. When the said 50 years were established in the case of service Inams, the quit rent payable, was fixed at 1/8, 1/4, or 1/2 of the ordinary assessment, accordingly as the original grant was a permanent one, or for number of lives, or for the life of the grantor only. Religious and charitable Inams were confirmed on the existing tenure and they were effective only for the purpose for which they were sanctioned. When the Inam happened to be partly personal and partly religious or charitable, the enfranchisement was to be made on half the assessment. The Inamdar was given an option by the commission to redeem the quit- rent by paying a premium equal to 20 times the value of annual quit-rent (It was subsequently increased to 30 times after 2nd February 1895. However, later no redemption was allowed). These rules were continued to govern the adjudication of Inam till the end of the British rule in India.

In addition to the quit-rent imposed on the Inam lands, the Government levied a duty on every succession to the Inam property. Hereditary holders of Inam, though their possessions confirmed after formal enquiry were subjected to this tax in common with all others whose claims were not investigated. The rate of duty "would be fixed with reference to the degree of consanguinity as by the English succession and legacy Acts." The scale of duty fixed on the

26 Revenue Department, G.O. No.275, 5 March, 1859, p.43, para 13.
27 Ibid., para 12.
succession of Inam property was as follows:

TABLE III-2. SHOWING THE TYPE OF SUCCESSION

<table>
<thead>
<tr>
<th>Type of Succession</th>
<th>Quantum of payment</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Widow and Legitimate sons.</td>
<td>Sum equal to one year’s full assessment of the land.</td>
</tr>
<tr>
<td>2. Adopted sons and collateral heirs.</td>
<td>Sum equal to two year’s full assessment of the land.</td>
</tr>
</tbody>
</table>

Source: CPRIS, p.43, para 14.

Apart from the succession duty, a fine of sum equal to three year’s full assessment would be levied for every sale or transfer of Inam land.

The succession rules were a source of annoyance to the Inamdars as the term hereditary was interpreted and applied in a restricted sense. The succession in case of collaterals recognized by the Hindu law was excluded from the rules propounded by the Government. The British recognized the succession only of direct lineal descendants and undivided brothers. The share of Inam property held by the divided members of the family of the original grantee was liable to revert to Government on the death of the present incumbent. The right of females to succeed to an Inam was not extended to all degrees of relationships. The claims of adopted sons were recognized only out of the family of an undivided brother or cousin, thus prescribed certain limits. Inam

property was not allowed to be transferred irregularly through a collateral branch by an illegal adoption or by alienation of any kind, which weakens the claim of the heir of the existed holder and render such Inams liable to resumption.29

At the time of the Inam commission the village Inams were not enfranchised. Their enfranchisement was carried out later on by a special staff appointed for this purpose at 5/8 of the ordinary assessment.30 In the case of Inams which were already subjected to quit-rent the additional tax levied in such a way that the total assessment shall not exceed 3/4 of the normal.31 When the jodi on particular Inam exceeded the full assessment the Inamdar was given the choice of holding the land either under the Inam title or under ryotwari patta. The dispute that would arise between the individuals with regard to Inam were to be settled according to the established procedures in the ordinary courts of Justice.32 The claims of government upon Inams prior to enfranchisement were to be determined by the officers of government. But after the enfranchisement, the Inams were to be in every aspect under the protection of the courts of justice.33

Progress of the work:

Under the new system a comprehensive scheme of detailed local inspection

30 Ibid., p.231.
31 Ibid., p.231.
32 Section XXIX, Inam rules, in CPRIS, p.78.
33 Ibid., p.78.
was prescribed as the essential preliminary step to the making of a settlement. The Deputy Collectors were required to proceed to every taluk under settlement and with the help of the subordinate staff to carry out the investigations, village by village. The inquiries were to secure the most extensive information about not only the verification of the title-deed, the extent and produce, the value of that produce, but also all interests attached themselves to the land. These data were to provide the ground work for stabilizing existing rights and determining the pitch of the jodi (quit-rent). The object was to discover as closely as possible the actual condition of the land, the value of the gross produce and thus to make an addition to the resource of revenue and to improve it in every practicable way.\footnote{CPRIS, p.136, para 16.}

