M.R.O. 1—29,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 1613 Press ~~Mis.~~

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Dated 7.12.1860 ~~19~~

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 7th December 1860.

No. 58. Read the following Proceedings of Government in the Revenue Department, dated 4th December 1860, No. 2,301.

Communicating for information the Order passed on a letter from Mr. C. Pelly, submitting his proposition for the revision of village establishments and their emoluments. (Vide Proceedings Revenue Department, dated 4th December 1860, Nos. 30 to 33.)

No. 59. ORDER THEREON, 7th December 1860, No. 1,613.

Communicated to the Inspector General of Police.

(Signed) T. PYCROFT,

Chief Secretary.

Exd. T. O'Connor.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers:—

From C. PELLY, Esq., Member of the Board of Revenue, to J. D. BOURDILLON, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated 13th September 1860, No. 504.

SIR,

1. In obedience to the orders of Government under date 3rd September 1859, No. 1,187, I have been in communication with Collectors on the subject of revising the village Establishments. But their time has been so occupied with other duties that as yet I have not received the statements which I directed to be prepared, and which necessarily would take several months to prepare; and without these, I am not yet in a position to report to Government on the assets which exist and are available for the remuneration of the Revenue village servants. But I will no longer defer submitting a proposition for determining the scale of allowances that should form the basis of remuneration for these offices. But as a preliminary step, I may at once dispose of a question that has been raised respecting the status of the Maniyakáran, or head man of the village.

2. The question whether the office of head man of the village should be represented by a single individual or by a corporate body, and whether it should be remunerated or not by the State, and whether the holder should be elected by the village community, or be selected by the Government authorities, and even whether he should be responsible for the collection of the revenue, and not rather be a Judicial functionary than a Revenue Officer, has been raised in a letter* from Rangá Chárlu, Special Assistant to the Inám Commissioner, who has strongly advocated the measure of unpaid functionaries, relieving them of the duty of collecting the revenue, which work he would leave to the Curnum, and would make the head men honorary Magistrates and Judicial functionaries of the village, their election being entrusted to the village community. The details of his scheme he drew out in a subsequent memorandum.† In his views Mr. G. N. Taylor the Inám Commissioner has heartily and entirely concurred.

* *Letter from C. Rangá Chárlu, Special Assistant to the Inám Commissioner, to G. N. Taylor, Esq., Inám Commissioner, dated 15th November* 1859.

† *Memorandum explanatory of a scheme for the revival of the village Municipal Institutions by C. Rangá Chárlu, Special Assistant, Inám Commissioner.*

Memorandum by the Inám Commissioner, 16th February 1860.

3. The opinions of several Collectors and other gentlemen, European, and Native, who have favored me with their sentiments on this matter, (which is of some importance, inasmuch as the general welfare of a village, and of the country, depends in no slight degree on the character and efficiency of the chief village authority,) are for the most part opposed to the views advocated by the Special Assistant, though there are one or two who coincide with him. I would just allude to the opinion of two Deputy Collectors both of Tanjore (as Rangá Chárlu's views apply chiefly to the Southern Districts). One Ragunáda Ráu gives Rangá Chárlu's views his hearty support, the other Deputy Collector of the *same* District, Ramaiengár, is entirely opposed to Rangá Chárlu's views.

4. My own opinion is not in favor of the scheme proposed by Rangá Chárlu and supported by Mr. Taylor. This scheme is based on having a municipal body to administer the affairs of the village; but provides for one of their body being selected as the Munsiff and really the head man; and as respects this individual the scheme, I may observe, presents four features. First. The manner in which he should be selected. Rangá Chárlu would have him elected by the municipal body, who are first to be elected by the village community. I am, however, decidedly of opinion that the selection of the head man should be left to the Collector, who, in making his choice, should consult the wishes of the villagers, but decide himself. The social position of the person, and his influence in the village, his landed property, his character, his Mirási rights, his aptitude for the work, and the general wishes of the people, would all be points for consideration in making a choice of the Maniyakáran, whose tenure of office the Government have declared is to be during good behaviour. While the general opinion of the people may materially assist the Collector in selecting the best man, it would not be expedient in villages, where much party spirit generally prevails to leave the selection entirely to them.

5. The second feature in the scheme is, whether the office is to be remunerated or not? I do not think it necessary to say much on this point. The Government look for efficient and honest administration, and to secure this they must pay for it, as a general rule. If the office is not paid ostensibly, irregular methods will be resorted to for re-imbursing the incumbent for his services, or those services will not be of much value. Where there are now no apparent or authorized emoluments, there can hardly be a question but that the office holder is remunerated in various ways, which are not sanctioned except by custom.

