M.R.O. 1—38,0f 0—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 132 Press Mis.

178-179

Dated 29.1.1863 19 .

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 29th January 1863.

No. 178. Read the following Proceedings of the Board of Revenue, dated 10th January 1863, No. 128.

Read Proceedings of the Madras Government, Judicial Department, dated 7th January 1863, No. 17, requesting the Board to furnish to Government a copy of their Circular, 13th October 1862, on the subject of registering lands acquired by Uncovenanted Servants.

(In Consultation 8th January 1863, No. 97.)

Ordered that copy of the Board's Circular Order be furnished accordingly.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary.

To The Honorable A. J. ARBUTHNOT,
Chief Secretary to Government, with a copy of the Board's Circular of the 13th October 1862, No. 6,843.

CIRCULAR.

STANDING.

No. 6,843.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 13th October 1862.

Read the following:—

REVENUE DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following Proceedings of the Board of Revenue, dated 16th August 1862, No. 5,103:—

Read Proceedings of the Madras Government dated 23th May 1862, No. 1,196, Revenue Department, approving of the draft Circular proposed to be issued by the Board to all the Officers subordinate to them, on the subject of opening a Register of the lands held by public servants with certain modifications.

(In Consultation 30th May 1862, No. 3,352.)

Ordered that the draft Circular approved by Government in the foregoing Proceedings be revised, by having prefixed to it, as directed, a summary of the existing Rules on the subject of Uncovenanted Servants acquiring lands, the suggestion in paragraph 2 being likewise attended to, and that the Circular thus revised, be submitted to them for approval previous to issue.

(A true Extract.)

(Signed) W. HUDLESTON,
Secretary.

ORDER THEREON, 4th October 1862, No. 2,137.

The Governor in Council approves the draft Circular with a few alterations made in *red ink*.

(True Extract.)

(Signed) T. PYCROFT,
Chief Secretary.

RULES ON THE SUBJECT OF UNCOVENANTED SERVANTS HOLDING, OR ACQUIRING, LANDED PROPERTY.

To the Collector of

SIR,

1. The Board's Circular Order noted in the margin, on the subject of Uncovenanted Servants holding and acquiring lands, and the registration of such properties, having been since modified from time to time, I am directed by the Board of Revenue to furnish for your guidance the subjoined revised rules which have been approved by Government. You will adopt the annexed form of register of all lands possessed by, or belonging to, any of the servants on the Revenue and Magisterial Establishments in your District.

28th August 1849, No. 1,999, page 500, of volume I.

Rule I. No Uncovenanted Servant of the Madras Government shall in future be debarred from holding, or acquiring, lands within the Presidency in which he serves, upon the conditions hereunder specified.

Rule II. No Deputy Collector shall be allowed to hold, or to acquire by purchase, bargain, mortgage, transfer, or by any means, directly or indirectly, any landed property, or interest in any landed property, within the District in which he may be employed; but he shall not be debarred from holding, or acquiring, such landed interests out of the limits of his District, provided he submits a statement of his landed property for registry by the Collector as hereinafter provided. Special cases of lands previously acquired in the District, to which a Deputy Collector may be posted, will be submitted for the orders of Government through the Board as required by C. O., dated 17th November 1860, No. 5,367.

Rule III. In like manner, no Officer of the grade of Tahsildar or Sub-Magistrate shall be permitted to hold, or acquire, lands within the limits of the Taluk over which he presides.