The officers deputed for the investigation entered the results of their enquiry in a tabular form of register. The Government circulated the printed forms to the investigators for enquiries, one for each village. The list of Shrotiriyams, Agraharams and whole Inam villages was prepared in a separate register. Before the preparation of the register, printed vernacular forms were supplied to the Karnams through the Tahsildars. The statement of the particular Inam would be prepared by the Karnam under the immediate superintendence of taluk officer, either the Sherishtadar or the head gumastah who were appointed for the purpose by the Collector. All these local officials prepared the list of the existing Inams, whether possessed by the parties, temporarily under attachment etc., in the register kept for this purpose. These entries would be scrutinized by the superintending taluk officer with the corresponding Jamabandi or other accounts of his taluk which showed the extent of the existing Inams in the villages. Despite many ambiguities of the new
policy with regard to the settlements of Inam, the commission proceeded further to investigate the title deeds.

The operations of the commission were based on the rules framed by it. The course of procedure adopted by the commission, for the preparation of the register of Inam of each village was, to issue a proclamation for the information of Inamdars of the district. In addition to the proclamation a general notice was also issued to the Inamdars of every village, which required their attendance at the Taluk office of the Deputy Collector, who was sent by the commissioner to investigate about the title deeds of Inams. The proforma of the general notice was the invitation to the Inamdars who were holding Inam lands wholly or partially exempted from assessment. This invitation when issued to the Inamdars of any particular village, the name of that village, the taluk to which it belonged, the part of and the name of the district were also mentioned in the invitation. The Inamdars were required to attend the cutchery with the sanad, title-deed and other documents supporting the claim of their possession. A written statement giving the name, age, place of residence, relationship to original holders, the particulars of their family or heirs and the manner of the acquisition of Inam land were to be given by the Inamdars in accordance with the notice issued to them. The important aspect of the notice was the date of acquisition of Inam land which "constituted a kind of

35 The English version of proclamation was as follows:

In view to the removal of the evil incidents to the state of uncertainty in which Inam tenures and the titles to Inam lands generally are now involved, and the unsatisfactory character of the rules relative to their continuance of reversion, the government has resolved to adopt a more regular, thorough and comprehensive, plan for their investigation and immediate settlement, and so to confer on this description of property a value and security which it does not now possess. The other part of the proclamation consisted of the rules adopted for the adjudication of the titles. These rules are given in the text and also described in the appendix. Refer CPRIS, p.80.
The Inamdar, according to the government should have the full notice of the proceedings of the enquiry and he should produce the proof of the validity of title within the time given to him and the Government "does not by any means" felt it "necessary to allow a period of two months" or "six months" for his appearance before the commission, if the party was not found. If the Inamdar failed to appear before the Deputy Collector or send his agent, the Deputy Collector would issue individual notice to the Inamdar, through the Tahsildar, calling him to appear within a period 15 days or to face the penalty within the rules which would result in the attachment of the Inam land by the Collector. If the Inamdar did not attend even within a year of the attachment of his property, the property would be assessed at full rate. The individual notice would be served to his place of residence or would be pasted on public place of the village. The individual notice served by the commission contained all the details. The name of the Inamdar in full, the number of the notice, the name of the village, taluk and district in which the Inam was situated, the description of Inam forming subject of inquiry and the particulars of the Inam etc. The notice was in the form of a letter from the Deputy Collector of the Inam commission.

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36 CPRIS, p. 33, para 9.
38 "It has been determined to inquire into the validity of your title to the Inam described in the foregoing table, and you have failed to appear in pursuance of the general invitation issued for the purpose to all Inamtdars, this is to warn you to appear either personally or by a duly authorized agent at the cutchery of at- within 15 days after the receipt of this notice, together with such deeds, accounts or other documents as you may wish to produce in support of your claim.

In the event of your failing to appear either in person or by agent within the period above allowed, the Inam herein described will be placed under attachment, and will be liable to ultimate resumption after the expiration of a
If the Inamdar appeared before the Commissioner, the taluk officers were deputed for registering the Inams in vernacular language and checked them with the standard Inam accounts of the village. All the details of the Inamdar which included the name, age, place of residence, relationship to original holder, the particulars of the family or heirs, the manner and date of acquiring of the Inams formed a part of village accounts referred to as the register of Inam.

