

Educational (1896) Department

ORDINARY PRINTED.

G.O., No. 729

DATED 24-11-96

INDEXED.

[Despatch Abstract.]

Mag. Officers. ~~Not to pass the examination~~
Directing, with remarks, that the intro-
duction of the Primary Examⁿ in the case
of ~~Village~~ — be postponed till 1st Jan'y 1898
and that persons already holding ~~such~~ ^{village} offices ~~if on~~
~~that date be exempted from passing that Examⁿ~~

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
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Government { 1896 } of Madras. EDUCATIONAL.

Recd.

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Regd.

1896.

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G.O., No. 729, 24th November 1896.

NOVEMBER.

Village Officers.

Directing, with remarks, that the introduction of the Primary examination in the case of — be postponed till 1st January 1898, and that persons already holding village offices on that date be exempted from passing that examination.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—again the following papers:—

G.Os., Nos. 317 and 361, Educational, dated 9th and 24th May 1894, respectively.

READ—also the following paper:—

G.O., Mis. No. 4139, Revenue, dated 19th October 1896.

Read—the following Proceedings of the Board of Revenue (Land Revenue), Mis. No. 4188, dated 11th September 1896:—

Read—endorsement of the Collector of Gódvári, Ref. on C. No. 2149-Ver., dated 3rd July 1896, on letter from the Sub-Collector, C. No. 1919-Rev., dated 8th June 1896, requesting that D. Umamaheswaram, of Sanantakurru, may be exempted from passing the Primary School examination in view to his employment as acting karnam.

Resolution—Mis. No. 4188, dated 11th September 1896.

Submitted for the orders of Government.

2. Under note 2 to the preamble to the Public Service notification, acting men and deputies appointed in the place of karnams, village headmen and monigars after 1st January 1896 are required to have passed the Primary School examination which is prescribed for those posts (*vide* item 5, Schedule A, appended to the same notification). But, as pointed out by the Collector, it will be very difficult for some time to come to secure passed men for even long acting appointments on behalf of minors and other disqualified persons, and as the rules stand at present, Collectors can sanction exemption from any general test only for three months. In Board's Proceedings, No. 68, dated 20th February 1896, which has not yet been disposed of by Government, it was proposed that Collectors should have full power to exempt village officers from passing the Primary School examination as well as from the Special Tests prescribed for village headmen and karnams. The Board requests that this proposal may be sanctioned at an early date, as otherwise Collectors will be obliged to obtain the Board's sanction for exemption on behalf of almost every person that is appointed to act as a village officer.

3. The Board considers that it will also be necessary, in order to avoid unnecessary delay in filling up village offices, to empower divisional officers to exempt from the tests for at least three months. Village officers are appointed in most cases by divisional officer, and unless the divisional officer has power to exempt, he will very often have to leave an appointment unfilled until orders can be obtained from the Collector. Sanction is accordingly requested for delegating to divisional officers power to exempt individuals from village officers' tests for a period of three months in each case.

(True Extract.)

(Signed) R. C. C. CARR,
Acting Secretary.

To the Secretary to Government, Revenue Department.
„ Collector of Gódvári.

Order—Mis. No. 4139, Revenue, dated 19th October 1896.

The Board's proposals in paragraph 3 of its proceedings read above, namely, to delegate to divisional officers power to exempt individuals from village officers' tests for a period of three months in each case, is approved and sanctioned.

2. With reference to paragraph 2 of the proceedings, it will be seen from Rule 18 of the draft rules appended to G.O., No. 402, Revenue, dated 11th August 1896, that the Government has not only approved of the proposal to grant to Collectors power to exempt village officers from passing the Primary School examination, but also considers that the operation of the rule which requires this qualification should be postponed till the 1st January 1898. But as these rules have no force at present, not yet having been finally sanctioned by Government, and can moreover not apply to districts in which village offices are not hereditary, formal orders will issue in the Educational Department in the sense of Rule 18 quoted above subject to the limitations prescribed in Rule 19.

(True Extract.)

(Signed) G. STOKES,
Ag. Secy. to Govt., R.D.

To the Board of Revenue (Land Revenue).
„ Educational Department.

ORDER—No. 729, Educational, dated 24th November 1896.

Candidates for appointment to the offices of karnam, village headman and monigar will accordingly not be required to have passed the Primary examination till the 1st January 1898, and persons already holding such offices on that date will be exempted from passing the said examination. So much of the two Government Orders read above as are inconsistent with these orders will be regarded as cancelled.

2. In view of the postponement of the date of introduction of the Primary examination as a compulsory test for village offices now ordered, no present action will be taken towards empowering Collectors to sanction the appointment of unpassed men as proposed.

(True Extract.)

Secretary to Government.

To the Board of Revenue (Land Revenue).
„ Revenue Department.
„ Commissioner for Government Examinations.

Educational (1896) Department.

CURRENT No. 1257

From The Revenue Dept

Order

No. 4139 Auis

Dated 19th Oct '96

Received 23 - 10

Registered 23/10/6

Enclosures 3

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SUBJECT.

Approving and sanctioning
with remarks B's proposal
to delegate to Divl. officers
powers to exempt individuals
from village officers' Tests
for a period of three months
in each case.

G.O.	No.	Department.	Date.
	531	Eol	3-9-96
	R227	"	29-11-95
	361	"	24-5-94
	317	"	9-5-94
	745	"	11-10-83
	693	"	23-9-83
	681	"	31-8-81
	261	Inst	31-1-77
✓	412	Eol	8-7-96

G.O.	No.	Department.	Date.

Recd.

Regd.

Enclosures.

> 1896.

Spare copies.

G.O., No. 402, 11th August 1896.

AUGUST.

Madras Hereditary Village Offices Act III of 1895.

The draft of the rules framed by the Board of Revenue under section 20 of the —, revised with remarks and ordered to be published in the *Fort St. George Gazette*, and the Honourable the Advocate-General requested to scrutinize the rules with reference to G.O., No. 261, Judicial Department, dated 31st January 1877.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

Read—the following Proceedings of the Board of Revenue (Land Revenue), No. 68, dated 20th February 1896 :—

Read—the following Government Order, No. 582, Revenue, dated 24th August 1895 :—

Read—the following Government Order, No. 57, Legislative, dated 23rd July 1895 :—

Read—the following letter from J. M. MACPHERSON, Esq., Officiating Secretary to the Government of India, Legislative Department, to the Under Secretary to the Government of Madras, Legislative Department, dated Simla, the 3rd July 1895, No. 1213 :—

I am directed to return herewith, with the assent of His Excellency the Viceroy and Governor-General signified thereon, the authentic copy of the law noted on the margin, which was received with your letter, No. 33, dated the 17th April 1895, to the address of the Secretary to the Government of India in the Revenue and Agricultural Department.

Order—No. 57, Legislative, dated 23rd July 1895.

The assent of His Excellency the Viceroy and Governor-General to the Act to repeal Madras Regulation VI of 1831 and for other purposes will be communicated to the Revenue Department, and the Act will be published in the *Fort St. George Gazette*; copies will also be sent to the Translators to Government, who will furnish translations for publication in the Gazette.

(True Extract.)

(Signed) LIONEL DAVIDSON,
Acting Under Secy. to Government.

To the Revenue Department.

"	Tamil	} Translators to Government.
"	Telugu	
"	Malayalam	
"	Canarese	
"	Hindustani	} Superintendent, Government Press.
"	Superintendent, Government Press.	

Order—No. 582, Revenue, dated 24th August 1895.

Miscellaneous.

Communicated to the Board of Revenue with the request that it will submit, at an early date, the draft of the rules to be framed under section 20 of the Act.

2. The Act will be brought into force from 1st October next, and the following notification will be published in the *Fort St. George Gazette* :—

NOTIFICATION.

Under section I, clause 1 of the Madras Hereditary Village Offices Act III of 1895, His Excellency the Governor in Council is pleased to direct that the said Act shall come into force from 1st October 1895.

(True Extract.)

(Signed) E. GIBSON,
Secretary to Government.

To the Board of Revenue (Land Revenue).
,, the Superintendent, Government Press.

Resolution—No. 68, dated 20th February 1896.

The Board begs to submit, for the approval of Government, a draft of the rules to be made under section 20 of the Madras Hereditary Village Offices Act, 1895, as directed in the Government Order read above.

2. The sources from which the draft rules have been drawn are indicated below :—

(a) *Clause (I)*.—Paragraph 3 of Government Order, No. 1372, dated 10th December 1884, and section 6 of the Proprietary Estates' Village Service Act II of 1894.

(b) *Clause (II)*.—Paragraph 9 of the draft rules under Act II of 1894 at page 6 of Board's Proceedings, No. 47, dated 3rd February 1896. The rules relating to the hearing of appeals have been adapted from the existing practice.

(c) *Clause (III)*.—Schedule A to the Public Service notification approved in Government Order, No. 317, Educational, dated 9th May 1894 (Departmental—item 5), and Government Orders, No. 589, Revenue, dated 29th June 1891, No. 738, Revenue, dated 18th August 1893 and No. 361, Educational, dated 24th May 1894.

(d) *Clauses (IV) and (V)*.—Board's Proceedings, No. 1266, dated 11th May 1878, and the Code of Civil Procedure. As regards the *taxation of costs*, the Board witnesses prescribed by the High Court for Civil and Revenue Courts, and the scale prescribed under Act II of 1864 as regards processes connected with the recovery of mesne profits, costs or any sum of money in execution proceedings.

(e) *Clause (VI)*.—Board's Proceedings, No. 750, dated 24th October 1889, and No. 39, dated 6th February 1895, and paragraph 7 of Part I of the Village Officers' Manual.

