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MADRAS RECORD OFFICE

Government of Madras.

Judicial DEPARTMENT.

G.O. No. <u>2024</u>	Press <u>Original</u> ~~MIS~~
Dated <u>15.</u> <u>12.</u> <u>1890.</u>	

Not to be folded or roughly handled

15TH DECEMBER 1890, No. 2024, JUDICIAL.

GOVERNMENT OF MADRAS.
JUDICIAL DEPARTMENT.

READ—again the following paper:—

G.O., dated 8th March 1890, No. 443, Judicial.

ABSTRACT.—Passing orders regarding the use of Uriya as the Court language of Ganjam, and calling for returns showing the extent of acquaintance with the Uriya and Telugu languages of officials of certain courts in the Uriya-speaking tracts.

READ—also the following papers:—

From H. W. FOSTER, Esq., Officiating Registrar of the High Court of Judicature, Appellate Side, Madras, to the Chief Secretary to Government, dated Madras, 16th August 1890, No. 1942.

I am directed to forward the statement called for in G.O., dated 8th March 1890, No. 443, Judicial, showing the extent to which the members of the several subordinate Judicial establishments in Ganjam district are acquainted with Telugu and with Uriya, with the following expression of the views of the High Court on the desirability of making Uriya the exclusive Court language in the Uriya-speaking tracts of the district.

2. In his letter, of which a copy is enclosed, the Acting District Judge points out that there is no such clear line of demarcation between the areas occupied by the two races as to make it practicable either to prescribe one or other language for exclusive use in any of the District Munsifs' Courts with their present territorial jurisdictions, without prejudice to a considerable number of persons not acquainted with the language so prescribed, or even to re-distribute the territorial jurisdictions so as to make it possible to introduce advantageously such an arrangement. In each munsifi the two races are closely intermingled, and though there is a large preponderance of Uriya-speaking people in the Aska munsifi and of Telugus in the Chicacole jurisdiction, the residue forms a sufficiently large proportion of the population to make it inexpedient to prescribe one language for exclusive use.

3. In these circumstances, the High Court is of opinion that the division suggested by the Government is not feasible, but effect may be given to the views of the Government—in which, I am to say, the High Court generally concurs—by declaring both Telugu and Uriya to be the languages of all the four District Munsifs' courts, and laying down a rule in accordance with the suggestions made by the Acting District Judge in paragraph 6 of his letter, namely, that, so far as possible, both the regular and the process service establishments of the four courts should, in future, be so recruited that at least three-fourths of the whole number in the Aska Court, half in Berhampore and in Sompét, and one-fourth in Chicacole, may be persons acquainted with Uriya to the extent necessary to enable them to perform their duties efficiently with the use of that language alone.

From E. C. JOHNSON, Esq., District Magistrate, Ganjam, to the Chief Secretary to Government, dated Gopálpur, 20th September 1890, No. 6236.

Adverting to G.O., dated 8th March 1890, No. 443, Judicial, I have the honor to report that in this district north of Ichápur Uriyas preponderate, while it is the Telugus who do so south of Ichápur; even in this part of the district many Uriya villages are to

be found inland. The Telugu and Uriya people are so mixed up in some parts that it would be impossible to separate the district satisfactorily into two parts, with a view to making Uriya or Telugu, respectively, the court language of that portion where it is most spoken.

2. Under these circumstances, I am of opinion that the only practical course to be adopted is to make both Telugu and Uriya court languages for all courts in the district, and to appoint as Sub-magistrates in this district only men who are acquainted with the two languages, distributing the Telugu and Uriya knowing clerks among the courts according to the proportion of Telugu and Uriya population residing within the jurisdiction of each court. A process addressed to Uriyas should moreover be written in Uriya.

3. I enclose a statement showing how far the present Magistrates and their establishments located within the Uriya-speaking tracts in the district are acquainted with Uriya. All the Magistrates and their establishment are, as a rule, acquainted with Telugu.

ORDER—dated 15th December 1890, No. 2024, Judicial.

In G.O., dated 8th March 1890, No. 443, His Excellency the Governor in Council resolved, in order to meet the wants of the Uriya-speaking population of Ganjam, to declare Uriya a court language in certain parts of the district, and requested the Honorable the Judges of the High Court and the District Magistrate of Ganjam to report their opinion on the subject. From the replies received, it is clear that the original idea of dividing the district into two portions, in one of which Uriya should be the court language, whilst Telugu held this position in the other, is impracticable, and that it is necessary to declare that in every court both Uriya and Telugu shall be regarded as the language of the court. Accordingly, under section 556 of the Code of Criminal Procedure, and section 645 of the Code of Civil Procedure, His Excellency the Governor in Council is pleased to declare that both Telugu and Uriya shall be regarded as the language of the court in every Criminal and Civil court within the district of Ganjam.