Rule IV. The previous consent of the Collector is not necessary to enable a Revenue or Magisterial officer, or servant, to purchase, or acquire, landed property where it may be admissible for him to do so under these rules; but under Government Order dated 17th January 1860, No. 84, every Uncovenanted Servant on the establishments under the Collector shall, on the 15th January of each year, give in, for registry in the Collector's Office, a statement of all land purchased or otherwise acquired by him during the *preceding* year, whether within, or without, the District in which he is employed, and not already registered in his name, *with a declaration at foot duly signed by him to the effect that it truly represents all the landed property possessed by him, or in which he is in any way interested, in the District in which he is serving, or elsewhere.* The lands included in these statements will be entered in the District Registers of lands owned by Revenue servants. All such servants will be warned of the heavy penalty attached to any omission on their part to give full and correct information on this point; and the newly purchased lands are not to be transferred to their names in the village and District Registers until the selling parties have presented the usual deed of assent (Razinama) to one of the Covenanted Revenue Officers of the District.

Rule V. Where Uncovenanted Servants in the Departments under the Collectors shall become possessed of land, or of an interest in land, by individual inheritance, or as members of a family, they shall immediately upon such property devolving upon them, communicate all particulars respecting it to the Collector for registry, *with a declaration as to their truthfulness.*

Rule VI. When individuals holding land, or having any interest in land, may be appointed Deputy Collectors, or to situations in a Collector's or Magistrate's Huzur or Taluk establishment, they shall immediately upon such appointment, communicate to the Collector, for record in the District Register, all necessary particulars of such landed interests, should they not be already fully recorded in the same District Register, *with a declaration as to their truthfulness.*

Rule VII. Failure to make the returns prescribed by the foregoing Rules IV, V, and VI, and in the manner therein laid down, shall render the individual liable to *immediate* dismissal from the public service.

Rule VIII. All candidates for appointments shall submit similar declarations of interest in land with their applications, on pain of summary rejection; and where the appointments have to be made by Government or confirmed by the Board, all nominations or recommendations will state whether the person nominated or recommended is possessed of landed property, and in what locality.

Rule IX. Collectors shall keep a Register in their office of all lands referred to in the preceding rules. *They will state in their annual Jamabundy Reports, for the information of the Board, the number of public servants who have acquired land during the Fasli, the extent so acquired, with any other important particulars that may seem necessary. This information may be furnished in a short and concise tabstract statement entered in the Settlement Report.*

Rule X. Deputy Collectors, and Revenue and Magisterial servants, who, under the rules above prescribed, may acquire or retain lands, or interest in lands, shall not under any circumstances take a direct part in the cultivation of such lands, and no portion of that time and attention which ought to be devoted to their public duties, shall be applied to the management of such property, nor shall longer or more frequent leave of absence be allowed to them on that account. It will be the duty of Collectors to make such arrangements as shall, as far as possible, prevent the employment of Revenue and Magisterial Subordinate Officers in the Taluk within which their lands may be situated, or in such appointments as may enable them to interfere in the management of those lands.

Proceedings of the Madras Government, Judicial Department,
29th January 1863.

Rule XI. The above rules apply to the acquisition of land by *private* sale, mortgage, &c., Section 20, Regulation XXVI of 1802 prohibits native Revenue Officers from becoming purchasers of lands sold at *public* sale in the Zillahs in which they may be respectively employed, or of lands liable to *public* sale for arrears of Revenue then due; and by Regulation VI of 1832, this prohibition is declared to extend to lands of every description sold at *public* sale, by, or under, the orders of a Collector, whether in settled or unsettled Districts. These prohibitions still remain in full force, and apply to all Revenue and Magisterial servants alike.

Rule XII. The foregoing Rules it will be understood, do not apply to lands taken up for ordinary dwelling purposes.

2. On receipt of these orders you will please to call on every servant on the Revenue and Magisterial Establishments of your District, to fill up a return in the amended form, and to deliver it to you with *the* declaration *prescribed in Rule IV.*

3. From these returns, which will be carefully preserved, the District Register will be prepared; and henceforward you will annually require all your subordinates, on or before the 15th January of each year, to supply you with information in the same form of any alterations, or additions, or acquisitions, which may have taken place during the past year in the landed property belonging to, or obtained by them. You will not only let them distinctly understand that failure to make a true return will render them liable to dismissal from the service, but you will invariably forthwith dismiss any servant whom you are competent to dismiss, and who may offend against the standing rules above laid down, unless for sufficient reasons you see cause for recommending to the Board a modification of the penalty. In the case of Tahsildars, or other officials, not dismissable by Collectors, you will without delay report for the Board's orders any infraction of the rules.