(f) *Clause (VIII)*.—Paragraph 6 of the rules at page 5 of Board's Proceedings, No. 47, dated 3rd February 1896.

3. The Board considers that the prohibition against the award of Pleader's fees laid down in the draft rules under *clause (v) B*. Taxation of costs, is justified by the petty character of the suits which can usually be easily decided without the intervention of vakils.

4. In this connection the Board begs to recommend that the Government of India may be moved to issue a notification under the Court Fees Act reducing the stamp duty payable on plaints, memoranda of appeal and applications for execution of decrees presented to Revenue officers under the *new* Act to As. 8 and the duty payable on appeals to the Board to Rs. 2 as under the repealed Regulation—*vide* paragraph 17 of Standing Order No. 178. The Board considers also that all applications which may be filed by either party in the course of the trial of suits and appeals and

of the execution of decrees should be exempted from stamp duty in view of the petty character of the suits and the poverty of the litigants, many of whom will be vettis, talayaries and village artisans.

(True Copy and Extract.)

(Signed) R. C. C. CARR,
Acting Secretary.

To the Secretary to Government, Revenue Department.
Copy to all Collectors.

ORDER—No. 402, Revenue, dated 11th August 1896.

Miscellaneous.

With the Proceedings read above, the Board of Revenue submits, as directed in G.O., No. 582, dated 24th August 1895, a draft of the rules to be made under section 20 of the Madras Hereditary Village Offices Act III of 1895. The Government has found it necessary to revise the Board's draft in several instances and the rules as modified are printed as an appendix to this order. As it is desirable that the rules under section 20 should form a complete *vade mecum* of the procedure to be observed in the disposal of cases under Act III of 1895, the Board is requested to print the provisions of Madras Act III of 1869 relating to the preparation and service of summonses as an appendix to the rules. The whole should then be published in the *Fort St. George Gazette* as a draft with reference to section 7 of Madras Act I of 1891 (the Madras General Clauses Act), together with a notice specifying the date at or after which the draft will be taken into consideration. The draft rules, together with any objections which may be received, should thereafter be resubmitted to Government for final approval, with reference to section 20 of Act III of 1895.

2. In the meanwhile, the Honourable the Advocate-General will be requested to scrutinize the rules with reference to G.O., No. 261, Judicial Department, dated 31st January 1877.

3. The Board's recommendations in paragraph 4 of its Proceedings read above are approved. The Government is also of opinion that the fees chargeable on copies of judgments, orders and decrees passed on claims preferred under Madras Act III of 1895 should be remitted altogether as in the case of those under the repealed Regulation VI of 1831.

The necessary application will be made to the Government of India.

(True Extract.)

(Signed) A. T. ARUNDEL,
Ag. Secretary to Government.

To the Board of Revenue (Land Revenue).
,, the Honourable the Advocate-General, through the Government Solicitor.

APPENDIX.

DRAFT RULES UNDER SECTION 20 OF THE MADRAS HEREDITARY VILLAGE OFFICES ACT III OF 1895.

In exercise of the powers conferred by section 20 of the Madras Hereditary Village Offices Act III of 1895, the Board of Revenue has been pleased with the approval of Government to make the following rules and frame the following forms.

Under clause (i)—The division, grouping and amalgamation of villages.

1. Any two or more villages or portions thereof may be grouped or amalgamated so as to form a single new village, when the distance between the village-sites does not exceed a mile and a half and the joint revenue of the united villages does not exceed Rs. 2,000.

Provided that if there are outlying hamlets of importance which will be more than $1\frac{1}{2}$ miles from the new head village, the grouping or amalgamation shall not be carried out.

2. Uninhabited villages and those in which the lands are so intermingled that the boundaries cannot well be separated may be grouped, though the distance limit is exceeded and the joint revenue of the amalgamated villages amounts to more than Rs. 2,000.

3. Each new village shall have a headman or monigar and at least one talayari or vetti; but if the importance of any of the minor villages demands it, a separate talayari to reside and keep watch in such minor village may be appointed.

4. Karnams' charges may be formed by grouping several villages, whether amalgamated or not.

5. Any village may be divided into two or more villages whenever it appears that such a course is desirable as a matter of administrative convenience.

6. Proposals for the grouping, amalgamation or division of villages shall, in the first instance, be published by the Collector in the Gazette of the District concerned together with a notice calling on the persons interested to state in writing, their objections, if any, to the proposals within a period of not less than one month from the publication of such notice. A copy of the notice shall also be affixed in some conspicuous part of the village or villages likely to be affected. On the expiry of the period aforesaid, the Collector shall submit his proposals to the Board of Revenue with an abstract of the objections, if any, received, and his remarks thereon. The Board shall consider such objections and pass on the proposals such order as it may deem fit, which shall thereupon be final. A copy of such order shall be published in the Gazette of the District concerned.

*Under clause (ii)—The holding of enquiries under sections 6, 7 and 8 and the hearing of appeals under section 23.**(a) Enquiries under sections 6, 7 and 8.*

7. Section 6.—In selecting persons to fill the new offices created under section 6 (1) or those retained under section 6 (2), the Collector shall be guided by the provisions of section 10 (1).

8. Sections 7 and 8.—The charges preferred against the village officer or servant and the pleas urged by him in defence should be distinctly recorded in writing and the evidence adduced should be fully taken down except in trivial cases. The witnesses should be examined in the presence of the accused, including both those in support of the charges and those for his defence, and the accused should be allowed to cross-examine them. All documents produced in evidence should be submitted for the inspection of the accused and his remarks thereon should be recorded.

9. The Revenue officer or the proprietor, in passing orders on the case, should briefly sum up the evidence on the several charges and record in English or in the vernacular a distinct order of acquittal or conviction on each, with a concise statement of the grounds on which the order is founded, noting also the amount of fine or other punishment imposed in the circumstances.

10. At the foot of the order, the date on which the time allowed for preferring an appeal expires, should be clearly specified, and a copy of the order should be furnished free of all charge to the village officer or servant concerned.

(b) Hearing of appeals under section 23.

11. An appeal from an order passed under sections 6, 7 or 8 shall set forth concisely and under distinct heads, the grounds of objection to the order appealed against without any argument or narrative, and such grounds shall be numbered consecutively.

12. The petition of appeal shall be accompanied by the copy of the order furnished to the petitioner under rule 10 above or by an authenticated copy of such order, and shall be forwarded through the officer or proprietor who passed the order.

13. The officer or proprietor shall, within a month of the receipt of the appeal petition and its accompaniments, forward the same to the appellate authority with the records of the case and with a report dealing with any new allegations that may be made in the petition. He may for this purpose make such further enquiry as may be necessary.

14. The appellate authority shall, on receipt of the appeal petition and connected records, fix a date for the hearing of the appeal, notifying the same to the appellant, and shall, on the date so fixed, hear the appellant in person or his duly authorized agent, and, when the appeal is from an order passed under section 6, also the person whose appointment is objected to or his duly authorized agent.

15. The appellate authority may either take further evidence itself after summoning such witnesses and obtaining such documents as may be required, or direct the officer whose order is appealed against to do so and to submit a report by a specified date.

16. The officer hearing the appeal shall record his decision and the reasons therefor in his own hand in English and furnish a copy of it free of charge to the appellant as well as to the officer or proprietor.

17. Rules 11 to 13, 15 and 16 shall apply to appeals preferred to the Board of Revenue.

Under clause (iii)—The Educational qualifications required of the holders of village offices forming class (1) in section 3.

18. On and after 1st January 1898, every person who is appointed to the office of karnam, headman or monigar shall, unless specially exempted by the Collector in this behalf, have qualified according to the following educational tests:—

Karnam.		Monigar or Headman.	
(i) Primary School Examination.		(i) Primary School Examination.	
(ii) Village Officers' Special Test in—		(ii) Village Officers' Special Test in—	
(a) Village Manual of Accounts, and		(a) Powers and duties of village officers, and	
(b) Powers and duties of village officers.		(b) Village sanitation.	

Candidates for the Karnam office shall also be required to produce certificates denoting the qualification "good" from Superintendents of Survey Schools.

19. The above rule shall not apply to village officers who may be in office on 1st January 1898, or to their heirs who on the 1st January 1896 were of or above the age of eighteen years and whose names have been registered in the Divisional office on or before the 1st January 1895, except in the Anantapur district where such registration has been permitted up to the 1st January 1896.

*Under clause (iv)—The procedure to be followed in disposing of suits and appeals from decrees or orders passed in suits and the registers to be maintained in connection therewith.**(a) Suits.*

20. Suits under section 13 (1) of the Act shall be instituted by presenting to the Collector a plaint which shall be in English or in the Vernacular language of the District, and shall contain the name, description, age and place of abode of the plaintiff,

and the educational qualifications he possesses, the name, description and place of abode of the defendant, so far as they can be ascertained, the nature of the plaintiff's claim, the provision of law under which it is made, the date on which the cause of action arose, and the relief prayed for. It should be accompanied by as many copies or concise statements thereof as there are defendants.

21. Any documents which the plaintiff wishes to produce in support of his claim shall accompany the plaint, and none shall be received afterwards unless the Collector shall see cause to admit them.

22. Irregular or incomplete plaints may be returned to the party, or the Collector may at his discretion allow them to be amended.

23. If, on a perusal of the plaint, the Collector considers that the plaintiff is not eligible for appointment under sub-section (1) of section 10 of the Madras Proprietary Estates Village Service Act, 1894, or under sub-section (1) of section 10 or sub-section (1) of section 11 of the Madras Hereditary Village Offices Act, 1895, or that the suit is barred by lapse of time under section 14 of the Act last aforesaid, or that the relief prayed for is a mere declaratory decree, he shall pass an order rejecting the plaint.