2. The Honorable the Judges further suggest that 75 per cent. of the clerical establishment in the Aska District Munsif's Court, 50 per cent. of that in the courts at Berhampore and Sompot, and 25 per cent. of that in the Chicacole court, should consist of persons acquainted with Uriya. Some such arrangement as this will be necessary in the offices under the control of the District Magistrate, and the necessary distribution of establishment should accordingly be made. In future, application should never be made for grant of Magisterial powers to persons who are not acquainted with both languages.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Honorable the Chief Justice, with C.L.
" Collector and District Magistrate, Ganjam.
" Revenue Department.
" Accountant-General.

Exd. A. Ruitt.

2-2-12

Govt. of {1890} Madras.
JUDICIAL.

Issued

Recd.

Encl.

G.O., 15th December 1890, No. 2024.

DECEMBER.

Court Language of Ganjam.

Passing orders declaring that both Telugu and Uriya shall be regarded as the language of the court in every Criminal and Civil court within the Ganjam district.

8TH MARCH 1890, No. 443, JUDICIAL.

GOVERNMENT OF MADRAS.
JUDICIAL DEPARTMENT.

READ—the following papers :—

Petition from the Members of the Utkal Hitheishini Samaj, Parlákimedi, to His Excellency the Right Honorable the Governor of Fort St. George.

MAY IT PLEASE YOUR EXCELLENCY.—We, the members of the Utkal Hitheishini Samaj, of Parlákimedi, Ganjam district, beg most respectfully, on behalf of ourselves and the Uriya community at large, to lay before your Excellency's feet the grievances political under which we are from a long time laboring, for your Excellency's benign consideration.

While we constitute nearly three-fourths of the population of this zillah and include in our number all the Rajas, the vernacular of the courts and cutcherries is exclusively Telugu. This arrangement necessitates the acquisition on our part of two languages, English and Telugu, besides our own, if we would seek to obtain any Government employ, while our Telugu neighbours require but one; and consequently we are practically debarred from securing appointments in the Public Service and almost all the posts of any importance are filled up by the Telugus. This is evidently an injustice to the poor Uriyas, for Uriya has at least as much claim as Telugu has, to be considered as the language in ordinary use in the district. In the province of Cuttack, where the Uriyas and the Bengalees form the chief bulk of population, both Uriya and Bengali are used, *pari passu*, in courts and cutcherries, and both the races enjoy alike privileges arising out of the English Government and are in an equally advantageous position. We are, therefore, fully persuaded that we would derive similar advantages if Uriya be accepted as one of the languages of the courts and cutcherries in this district.

By the present arrangement, we are exposed to serious other inconveniences, which are as follow :—

- (1) We are unable to communicate in our own vernacular with the ruling officers of the Government in the district.
- (2) We remain in utter ignorance of most of the Acts, Regulations, &c., which are, from time to time, issued and modified by the Government.
- (3) We are compelled to entrust our business in courts and cutcherries to our Telugu neighbours, and to incur expenses which would be altogether avoided were our own language admissible, and to expose ourselves to any risk which our trustees may desire to put us into.
- (4) We are obliged to look to our Telugu brethren respecting the laws of the realm for our protection.
- (5) On receipt of some paper, notice or summons written in Telugu from any public office, we search for some one of our Telugu neighbours to read it to us, and we either pay for this or acknowledge the kindness of the reader.
- (6) If we want to present any paper in courts or cutcherries, we are obliged, Telugu being the court language, to get it written by our Telugu neighbours, which often greatly differs from what we wish to represent.
- (7) The Telugus, through whose medium only we must make known our wants and grievances, are but very imperfectly acquainted with Uriya, and are not, therefore, competent to correctly represent our case.

In the year 1870, a memorial setting forth all these grievances was submitted to the Government by some of the leading inhabitants of the district, whereon an order, dated 4th March 1872, was passed to the effect that Uriya should be one of the languages in the ordinary use of the district of Ganjam. But we deeply regret to state that this Government order has become a dead letter.

Under these circumstances, we, having none to look to for redress but the Government, are naturally persuaded to memorialize the Government on the subject once more; and while submitting this humble memorial, we earnestly invite your Excellency's attention to the aforesaid grievances under which we are laboring by Telugu being exclusively used as the language of courts and cutcherries in this district, and humbly pray your Excellency in the exercise of your Excellency's just functions and as an act of mercy and grace to your Excellency's memorialists, who are faithful and loyal subjects of the British Crown, to grant the prayer of their memorial, which is, not that Uriya should be substituted for Telugu, but that both should be placed on a par in courts and cutcherries of this district.

For such an act of justice and mercy, your Excellency's memorialists, as in duty bound, shall ever pray.

(Signed) S. S. RAJAGURU,
President.

ENCLOSURE.

To

His Excellency the GOVERNOR of Madras.

The humble memorial of the undersigned Maharajahs, Rajas, Zemindars, Talukdars, Tenants, Proprietors and other persons, the inhabitants of the Ganjam District and Jeypore.

MOST RESPECTFULLY SHOWETH—That three-fourths of the populations of the Ganjam district and of Jeypore which forms a portion of the Vizagapatam district, in the Madras Presidency, are Uriya-speaking people; and the Rajahs, too, of those districts are Uriyas. Still the records of the Government offices in those districts are kept in Telugu, which has been made the court-language.

That when Uriya witnesses give evidence in the Telugu language before any court, they cannot express their ideas fully and clearly. The Telugu officers simply hear what the Uriyas say in their own mother-tongue, and prepare statements in the Telugu language; but the ideas contained in the statements differ widely from what are meant to be conveyed by the Uriyas.

That your Excellency's memorialists are unable to understand why Uriya, which takes rank as one of the seven Aryan languages of Northern India, should be found insufficient to serve the purposes of a court language in the Ganjam district and Jeypore, and why an Uriya, though well versed in English, should be disqualified to manage to remain in the Government service in those districts without a fair knowledge of Telugu, which, being a foreign tongue, he must take a great deal of time to master. Under those circumstances, his mother-tongue becomes of no use to the Uriyas in an Uriya-speaking country—a fact which your Excellency's memorialists deeply deplore.

That your Excellency's memorialists are fully aware of the liberal and enlightened policy of Her Majesty's Government to make the prevailing language of any province the court language of that province, e. g., *Kaithi* in Behar, *Bengali* in Bengal, *Telugu* in the Godavari, Kistna and Nellore districts, &c., and they, therefore, naturally expect that the Ganjam district and the whole of Jeypore, which are the Uriya-speaking countries, should be allowed to have Uriya as their court language, just as Sumbulpur and other Uriya-speaking districts of the Central Provinces have been allowed to make Uriya as their court language.

That the subject of the introduction of Uriya as the court language of the Ganjam district and Jeypore has been widely discussed in the newspapers of Orissa, that, as representatives of the public, have given an unanimous verdict in its favour and as the adoption of Uriya as the court language of the said districts is calculated to give an impetus to the progress of Uriya literature, which is in a declining state in those districts, and to further the cause of national union among the Uriyas, who have been most unfortunately placed under three different provincial Governments, your Excellency's memorialists would respectfully draw the attention of your Excellency to the importance of the cause for which they plead.

That under these circumstances, remembering that the mother-tongue of any nation is as dear to them as life itself and any measure calculated to preserve, cultivate and improve the same is looked upon by them as God-send, your Excellency's memorialists would humbly pray your Excellency, in the exercise of your just functions and as an act of mercy and of grace to your Excellency's memorialists, who are faithful and loyal servants of the British Crown, to grant the prayer of their memorial, which is, that the Uriya language be made the court language of the Ganjam district, excluding Chicasole, and of Jeypore, which forms a part of the Vizagapatam District, in the Madras Presidency, and for such act of justice and mercy your Excellency's memorialists, as in duty bound, shall ever pray.

(Signed) S. S. S. G. GAJAPATHY,
The young Maharajah of Parlakimedi.
&c. &c. &c.

From J. G. HORSFALL, Esq., Collector of Ganjam, to the Chief Secretary to Government, dated Chatrapur, 23rd September 1889, No. 7557.

I have the honor, with reference to the petition of S. S. Rajaguru, President of the Utkal Hitheishini Samaj, Parlakimedi, sent to me for report, to state that the question of making the Uriya language the language of the courts in this district was fully discussed in the Proceedings accompanying Government Order of the 18th July 1871, No. 201, Educational, and in Government Order of the 4th March 1872, No. 280, it was declared that "Uriya shall be one of the languages in ordinary use in the district of Ganjam for the purposes of the Procedure Code."

2. Petitions written in Uriya are received in all our cutcherries without objection, and there are Uriya-speaking clerks in every office in the Uriya-speaking portion of the district.

3 I fail to see that petitioners have any real grievance.

4. For a native official to get on in this district, it is very necessary that he should know both Telugu and Uriya. The Telugus recognize this fact, but the Uriyas do not, as a rule, do so; and, though anxious to employ a fair number of Uriyas, I have found very few qualified for ordinary routine work, which necessarily includes both Telugu and Uriya.

From A. W. B. HIGGINS, Esq., Acting Collector of Ganjam, to the Chief Secretary to Government, dated Chatrapur, 6th February 1890, No. 1138.

In reply to your reference on No. 3023 of 1889, I have the honor to state that summonses and other notices of the Criminal and Revenue courts are issued in Telugu in the plains on forms supplied by the Government Press, Madras, and in Uriya in the Agency tracts.

2. Some revenue and other notices are occasionally issued in Uriya.

3. All important notices which are published in the District Gazette are always issued in English, Telugu and Uriya.

ORDER—dated 8th March 1890, No. 443, Judicial.

The first of the foregoing papers is a petition from various persons in the Ganjam district and in Jeypore, praying that Uriya may be made the court language of those areas, and the other two papers are reports submitted by the Collector and District Magistrate of Ganjam on the request made by petitioners. The Collector considers that they have no real grievance.

2. After careful perusal of these papers and of the Proceedings of Government which have issued on the subject in the past, His Excellency the Governor in Council is unable to concur in this opinion. If, as appears to be the case, Telugu is recognised as the language of the courts throughout the Ganjam district, the Uriyas, who form the majority of the whole, and almost the entire population of a part, of the

district, must be at a disadvantage. Neither the Census Report nor the District Manual affords any precise information as to the respective limits of the Uriya and Telugu languages, but the Government believes that the portion south of Ichápur is mainly Telugu, that north of it Uriya. The Collector will report on this point.

3. In view of this definite division, the best course would be, if possible, to separate the district into two parts, making each language the court language of that portion where it is spoken. In the Uriya-speaking tract, all evidence would be recorded and all processes and notices issued in that language, and no native officer would be appointed to be a magistrate or munsiff unless he could speak and write both Uriya and Telugu. Before issuing any orders in this direction under the provisions of section 556 of the Code of Criminal Procedure and of section 645 of the Code of Civil Procedure, His Excellency the Governor in Council desires to receive the remarks of the Honorable the Judges of the High Court on the subject, and to be furnished with a return showing how far the present munsiffs and their establishments located within the Uriya-speaking tracts are acquainted both with that language and with Telugu. The District Magistrate will submit a similar return relating to Magisterial Courts.

(True Extract.)

J. GROSE,
Ag. Chief Secretary.

To the Collector and District Magistrate, Ganjam.
" Honorable the Chief Justice, with C.L.
Copy to the Revenue Department.

17/11/01 25/3/01

Gobt. of {1890} Madras.
JUDICIAL.

Issued

Recd.

Encl.

G.O., 8th March 1890, No. 443.

MARCH.

Uriya as the Court Language of
Ganjam.

Passing orders regarding the use of —, and calling for returns showing the extent of acquaintance with the Uriya and Telugu languages of officials of certain Courts in the Uriya-speaking tracts.

Umasothapur.
Can read well & can write
Can speak, read & write
Do Do
Do Excellent
is Court Goorman
Can speak & read well
Do Do & passed in
in urja.
Can speak, read & write well
Took urja as optional
in the General Test Examination
Can speak, read & write well
tolerably.
Do Do
Is an urja man & passed
in the school examination
Can speak, read & write well
is Court Goorman.
Can speak, read & write well
Do tolerably.
Do Do
Can only speak urja
Can speak urja & can read
& write a little.
Do Do
Can only speak urja
Can speak and read urja.
Do Do & can write tolerably
Do Do Do
Is an urja man & can read
& speak & write well.
Can speak, read & write well

Statement showing how
and their establishments located
tracts in the Ganjam District

Name Designation

District Magistrate

H. Jagannadharan Pantulu Magistrate
Clerk
H. Kumaraswami Pantulu Asst. to

Principal Assistant

G. Balaramdoss Pantulu Head

H. Rajagopabro Pantulu 2nd D.
D. Sambarra Pantulu 3rd D.
T. Ranganathakrishnam Agency
C. V. N. Rudradeva 4th Cl.
T. Jagannadharan kaidu 5th Cl.
B. V. Ranganathan Ph. 6th Cl.
H. