Proceedings of the Madras Government, Judicial Department,
24th April 1862.

No. 176. Read the following Proceedings of Government in the Revenue Department, dated 15th April 1862, No. 838.

With reference to the preparation of Registers suggested by the Secretary of State on the subject of the possession of landed property in India by public servants, observe that the course prescribed by the Circular Order of the Sudder Adalut of the 7th January 1850 in regard to the Registration of lands held or acquired by servants in the Judicial Department, seems to be sufficient.

(Vide Proceedings Revenue Department, dated 15th April 1862, Nos. 240 & 241.)

No. 177. ORDER THEREON, 24th April 1862, No. 637.

Communicated to the Sudder Court, in reference to their Registrar's letter, dated 28th February last, No. 32.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. T. O'Connor.

Proc of April

Ind.e 1862 Depts.

A.e

From

The A.d Deputy Registrar

of the Supreme Court

To

The Chief Secretary

to Government.

Dated 17th April 1862.

Rec.d 18

A.e 56.

Sir 791

Requesting in-

formation regarding

the retention of the Addl

Translators of the Supreme

Court and orders res-

pecting their salaries.

Inside

Ord.r 24 April 1862 No 638

Calcutta 17 April 62

Sir I am directed in reference

to your letter of this date

Original Ord.r No 625.

List of 2 Papers

1784-178

REVENUE DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letter from W. HUDLESTON, Esq., Secretary to the Board of Revenue, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 15th March 1862, No. 1,738 :—

SIR,

1. In reply to Order of Government, dated 14th February 1862, No. 318, Revenue Department, on the Proceedings of the Supreme Government communicating Extracts from the Despatches of the Home Government, dated 10th August and 30th November 1861, on the subject of the possession of landed property in India by public servants, in which Order the Board are required to report what steps are in their opinion necessary to be taken for the preparation of the Registers suggested by the Secretary of State, I am directed by the Board to state that in their opinion such a Register as is indicated by Sir C. Wood would be useless if not mischievous in the Madras Presidency.

2. The Despatch contemplates a *Register at the Presidency* of the declarations *of Officers of all classes* (*including candidates for office*) of the fact of their being in possession of, or of their having acquired landed property.

3. Such a Register would, in the opinion of the Board, be useless for reference from its immense bulk, and from the impossibility after a few years of the authorities at the Presidency identifying with accuracy the individual or the position of the land, in the vast majority of cases, should information be sought from the Register, and it would be mischievous as inducing a belief and reliance on a safeguard which really would not exist, and in superseding existing systems which do afford a reasonable security, and might be adapted to serve every useful purpose.

4. In every District there is now maintained a Register of the landed property held by each Uncovenanted public servant as prescribed in the Board's Circular Orders, dated 28th August 1849, and 13th August 1859, and a slight modification of this District Register coupled with an order that every public servant on first obtaining office in a District shall fill up and deliver to the Collector or Judge, or Engineer of the District, a statement in the same form of the lands then held by him with a declaration as to its exhibiting truly and completely the state of his affairs in this respect, and shall similarly on pain of dismissal from the service notify every subsequent addition to, or alteration in his landed property, for Registry would, in the Board's opinion, fully meet the requirements of the case as regards persons in the public service.

Page 500 of Volume I, 176 of Volume [illegible]

5. In regard to applicants for public service, the Government might prescribe as a standing rule that every application should be accompanied by a similar declaration, on pain of summary rejection, and with reference to appointments which are made by Government, are confirmed by the Heads of Department, or the Sudder Court, the Chief Engineer and his Deputies, and the Board of Revenue, &c., a rule might be laid down that all nominations or recommendations should state whether the person nominated or recommended is possessed of landed property, and in what locality.

6. These rules would, in the Board's opinion, effect every useful purpose in this matter.

ORDER THEREON, 15th April 1862, No. 838.

1. The Governor in Council concurs with the Board that the existing Registers are sufficient for all practical purposes, and that it is undesirable to open fresh Registers at the Presidency.

2. The Board are requested to revise the present form of Register and the existing Rules with reference to the suggestions contained in paragraphs 4 and 5 of their letter under reply and to submit the draft for the [illegible]proval of Government. The Register should show also lands [illegible]d by public servants in other Districts than the one in which they happen at the time to be [illegible]oyed.

The Government would wish to have a Register kept in the Board's Office of lands held [illegible]covenanted Officers of the grade of Deputy Collectors.

4. The course prescribed by the Circular Order of the Sudder Adálat of the 7th January 1850, in regard to the registration of lands held or acquired by servants in the Judicial Department seems to the Government to be sufficient. In regard to the suggestion of the Sudder relative to the declaration to be made by Covenanted Judicial Officers of the lands acquired by them, it may be observed that paragraph 8 of the despatch from the Secretary of State can hardly apply to such functionaries, inasmuch as they are all absolutely debarred from holding land within the limits of their own Presidencies.

Ordered that the following letter be despatched :—

To the Secretary to the Government of India.—(Here enter 15th April 1862, No. 839.)

(True Extract.)

Deputy Secretary to Government.

To the Board of Revenue.
,, Judicial Department.

Exd. S. T. Augustin.

Pro. 20th April 1862 Dept 274
6th March
Proof April
Judl 1862 Dept

Dist 2nd March

Prom Govt in the
Rev: Dt 838.

Dt 15th April 62.
Rg 16th
Encl 1082
1120
1148
1252
1344
No 763

Ref: To the Preparation of Registers suggested by the Secy of State on the subject of the possession of landed property in India by public servants, & desiring that the course prescribed by the Circular order of the Sudder Adalat of the 7th Augt 1850 in regard to the registration of lands held or acquired by Servants in the Sudder Court may be sufficient.

Write an Order

No 637 - 24 April 1862
Communicated to the Sudder Court in reference to their Registrar's letter dated 28th February last - No 32 -

To the Sudder Court - Desp 24th

176 & 177