The form of register consisted of different details of an Inam possessed by the Inamdar. It was broadly divided into four parts viz., 1. Class, extent and value of Inam, 2. Description, tenure and documents in support of Inam, 3. Name and relationship of original subsequent and present holders or length of possession and 4. Remarks and the decision of the commission.

The first part of the above division indicates the number of the grant which specified the particular plot of land in the village where it was allotted. The class to which the Inam land belonged e.g. Dharmadayam or personal was also mentioned in the form of register. The major division of Inam land into three types i.e. dry, wet and garden was also specified for the purpose of the imposition of quit-rent. The extent of Inam land possessed by the holder was included in the first part and generally expressed in local measure, that is in cawnies. But the corresponding measure of English in acres and decimals was given in the next column for the convenience of Europeans and other English educators. The next important item mentioned in this part was the old as well as the revised assessment rates over the Inam land.

year in the event of your not appearing before the commission or the Collector of the district within that period.” See CPRIS, Pp. 81-82.
In the second major part of the form of register, the service for which it was granted whether continued or not was described. The nature of service was also given in the column. The tenure of the Inam, i.e., whether granted for free of rent or bear any tax and the nature of the grant i.e., hereditary or life-grant was also mentioned. One of the columns in this category gives the details of the grantor and the date on which the grant was made. The Government also mentioned whether the grant was supported by Sanad or not etc.

The third major part consisted of the name of the original grantor, the relationship of the grantor and the grantee, the age and the place of residence. The details of relations included the connection the holder had with the original grantee.

The last part gives the remarks of the commissioner about the length of possession, the recommendations and the confirmation of the Deputy Collectors. The confirmation was to be made at every succession to the Inam. This was later countersigned by the commissioner or his assistant to give further confirmation to the title-deed issued on the annual payment of a specified quit-rent. All these details formed a part of the Inam register.

The details were verified, whenever required, with the village officers, who would attend the Deputy Collector's office, with the duplicate copy of accounts they possessed. Every Inamdar was required to file a statement with the particulars of his Inam and thus the "burden of proving a just cause of exemption must rest with the claimant". This should be invariably attested by the village officers and also by two independent witnesses, who were generally the Inamdares of the area to which the claimant belonged. In addition to the above information provided to the Deputy Collector on Inam, he was also given

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the information of that particular Inam from the Collector's records where the standard Inam register and accounts of the taluk from the earliest to the recent period was preserved. This evidence would be, then recorded in the English register by the Deputy Collector himself after his verbal inquiry. The sanads and other documents produced in support of the claim of Inams, were to be inspected and noted in the English registers and were attested by the Deputy Collector and other concerned authorities and later these documents were to be returned to the parties concerned. When all the particulars were entered in the register and the claim was established through the investigation, the Inamdar was informed of the rate and amount of quit-rent charged on his Inam. If the Inamdar provided insufficient information to the Deputy Collectors at the time of enquiry, the commissioner after establishing the facts forwarded such cases to the Collector to attach the Inam lands of those Inamdars pending the appearance of him. The proceeds of the Inam lands thus attached were taken over by the Government and were not to be repayable to the Inamdar after the Inam was given back to him. The Inamdar who did not appear before the enquiry committee to prove the validity of his possession was given one year time to do so. Within this specified time the Inamdar was required to appear before the Collector or his assistant to get the sanad from him after producing the required documents in support of his claim. Otherwise the Collector, according to the rules, would report the matter to the commission for his action. The commissioner based on the report of the Collector would assess the Inam land at full rate. If the Inamdars produced false accounts of their possession, they were to be punished according to the rules of the Government. The Deputy Collector also took the consent of the Inamdar whether to enfranchise his Inam or not before the register was sent to the Inam commissioner for review and for the issue of title-deed. All the title-deeds, issued by the commission, bore
the name of governor in council instead of Secretary of State for India-in-council. This was found defective as per the statute.\textsuperscript{40} To remedy this defect an act was passed on 12 July 1869 which declared that all the title-deeds issued so far on behalf of Governor-in-council were regarded as valid, but from thereafter, they were to be issued on behalf of the Secretary of State for India-in-council instead.\textsuperscript{41}

After the survey and the assessment of every field was done, the individual settlement became simple to be carried out. The work left was to ascertain the land occupied by each Inamdar and to enter them, with the fixed jodi attached to it, in his patta title-deed. For example a title-deed granted to one Ramaswamy Mudaliyar contained details which mentioned the type of land, the place where the Inam land was situated, the taluk and the district to which it belonged. It also specified the extent of land and the jodi paid by the Inamdar. The grant also mentioned that Inam was of hereditary character but not transferable. If there was a failure of lineal heirs, the title-deed stated, the grant would lapse to the state.