4. You will, as heretofore, notice the number of servants who make such acquisitions, and the extent of land acquired by them during the year, with any other necessary particulars in your annual report; and you will be careful in making appointments, or nominations, that persons are not employed in the Taluks in which their lands are situated, so far as this can be done without inconvenience to the public service.

5. All the Uncovenanted Servants in your District should be called upon to make these returns to you, with the prescribed declaration on, or before, the 1st of *December* next; and so far as Officers of the grade of Deputy Collectors are concerned, you will be good enough to forward a copy of the registry for record in the Board's Office, and will regularly transmit for the Board's information any returns of alterations which may, from time to time, take place in the property of such Officers, and which will be duly made known to you by them, by the submission on the 15th January of each year, of the prescribed annual return.

6. You will also in future be careful, previous to appointment, to require a similar statement and declaration from all candidates for office.

7. As required in paragraph 2 of the Board's Circular of the 28th August 1849, you will please to take measures to make the above orders generally known throughout your District, *will publish them in the District Gazette*, and will have translations fixed up in your Huzur and Taluk Cutcherries, and you will adopt every means in your power to give the utmost publicity to the rules, and to prevent ignorance, or imperfect information respecting them, being hereafter pleaded in excuse for their being disregarded.

(Signed) W. HUDLESTON,
Secretary Board of Revenue.

Register of Lands held by Public servants and acquired by them prior or subsequent to their entering into the service of Government.

Name of Officer. Office and Department.	District and Taluk in which land is situated.	Land acquired. Extent.	Assessment.	When acquired and whether prior or subsequent to the employment in the public service.	By what means acquired.	Nature of interest possessed by such servant in such *land* property.	Remarks.

Ordered that the Circular Order, as modified by Government, be printed and issued to all Collectors.

(True Extracts.)

(Signed) W. HUDLESTON,
Secretary.

(True Copy.)

(Signed) W. SCHARLIEB,
First Assistant.

To all Collectors.

No. 179. ORDER THEREON, 29th January 1863, No. 132.

Copies of the Board's Circular, 13th October last, No. 6,843, will be furnished to the Inspector General of Police and to the Honorable the Judges of the High Court, in continuation of Proceedings, 7th instant, No. 17.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. T. McMootry.

Revenue Department

No.

Proceedings of the Board of Revenue
dated 10th January 1863.

Read proceedings of the Madras Government, Judicial Department, dated 7th January 1863, No. 17, requesting the Board to furnish to Government a Copy of their Circular, 13th October 1862 on the subject of registering lands acquired by unconcumbered Servants.

(In Cons: 8th January 1863 No. 97)

Ordered that Copy of the Board's Circular Order be furnished accordingly.

(True Extract)

Secretary.

To
The Honorable A. J. Arbuthnot,
Chief Secretary to Government,
with a Copy of the Board's Circular
of the 13th October 1862 No. 6843.

By Capt. H. Commander
Capt. & Chimiah

Trans: 7th January 1863. Act. 17.

Encl 1863 Dftt of
13th
Proceedings of the
Board of Revenue
Pro: Sang.

Dated 10th
Recd 12th } January 1863.
Ex.

No 49

Furnishing a Copy of the Board's Circular Order relative to the registration of Lands acquired by Unconcluded Servants.

With an Order.

No 132 — 29th January 1863.

Copies of the Board's Circular, 13th Oct. last No: 6,843, will be furnished to the Inspector Genl. of Police & to the Hoble the Judges of the High Court, in continuation of Pros: 7th Inst. No: 17.

The Inspector Genl. of Police
Hoble the Judges of the
High Court.

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