24. When the suit is admitted, the Collector shall issue a written summons to the defendant on payment of the necessary process-fee by the plaintiff and shall forward therewith a copy of the plaint or a concise statement of the nature of the claim made.

25. The summons shall require the defendant to appear at the Collector's office on the day fixed, bringing with him, subject to all just exceptions, any documents which the plaintiff may desire to inspect, and all documents which the defendant may desire to produce in his defence. The defendant shall not be allowed to produce any documents except at the first hearing of the suit, unless he shall show cause to the Collector's satisfaction for their admission afterwards.

26. On the date of first hearing, each party shall produce the witnesses on whose evidence he intends to rely in support of his case.

27. Such of the witnesses required by either party as will not appear without issue of process shall be summoned on payment of the necessary process-fee and batta.

28. Summonses to the defendant and witnesses shall be prepared and served in the manner provided in Madras Act III of 1869.

29. If, on the day fixed for the trial of the suit or on any subsequent day to which the hearing of the case may be adjourned, neither of the parties appear in person or by authorised agent, the suit shall be dismissed.

30. If the defendant only appears, the Collector shall pass judgment against the plaintiff by default unless the defendant admits the plaintiff's claim wholly or in part, in which case the Collector shall give judgment on such admission without costs; provided that such judgment, if there be more than one defendant, shall be only against the defendant who makes the admission.

31. If the plaintiff only appear, the Collector upon proof that the summons was duly served on the defendant, shall proceed to examine the plaintiff and his evidence and may pass judgment *ex parte* for or against the defendant.

32. In the case of a judgment by default or *ex parte*, the Collector, on good and sufficient cause being shown within sixty days from the date of the decree, shall pass an order to set aside the decree and shall appoint a day for proceeding with the suit. Provided that no such decree shall be altered, modified or reversed unless the adverse party has been summoned and heard in support of it if he appear.

33. When the defendant appears, the Collector shall ascertain from him whether he admits the claim made in the plaint, and if he does not, shall require him to state his objections. His statement shall be recorded in writing.

34. In the hearing of the suit the examination of the parties or their authorised agents and of the witnesses for the plaintiff and the defendant, shall be upon oath or solemn affirmation or otherwise according to the law for the time being in force relative to the examination of witnesses.

35. The evidence of the plaintiff, defendant and witnesses, shall be taken down in the form of a narrative in the vernacular language of the district or in English, and shall be signed by the Collector after being read over and being explained, if necessary, to the deponent.

36. The Collector may call for any additional evidence or documents and summon any additional witnesses necessary to elucidate the case.

37. If, on the presentation of a plaint, the defendant be present, the Collector may proceed at once with the investigation of the suit.

38. The Collector may in any suit grant time to the plaintiff or defendant to proceed in the prosecution or defence of the suit and may also for any sufficient reason to be recorded by him adjourn the hearing in such manner as to him may seem fit.

39. The record of the suit shall comprise the plaint, such summonses as may have been issued or copies of them, the examination of the plaintiff or his authorised agent, the statement taken from the defendant or his authorised agent or any written statement which the defendant may have filed, the evidence of the witnesses and a list of the documents filed. Such documents when retained by the Collector shall be included in the record.

40. On the hearing of the suit being completed, the Collector shall pronounce his decree, which shall be prepared as required in clause (iii), sub-section (1) of section 16 of the Act, and shall be dated and signed by him at the time when it is pronounced.

41. The decree shall state the amount of costs incurred in the suit and by what parties, and in what proportions such costs are to be paid.

42. Certified copies of the decree shall be furnished to the parties on application to the Collector and at their expense.

(b) Procedure in regard to appeals from decrees or orders passed in suits.

43. An appeal from a decree or order passed by a Collector in suits filed under section 13 shall set forth concisely and under distinct heads the grounds of objection to such decree or order without any argument or narrative, and such grounds shall be numbered consecutively.

44. The memorandum of appeal shall be accompanied by an authenticated copy of the decree or order appealed against.

45. The appeal shall be filed and the records of the case shall be called for. When the District Collector is the appellate authority, he may, on a perusal of the records and after hearing the appellant, dismiss the appeal if no ground for interference is disclosed.

46. The provisions contained in section 16, sub-section 1, and rules 24, 28—36, 38 and 40—42 regarding the trial of suits shall apply *mutatis mutandis* to the trial of appeals.

47. The appellate authority may either take further evidence itself or may cause it to be taken by the Collector who tried the suit, and may direct him to return a finding on such points as may be necessary. It may also issue orders staying the execution of the decree or order appealed against, pending final disposal of the appeal.

48. A copy of the decree shall be forwarded to the officer who tried the original suit. It shall be filed by him with the records of that suit and an entry shall be made in the register of suits.

49. In a second appeal to the Board of Revenue the memorandum of appeal shall be accompanied by authenticated copies of the original and appellate decrees.

50. The Board of Revenue may call for the records of the case and may cause further evidence to be taken by the Collector and may direct him to return a finding on such points as may be necessary.

51. A copy of the decree shall be forwarded to the appellant and to the respondent and also to the District Collector.

(c) Registers to be maintained in connection with suits and appeals.

52. Three registers shall be maintained in the forms I to III given in Appendix B, viz., (1) register of suits, (2) register of appeals, and (3) register of summonses.

Under clause (v)—The execution of decrees and orders passed in suits and the taxation of costs.

A.—Execution of decrees and orders passed in original and appeal suits.

53. When the holder of a decree or order desires to execute it, he shall submit to the Collector who passed the decree or order in the first instance an application in writing in the following form:—

FORM of application for execution of decrees or orders passed in original and appeal suits.

Number of suit to which the application for execution relates.	Names of the parties to the suit.	Date of the decree or order.	Whether any appeal has been preferred against the decree or order.	Name of person against whom the decree or order is sought to be executed.	Mode in which the assistance of the court is required, whether by delivery of property, recovery of money, &c.	Whether the necessary process fee has been produced with the application, and, if so, the amount thereof.

54. The application shall, on receipt, be dated, and shall then be entered in the register to be kept for the purpose and also in the remarks column of the register of suits. If the application is not barred by limitation of time, and if, within 15 days from the expiration of the time allowed for appeal, no orders have been received from the appellate court staying the execution of the decree or order specified in the application, the Collector may proceed to execute such decree or order in the following manner:—

(a) When any person is declared to be entitled to the possession of immovable property—by issuing a warrant under the hand and seal of the Collector addressed to some person named therein authorizing such person to give possession of the immovable property according to the adjudication, and to remove, if need be, any person bound by the decree or order who refuses to vacate the property.

(b) When any person is declared to be entitled to the rent or revenue due on immovable property in the possession of a tenant possessing occupancy right,—by issuing a notice in writing under the hand and seal of the Collector prohibiting such tenant from paying the rent or revenue to any one other than the holder of such decree or order specified in the notice.

(c) When any person is adjudged liable to pay mesne profits or costs or any sum of money,—by proceeding in the manner provided for the recovery of arrears of land revenue.

(d) In cases when any person is declared to be entitled to the possession of an office,—by a notice in writing under the hand and seal of the Collector prohibiting the person or persons named therein from exercising or pretending to exercise the functions of the office, or performing the duties thereof, or collecting the emoluments attached thereto, if any. In cases where rent or revenue from lands forms the emoluments of the office, notice shall also be given to the person who possesses the occupancy right in such lands directing him to pay the rent or revenue to the decree-holder.

55. No payment under a decree and no adjustment of it shall be recognized by the Collector, unless it be intimated to him for record in the register of suits.

56. Registers of applications for execution and of warrants or other processes issued in execution of decrees shall be maintained in forms IV and V prescribed in Appendix B.

B.—Taxation of costs.

57. The costs of all suits or appeals or of execution proceedings shall be calculated with reference to the scale of fees prescribed in Appendix A. No costs shall be awarded as pleader's fees.

Under clause (vi)—The salaries and other allowances to be assigned to the holders of the village offices forming class (1) in section 3 and the method of their payment.

A.—Salaries and other allowances.

58. Holders of village offices forming class (1) in section 3 of the Act shall be paid fixed monthly salaries according to a scale which will be fixed from time to time by the Board of Revenue, with the sanction of Government.

59. The rules laid down in the Civil Service Regulations as regards pay and acting allowances shall not apply to village officers.

60. When a village officer discharges the duties of two or more villages, he shall be granted the pay allotted to the class corresponding to the combined revenue of all the villages.

61. Tahsildars and Deputy Tahsildars in independent charge may grant leave to village officers for periods not exceeding one month at a time. In general such leave shall be granted on the condition that the duties of the office are discharged by some relative or friend of the officer taking leave on his responsibility.

62. In the case of village officers other than village munsifs and karnams, Tahsildars and Deputy Tahsildars in independent charge may appoint paid substitutes for the absentees.

63. Applications for leave for longer periods than one month shall be disposed of by Divisional officers.

64. When a substitute is appointed during the absence of the permanent incumbent on leave or on suspension, the whole of the pay of the office shall be disbursed to the substitute, except when he is a village officer of another village in which event Rule 60 above will be observed.

65. Village officers attending courts on summonses shall be held to be on duty.

B.—Method of payment of salaries, &c., to Village officers.

66. The holders of village offices forming class (1) in section 3 of the Act shall be paid from the revenue collections of the villages in which they are employed, except when there is a paucity or an absence of collections in the villages, in which case their pay may be drawn from a Government treasury or a Bank.

67. At the beginning of each month, pay abstracts of the village establishment actually employed during the previous month shall be prepared in the prescribed form, printed copies of which will be supplied by Tahsildars, and shall be forwarded to the Taluk office. Any sum which may be due but not billed for by reason of absence on leave, &c., shall be noted in the column of remarks with a brief explanation of the circumstances under which it was not drawn, the entries being referred to when the amount is claimed on subsequent bills.

68. The abstract shall be submitted separately for each revenue village or the charge of a head of the village and not for a group of villages in charge of a karnam.

69. The abstract will be scrutinised in the Taluk office and returned to the villages with an order for payment endorsed on it under the signature of the Tahsildar, or, in his absence, of the Taluk Sheristadar or Head Accountant.

70. The pay abstract, with the acquittances obtained after payment in the column provided therefor, shall be sent to the taluk with the village remittances, the amount disbursed being shown as a deduction from the gross collections in the village cash accounts (Nos. 13 and 15).

71. When the pay is to be drawn from a Government treasury, the pay order will be endorsed on the pay abstract, but when it is to be drawn from a Bank, a printed cheque will be issued. In either case the abstract will be returned to the village to be retransmitted to the Taluk office, after obtaining the acquittances of the payees.

72. Arrear claims shall be billed for on separate abstracts, particulars of the periods on account of which the arrears are due and of the months in which, if at all, they were refunded into the treasury being carefully noted.

73. No pay shall be disbursed to village officers without the special sanction of the Treasury Deputy Collector when it is left undrawn for more than a year.

74. Undisbursed salaries, in cases in which the amounts are drawn by cheques or payment orders on the Bank or treasury, shall be refunded by short drawal in the following month's pay abstract.

Under clause (vii)—The duties of the holders of the village offices forming classes (1) and (3) in section 3 and the descriptions and forms of the accounts and registers to be kept by them.

A.—Duties of the holders of village offices forming class (1) in section 3.
The holders of the village offices forming class (1) in section 3 shall be bound to perform the following duties:

75. The holders of the village offices forming class (1) in section 3 shall perform the duties prescribed in the Village Officers' Manual, volumes I and II, and such other duties as they may be required to perform from time to time by competent authority. They shall also maintain the accounts and registers contained in the Manual of Village Accounts and such other accounts as they may, from time to time, be required by competent authority to prepare.

B.—Duties of the holders of village offices forming class (3) in section 3.

76. The holders of village offices forming class (3) in section 3 shall perform the duties and keep the accounts prescribed for the holders of such offices under Act II of 1894.

(viii) *Custody, production and transfer of accounts and other records kept by village officers.*

77. Karnams and monigars shall, when called on to do so, produce the accounts, registers and other records maintained by them or in their custody, for the inspection of the officials authorised by the proprietor or by the Collector to inspect the same.

78. Except when called upon to produce their accounts and other records as hereinbefore mentioned, they shall keep the same intact in their villages, unless otherwise directed in the Village Manual.

79. In the event of suspension or dismissal under section 7 (1) of the Act they shall hand over all the accounts and other records to their duly appointed successors.

(ix) *The publication of administration reports under the Village Cess Act, 1893, the Proprietary Estates Village Service Act, 1894, and this Act.*

80. After the close of the official year, the Board of Revenue shall publish in the Fort St. George Gazette and in the District Gazettes a report on the administration of Acts IV of 1893, II of 1894 and III of 1895.

APPENDIX A.

SCALE OF PROCESS FEES.

Section I.

	Rs.	A.	P.
1. Summons or notice to defendant or respondent	0	8	0
And to every additional defendant or respondent if applied for at the same time and if defendant or respondent resides in the same neighbourhood	0	4	0
2. Summons to a witness	0	8	0
And to every additional witness if applied for at the same time and if witness resides in the same neighbourhood	0	4	0
3. Warrant for delivery of possession of property	0	12	0
4. Injunction, order or notice not otherwise provided for	0	8	0

Section II.

RS. A. P.

Processes issued for the recovery of mesne profits, costs or other sum of money in the same manner as for the realization of arrears of revenue.

arrears of revenue.				
1.	Notice authorizing the distraint of movable property, but the service of which is not accompanied by actual distraint	...	0	4 0
2.	Notice authorizing the distraint of movables under which distraint is actually made		0	8 0
3.	Sale of movable property		0	8 0
4.	Notice served as a preliminary to the attachment of immovable property		0	4 0
5.	Notice of attachment of immovable property		0	8 0
6.	Notice of sale of immovable property		0	8 0

SECTION III.

BATTA AND TRAVELLING ALLOWANCES TO WITNESSES.

		Europeans and East Indians.			Natives.		
		1st class.	2nd class.	3rd class.	1st class.	2nd class.	3rd class.
Travelling allowance.	By rail ..	1st-class fare.	2nd-class fare.	3rd-class fare.	1st-class fare.	2nd-class fare	3rd-class fare.
	By road ..	8 annas per mile.	4 annas per mile.	2 annas per mile.	8 annas per mile.	2 annas per mile.	2 annas per 10 miles; $\frac{1}{2}$ anna per mile when witness cannot walk.
	By sea or canal ..	Actual expense of passage.			Actual expense of passage.		
Batta not to exceed ..		1 $\frac{1}{2}$ rupees <i>per diem.</i>	8 annas <i>per diem.</i>	4 annas <i>per diem.</i>	12 annas <i>per diem.</i>	6 annas <i>per diem.</i>	3 annas <i>per diem.</i>

APPENDIX B.

FORMS.

I.—Form of register of *suits*.

[illegible]

II.—Form of register of *appeals*.

[illegible]

E X T R A C T

12

No. 402, REVENUE, 11TH AUGUST 1896.

III.—Form of register of summonses.

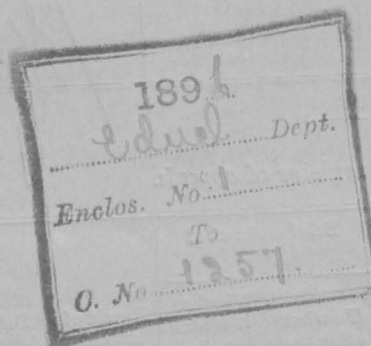
Serial number.	Number of suit.	Name of person to be summoned.	Date of					Amount of batta and process fee.	Name of person to whom summons is entrusted.	Remarks.
			Application for summons.	Production of batta and process fee.	Issue of summons.	When returnable.	When served.			

IV.—Form of register of applications for execution of decrees.

Serial number.	Date of receipt of the application.	Date of decree or order and number of suit to which it relates.	Name of applicant.	Name of person against whom execution of decree or order is sought.	Mode in which the assistance of the Court is required.	Whether and when process fee for warrants, &c., is produced by the applicant.	Date of order directing execution.	Remarks.

V.—Form of register of warrants and other processes.

Number of application for execution.	Description of process issued.	Amount of process fee realized.	Name of person against whom process is issued.	Name of person to whom process is entrusted.	Date when issued.	Date when returnable.	Date when returned.	Remarks.



Exd. Md. Pahlivan.

50 Copies.

from the Office Note with the remarks of the Honourable Mr. Grose, C.I.E.

When the Village Officers' Special Test was instituted in 1891, the Collector was vested with power to grant exemptions in special cases from passing that test. This power is allowed in the draft rule but it is extended so as to enable him to grant exemptions from passing the Primary School Examination also. It is a question whether this power should be granted to Collectors. Orders are requested. Further the operation of the rule as to the Village Officers' Test has recently been postponed from the 1st January 1896 to the 1st January 1898. Orders are requested as to whether the operation of the rule as to the Primary School Examination also will be similarly postponed. On orders being passed on the above two points, the necessary amendments to Rules 1 and 2 will be submitted.

I think the power of exemption should be given to the Collector.

(Intld.) J.G. yes.

(Lutts) 84.

(True Copy)

Ag. Secretary to Government.

PS

collectors to
Sanction



[G.]
24.

500-28-10-95.

Ed. DEPARTMENT.

Papers to be read in proceedings:—

Again G.O., dated 9th May 1894, No. 317

Again G.O., dated 24th May 1894, No. 361

Current No. 1257 of 1896, dated 19th Oct, from the Rev. dept.

" " " 189 " " " "

" " " 189 " " " "

ORDER. No. 729 of 24th Nov 1896.
P. 5.

Candidates for appointment to the offices of karnam, village headman and monigar will not Accordingly be required to have passed the Primary examination till the 1st January 1898 and persons ^{already} holding such offices that date will be exempted from passing the said examination. So much of the two G.O.s read above as are inconsistent with these orders will be regarded as cancelled.

2. In view of the postponement of the date of introduction of the Primary examination as a compulsory test for village offices ^{now ordered} no action will be taken towards empowering Collectors to

Sanctions

Sanction the appointment of
unpassedmen as proposed.

8/21/11

Note.

The exemption of heirs
to village officers specified in rule
19. referred to has already been
Sanctioned and no further orders
are called for. vide G.O. 361
24-5-94
+ 395 Ed.
10-5-95

The date of introduction of the
Primary examination in the case
of village officers was fixed in
para 1(9) of G.O. 317 Ed.
9-5-94

2 of the draft is self evident
calls for no explanation.

To
The Bd of Regs (L & R) in m/s first
Rev Dept
Com. L & R
Dep 9/12

1st copy sent to Press.

Returned for signature.

Despatched in print.

AD AGAIN G.O., No.
152

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MPANT FOR DESPATCH
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8-12-13

26/7/75 ✓