The Government had given choice to the Inamdar to convert the Inam into an absolute free hold subject to the payment of Rs.5/- which included the jodi already charged. The Inamdar was free to dispose the Inam land subject to the above condition as stated in the pattah. The Inamdar was also given an option of the payment of quit-rent at one instance which was equal to twenty years and could make his possession absolutely free.\textsuperscript{42} This required an Inamdar to pay a

\textsuperscript{40} Blair's Report in CPRIS., p.325, para 70

\textsuperscript{41} Ibid., para 70.

\textsuperscript{42} There were many attempts from the Government to set the Inams absolutely free. One such attempt was made through the Deputy Collector directly. During the progress of the enquiry, the Deputy Collectors had the time to explain the Inamdares the "intentions of the Government on the subject of Inams and the
sum of money as calculated in the Government treasury "in permanent redemption of the entire quit-rent chargeable on the land." After the payment of the Inam was confirmed to the owner "in perpetuity as an absolute free hold," meaning "free of all tax whatever to the Government." The end of the title-deed consisted of the signature and seal of the Inam commissioner.

The specimen title deed indicated the terms and conditions to be accepted by the Inamdar. If the Inamdar agreed to convert his Inam as a freehold, the terms for this also noted in the title. If he wanted to convert it absolutely free hold, the terms for that also indicated in the specimen title-deed. This title-deed exhibited the method adopted by the Inam commissioner to validate the Inam in the Madras Presidency. The language of title-deed appeared to be conveyed to the Inamdars more extensive rights than were intended to be given. This was misconstrued in such way as to affect the rights and interests of the tenants or cultivators of Inam lands. This was brought to the notice of the government which through the Inam Act of 1869 interpreted the meaning of the title-deed. Section I of the act declared, *inter alia*, "that nothing contained in any title-deed there-to-fore issued to any Inamdar shall be deemed to define, limit, infringe or destroy the rights of any description of holders or principles upon which it is Proposed to convert their tenure into an absolute free hold; and he will note in the column of remarks those cases in which they may express a desire to avoid themselves of the option allowed them for the purpose. This course, however, is only preliminary to the formal consent which will be ultimately accepted in each case by the commissioner on the occasion of conferring the title-deed." Revenue Department, G.O.No. 919, 11 July, 1859, in CPRIS, p.62, para 16.

43 *CPRIS*, Pp. 89-90.

44 After the title-deeds have been given as above described, the consent of those Inamdars who desired of availing themselves at once of the option of converting their tenure into a free hold would be taken by the Commissioner and the alteration of the tenure would be entered in the form printed on the deed, under the seal of the Government and the signature of the Commissioner. Revenue Department, G.O. No.919, *Op.Cit.*, p.62, para 20.
occupiers of the lands from which any Inam is derived or drawn, or to affect the interests of any person other than the Inam-holder named in the title-deed. 45

The Inamdar who gave their consent to enter into agreement were to present the form of it to the government, after signing the agreement. It consisted of the exact field of the Inam land, the village, the taluk and the district. The Inamdar according to the muchilka had to agree to pay the Government, through the officers appointed to collect the revenue, the required quit-rent charged on his possession. It also mentioned about the regular period in which the rent should be paid. If the Inamdar desired to convert his land into absolutely a free hold then he was required to pay the stipulated quit-rent as per the rules mentioned in the title. The choice was to be given in the agreement. All the details of the payments would be mentioned in the muchilka. At the end, the muchilka consisted of the date of agreement, signature of the Inam, the number and the office seal.

The Inamdar, if he desires, could pay the quit-rent of stipulated years e.g., equal to 20 years quit-rent, at once and could make his Inam free of quit-rent. Such type of arrangement was offered by the Inam commissioner to the Inamdar. The agreement or muchilka should be entered by the Inamdar.