6. A third feature is the relieving the head man of the duty of collecting the revenue, and to impose this work on the Curnum. This proposition is very objectionable, the Curnums' work should be confined to keeping the accounts, and to making entries of the payments of the kist, but it is the duty of the head man to attend to the collection of the revenue, as well as to superintend the village affairs. It is no degradation whatever to the office of head man to impose this duty on him, but quite the reverse; and to transfer it to the Curnum would, as it often does now, tend to much abuse. There is no reason why the office of Maniyakáran should be degraded by his being subjected to the annoyances from the public servants noticed by Rangá Chárlu. This will not be permitted in future; the respective duties of the Maniyakáran and the Táluq authorities will be defined, and the latter will not be allowed to infringe their duties, for the oppression and annoyance of the village authority.

7. The last feature in the scheme is, making the head man as a member of the Municipal body a purely magisterial and judicial functionary. This is a matter for the consideration of the judicial authorities rather than a matter of revenue administration. But as regards his magisterial functions I am of opinion that the Maniyakáran should exercise whatever magisterial power may be entrusted to the head of the village independently, and not conjointly, as a member of a Pancháyat. In the greater number of villages there will be but very little magisterial work to be done and that will be done quite as well, to say the least, and I believe better, by one carefully selected man, as by three or more together, who would probably only hinder rather than expedite justice.

8. There may be no objection to the head man being a member of a Judicial Panchâyat for the adjustment of small civil causes as proposed by Rangá Chárlu and advocated by some Judicial officers of great experience. But what the Government require for the proper administration of the revenue affairs of a village is, a man held in good estimation by the village generally, a man whose status in the village gives him an influence among the people, and who is at the same time a man of business habits, in whom confidence to a certain degree may be placed, and it is the object of Government to make the post one of honorable distinction. And it is the duty of every Collector to uphold the respectability of the office, and to insist on the Tahsíldárs doing the same.

9. I shall now proceed to consider the rates of remuneration that may be proper to allow the several functionaries who will constitute the village Government Establishment. This has been a matter of much difficulty satisfactorily to determine, and as yet I have received but little assistance in coming to a conclusion from the Collectors. We may propose a scheme, but until the existing emoluments of the offices are ascertained by the accounts, which are still for the most part under preparation in the Collector's offices, I cannot give any approximate idea of what will be the financial result. But on the other hand I clearly see that little advance can be made until a scale has been submitted to, and approved of, by Government, as the scale on which the calculations are to be based. If this is done now, I shall be able I hope in a very short time to show to what extent the village emoluments are sufficient, and where they will require, in conformity with *that* scale, to be supplemented to make them so.

10. I believe that for the Maniyakárans, the remuneration for the existing official Mirásdárs, need not be large to procure the services of competent men for that office from among the old office Mirásdárs, who are likely to be more acceptable than strangers introduced, to whom it would be necessary to give higher wages, so that when it is found that the emoluments of office are even less than the minimum of the scale, I think, in many cases, the service required will be performed without difficulty, notwithstanding the State may not be able to raise the remuneration of the office holder.

11. To Curnums a higher rate of emoluments must be given to secure a due and efficient performance of their arduous duties, and I should be sorry that the minimum of the remuneration should not in all cases be made good. But even in their case, I believe, they would rather continue to perform the work, if they are the old Mirásdár Curnums of the village, ill remunerated, rather than see their office given to another person and amalgamated with another village.

12. Where old Mirási rights exist it is not my wish to destroy them by any unnecessary amalgamation of villages, but in some instances where the emoluments are very small or other circumstances exist, which prevent the due performance of the duties of the office by the Mirásdárs, it will probably be necessary to depart from this rule; but whenever small villages with small emoluments can be conveniently united, without infringing old Mirási rights, it will be invariably done, in order to afford a proper remuneration and secure due efficiency, without entailing unnecessary expense on the Government.

13. After much consideration I have resolved to submit the accompanying scale of remuneration for village servants in every District. It has been framed partly with reference to a scheme of remuneration for Potails and Curnums drawn up by Colonel (Sir Thomas) Munro when Collector of the Ceded Districts, for those offices when unremunerated or insufficiently paid. And partly on a general consideration of what would be a fair allowance for the several village servants. And I beg to submit it for the consideration of Government, and, if sanctioned, I would at once direct its being taken as the standard for the new account now under preparation. Having the standard settled, I shall be able to ascertain what deviations from it in particular cases may be necessary. I would observe that the emoluments of the Curnum includes the cost of petty stationery, pens, ink, oil, &c., but not books and paper for accounts and reports, which should, I think, be provided by the Government of a uniform description for the villages in each District.

See Enclosure A.