The forms of agreements were of two types. One of the agreements shows the manner the Inamdar gave his consent for the continuous payment of jodi and the other exhibited the enfranchisement of Inam made by the holder by the payment of annual rent of 20 years at once.

At the time of adjudication of titles, the commission had given the option of enfranchising the Inam, to its holders. The Inamdar were, however, skeptical

about the motives of Inam commission. They considered the enfranchisement as
sacrificial of the portion of their revenue as they had to enfranchise their
Inams with a sacrifice of the part of their rent accrued to them. They were
also critical of the revised quit-rent charged by the Inam Commissioner as the
beginning of the destruction of their Inam property in future. Thus the work
of the commission met with the protests from the Inamdars.

Importance of the Title-deed and the Inam Register:

In the above pages a discussion on how the scrutiny of title-deeds was
carried out and the issue of title-deed to the Inamdar is presented. The issue
of title-deed was to accord recognition to the Inam land by the Government. If
the Inamdars were willing to enfranchise their Inams, that was recorded in the
title-deed and the enfranchisement was made accordingly. In addition to the
title-deed, the commission recorded the results of their enquiry, including the
fact of enfranchisement of Inam in the Inam register. The Inamdars could have
the authenticated information from the register for a small fee. Section 2 of
Act-IV of 1862 provided that:

the title-deed issued by the Inam commissioner, or an
authenticated extract from the register of the commissioner or
Collector, shall be deemed sufficient proof of the
enfranchisement of land previously held on Inam tenure.

The effect of this act was that the mere production of the title-deed itself

47 Ibid., para 37
was a proof of enfranchisement of an Inam. Then the question arises about the value of the Inam register or the title-deed issued by the Inam commissioner. Through the observation of Inam register, it is clear that it was not merely a supporting document for the confirmation or enfranchisement of an Inam, but contained the nature of the Inam, the present and the past holders of it, the extent or quantity and the condition on which the confirmation or the enfranchisement was made. The question as to how far the Inam Inam register was reliable in terms of the details it provided was answered by the judicial committee as follows:

its preparation and contents were the subject of much consideration under elaborately detailed reports and minutes. It is to be remembered, that the Inam commissioners through their officials made inquiries on the spot, heard evidence and examined documents and with regard to each individual property, the Government was put in possession not only of the conclusion come to as to whether the land was tax free, but of a statement of the history and tenure of the property itself.

The Inam register and the title-deed both provided the needed evidence to the Inamdar. In addition to that both gave the details of the conditions on which the grant was made. Earlier also there were pattas and muchilkas which contained the terms and conditions and they gave evidenitary value to the possession of Inam. Although the British Government recognized the grants made earlier, it felt that the existed pattas and muchilkas were not provided with enough details in the manner which they wanted. Many of the Inamdars according to the Government, possessed defective titles, yet the Inams were confirmed and enfranchised in favour of the holders, but the terms set for the settlements were in consonance with the colonial needs.

The next point of importance of both the title-deed and Inam register was the difference of the terms and conditions prior to the Inam settlement under the original grant and subsequent to the settlement. In the pre-colonial period, the successive kings' recognized and continued the grants made by their predecessors as it was the custom and has religious sanctions to that effect. But this practice was not continued by the British. The Government held different opinion on the question of recognition of the title-deeds. It argued that the earlier native rulers, "when the cession or conquest of a territory takes place," was not bound to recognize all or any of the rights of the subjects of the conquered or ceded territory, as they might have stood possessed against their old sovereign and that the only rights which those subjects can legally enforce against the new sovereign are those, which such new sovereign has been pleased to recognize and confirm.

The British, accordingly was not bound at all to recognize the old rights. Whatever the rights recognized by the Government were subjected to the terms imposed on them. Once these rights were recognized by the Government, they were not altered at any level between the Government and its subjects. Even the grants recognized prior to the settlements made by the Inam Commission were on certain terms imposed by the Government. These settlements were not altered

50 The inscription speaks that the Inam grants has cultural and religious sanctity accorded to them. Because of the importance given to them the Inam grants continued to exist in South India, in spite of the change in the rule or dynasty. If anybody disturbed the possession, he was, according to the dhamic rules, "fit for a sin-body." It further says that "neither has there ever been a greater sin than the resumption of that gift, nor shall there be hereafter. Whoever shall resume land, whether given by himself or by others, partakes of the sin of the slayer of a hundred thousand cows. Refer appendix, in H. Le Fanu, A Manual of the Salem District in the Presidency of Madras, Madras,1883, p.349.