14. The minimum salary of the Curnums has been calculated at so many Rupees per month, and the maximum (which is only to be given when the present emoluments are more than the minimum) has been calculated at 1 and ⅓rds of the annual minimum rate. The Maniakáran's salary it will be observed has been fixed at a sum considerably less than that of the Curnums for the minimum. But for the maximum I have retained the same amount as the maximum of the Curnums. These head men of a village are in many places in possession of large Ináms, which circumstance has given them a high social position in the village and much influence. It is not, I think, desirable considerably to deprive them of these emoluments where they already exist, and I think a liberal amount should be fixed for the maximum of these officers, within which it is not expedient to interfere with their present rights. What remains above this maximum will come under the influence of the Inám Commission.

15. I also have the honor to submit, as an Appendix,* a memorandum of the duties, which I consider the proper duties, of the several classes of village officers, with some remarks annexed to them, for the approval of Government.

* *B.*

16. I have received the statements of existing emoluments and the propositions of Collectors from only six Districts. But these require much examination and consideration, and I think it would expedite the work entrusted to me, if I were occasionally to visit some of the Districts, and, in personal communication with the Collector's, arrange on the spot, what might appear in each District, the best and most practical scheme of village Revenue Establishments, for submission to Government, in the same way as the Inspector General of Mufassal Police has been arranging for the village Police Establishments in personal conference with Collectors. And I would beg to be favored with the order of Government on this suggestion.

From Ganjam, dated 7th April 1860, *No.* 420.
„ *Kistna, dated 7th Sept.* 1860, *No.* 890.
„ *Madras, dated 2[illegible]th May* 1860, *No.* 483.
„ *Trichinopoly, dated 4th July* 1860, *No.* 627.
„ *Madura, dated 7th August* 1860, *No.* 795.
„ *Malabar, dated 24th July* 1860, *No.* 772.

Minute by the Honorable Mr. E. Maltby. } (Here enter 18th October 1860.)

Minute by the Honorable the President. } (Here enter 19th October 1860.)

ORDER THEREON, 4th December 1860, No. 2,301.

1. In his letter recorded above, Mr. Pelly submits his proposition for the revision of Village Establishments and their emoluments. He first discusses a scheme put forward by Rangá Chárlu, one of the Special Assistants to the Inám Commissioner, for "reviving" the Village Muni-

cipal Institutions, but which in fact is a new scheme altogether. Mr. Pelly's conclusions on the scheme, as given in paragraphs 4 to 8, appear to the Government to be quite sound; and it is only to be regretted that so much time has been devoted to the consideration of speculations which however clever are eminently impracticable.

Appendix A to Mr. Pelly's letter.

		Rs.
Revenue		300
Minimum salary.	Rs.	
To Maniyakárans...	24	
To Curnums	36	
	—	60
Maximum.		
To Maniyakárans	60	
To Curnums	60	
	—	120
Revenue		9,000
Minimum salary.		
To Maniyakárans...	144	
To Curnums	210	
	—	354
Maximum.		
To Maniyakárans...	350	
To Curnums	350	
	—	700

2. The rates of remuneration proposed by Mr. Pelly for the village Officers would entail a heavy charge for the mere collection. In villages of the lowest class the minimum charge for Maniyakáran and Curnum together amounts to 60 Rupees, or 20 per cent. of their revenue, while the maximum is 40 per cent. In the smaller villages of the class these high rates of charge are much increased. In the larger classes of villages these proportions are much diminished, but even in the largest, the pay of the two servants named is to be about four per cent. as the minimum and nearly eight per cent. as the maximum. It is probable, indeed, that the maximum rate of emolument will rarely be found except in the Ceded Districts; and Mr. Pelly has fixed it high to avoid extensive confiscations. It is seen also from paragraph 10 that Mr. Pelly does not propose that even the minimum rate for the Maniyakáran shall be made up in all cases.

Proceedings, 3rd September 1859, *No.* 1,187.

3. A main point in the scheme approved by Government in their Proceedings of the 3rd September 1859, for the reform of the Village Establishments was to diminish the number of Office bearers to that which is really necessary, and not to have more than one Maniyakáran and one Curnum in a village. This will greatly economize the emoluments, which are now often divided among several co-ordinate Office bearers. Another part of the plan and with the same object, was to bring back to the nominated and registered Office bearer, all alienated portions of the Inám, so far as might be necessary to make up the required emolument. A third feature in the plan was to unite two or more villages together where very small.

4. A scale of emoluments is necessary to enable the Inám Commissioner to deal with the village service Iníma. All that he has been able as yet to do has been simply to record the extent, value and enjoyment of the Iníma. This defect was not of so much importance in the Northern Circars, where the village service Iníma are comparatively few; but now that the commission is at work in the Ceded Districts, it is necessary that he should be furnished with the means of deciding as well as of merely recording.