by the Inam Commission but the burden of proof in support of such grant was to be produced by the possessors to get Government's recognition. The terms on which the recognition given to the Inam was the choice of the Government. The prerogative of Government to decide what conditions, if any, had to be incorporated into a given title-deed, depended on each particular case. The terms and conditions which set by Government were based on the issue of the title-deed by the Inam Commissioner and this was entered in the Inam register also. Thus both the title-deed and Inam register assumed special importance because it was these terms which govern the grants.

The commission, after the enquiry of the vast variety of Inam tenures submitted a descriptive list of them, which consisted of 452 separate categories. All of them were described as land holdings either wholly or partially exempted from taxation. The Commission in its report grouped all these tenures into nine broad classes. They were:

1. Those held for the support of religious institutions and for services connected there with.
2. Those held for purposes of public utility.
3. Those held by Brahmans and other religious classes for their personal benefit.
4. Those held for the support of works of irrigation yielding public revenue.
5. Those held by the families of Palegars and those who filled hereditary offices of trust under former Governments.
6. Those held by the kinsmen, dependents and followers of former Palegars and Zamindars.
7. Those connected with the former general police of the Country.
8. Those held for ordinary village revenue and police service.
9. Those held by various descriptions of artisans for services due to village Communities.

Later in November, 1869, the Commission submitted its report to the government.

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The Commission dealt not only the Inams proper but also investigated the details of the title-deeds and settled the disputed titles also, which was a regular phenomena of the revenue system of Madras Presidency. These measures, according to the government, simplified the revenue administration of the districts. The adjudication of many long disputed titles and the rights between the government and the zamindars, between the zamindars and Inamdars and their tenants, had facilitated the revenue procedure of district officers.

Results of the Operations:

The significance of the investigation into the title-deeds can hardly be exaggerated. It served in certain instances to bring on the revenue register lands that had escaped assessment. The far reaching effects upon the Inamdars were the stricter application of the rules, that were already formulated, to make Inam lands absolutely free hold.

The consequences of the operations of the commission was the addition made to the revenues of the government. It resulted in the permanent addition of the revenue of Rs. 7, 16, 372 to the state, exclusive of village service and Police Inams.\(^53\) It was also decided that the Inams to the value of Rs 1, 41, 220 were fully assessed.\(^54\) These included the Inams which were reverted to the government because of the want of heirs and the rigid rules framed by the British with regard to the succession to the Inams. Much more was added when the government resumed the Inam lands in all the districts. There were considerable gains of the government after the operations of the commission as

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\(^{54}\) Ibid., para 65.
well as the resumption of Inams. The Commission took eleven years to complete its work. In 1869, it was abolished due to the non-availability of funds for its continued existence. Later the remaining work was entrusted to one of the members of the Board of Revenue who submitted his report in 1870. With this, the work of the commission came to end. After the dissolution of it, the Collectors, acting under the supervision of the Board of Revenue, had settled the Inams in all the districts of Madras Presidency on the same conditions and subject to the same rules as adopted by the Inam Commission. The following diagram exhibit the extent of area occupied by different kinds of Inams in Madras Presidency.
FIGURE III.3. DIAGRAM SHOWING DIFFERENT KINDS OF INAMS AND THE EXTENT OF AREA IT OCCUPIED

The settlement of Inam did not escape unchallenged. After the settlements the Inamdars served no useful function either politically or economically. The Inamdars who once played constructive role in the preservation and extension of sovereignty of the king were no longer allowed to do so under the British rule. They neither had individuality to do so nor accommodated in the political authority as privileged one. All the Inamdars were robbed of their privileges. They lost their prestige and power entirely as the colonial power gradually penetrated all the corners of the Madras Presidency. They could have been rehabilitated and restored to the earlier position, but such measures required the sacrifice of the colonial needs. The political demise of the Inamdars was not compensated by the economic advantages of the colonial Government. Thus the settlements inflicted a change in the role of Inamdars thoroughly. But how these settlements directly affected the different structures of Inam tenures is the subject of discussion in the subsequent chapter.