5. As that part of the country is well known to Mr. Pelly, he having been for many years Collector of Bellary, the Governor in Council is willing to permit the adoption in the Districts of Bellary, Cuddapah and Kurnool of the maximum part of the scale of remuneration now proposed; but they are not prepared to engage to make up smaller emoluments to the minimum scale. The remuneration of the village servants in the southern parts of the Presidency are much lower than in the Ceded Districts; and Mr. Pelly's scheme, if adopted entire in all Districts, would cause a great drain on the finances of the State. The Government consider it to be necessary, therefore, that his scale should be carefully reconsidered and rates of remuneration fixed for single Districts, or for groups of Districts after full consultation with the local authorities and the Board of Revenue.

6. The view taken by Mr. Pelly of the Maniyakárans' remuneration also needs some alteration although in the Ceded Districts, they may have been on a level with the Curnums as respects salary, it is not so elsewhere, nor would it be financially possible to introduce this principle generally. The Office of village Maniyakáran is prized not only for the emolument, but also for the social status and influence which it gives. This feeling should be turned to account and the means at the disposal of Government should be employed, primarily to give adequate remuneration to the more directly *working classes* of village servants such as the Curnums and Vettís. It is of course proper to give respectable allowance to the heads of villages also, but these Officers must not be regarded as ordinary Revenue servants.

7. With respect to the Curnums' salaries also Mr. Pelly's scale is considerably beyond the means at the disposal of Government. Without accurate data and the opinions of the Collectors and the Board of Revenue before them, the Government apprehend that serious embarrassment and disappointment would ensue if they declared their assent to the minimum rates of remuneration proposed by Mr. Pelly.

8. The course proposed as respects Vettís and Nírgantis needs some further explanation. For the Vettís and Nírgantis Mr. Pelly proposes 2½ and 2 Rupees respectively as the rates of emolument. It does not appear how he proposes to treat them, whether to bring all to these rates, or to take them as maximum or as minimum rates. The Government will only say therefore that although proper as minimum rates, they consider them too low to be taken as the general standard, and, much more, too low to be fixed as the maximum.

9. As regards grain fees it is not possible to deal with the subject on any general and uniform principle. They must be considered District by District either now after a local inquiry, or hereafter during the Revenue Survey. Where they have disappeared altogether they should not be revived; but in such cases the new survey assessment will be higher, because there will be no deduction for fees prior to the division of the crop between the Government and the Ryot.

10. Where, however, grain fees do exist they will be put into an intelligible and uniform shape as the Revenue Survey proceeds. The uniformity here alluded to is between village and village, and not between District and District. Having been thus settled, the grain fees should be commuted into a money payment and collected with the land Revenue, the amount being disbursed by the Collector periodically to the village servants. This is the practice in South Arcot and in a recent order* the Government expressed the opinion that hereafter it should be generally adopted.

* *Proceedings, Feb. 15th* 1860, *No.* 233 *Para.* 9.

Proceedings, 5th April 1860, *No.* 539.

11. In Proceedings dated 5th April 1860, the Board of Revenue were requested to embody in the new Revenue Code a provision for commuting the grain fees into money. The code however has not been again laid before Government, though but little remained to be done to it at the time of the order just quoted. The Government are anxious that no more delay should occur, and they resolve to call the Board's attention to the subject.

12. On the whole, the orders which the Government now pass on Mr. Pelly's scheme are as follow. They accept his scale of maximum rates for the Maniyakárans and Curnums, as respects the Ceded Districts; but not the minimum rates. When emoluments do not reach the maximum rates they will remain as at present. In dealing with the fees Mr. Pelly and Mr. Taylor will be guided by paragraphs 11 and 12 of the Order of February 15th 1860 above referred to.

13. Mr. Pelly appends to his report a memorandum of the duties of the various classes of village servants. It is carefully drawn up, but the Government do not see much need of such rules. The duties of these servants are well known in practice; and there may be local variations in particular places not in agreement with the rules which might give rise to difficulties if these rules were made the standard.

(True Extract.)

Acting Secretary to Government.

To C. Pelly, Esq.
To the Board of Revenue.
„ Inám Commissioner.
„ Judicial Department.
„ Director of Revenue Settlement.
„ Superintendent of Revenue Survey.
„ Civil Auditor.
„ Accountant General.
Exd. S. T. Augustin.

Judicial Police Dept.

Proceedings of Govt in the Pres: Dt 2301.

2 Enclosures

No 2018.

Copy for information, the order passed on a letter from Pvt C. Pillay intimating his suspension for the recovery of village Establishments and their Emoluments.

With an Order.

No. 1613 - 7 December 1860.

Communicated to the Inspector Genl. of Police.

The Inspector Genl. of Police.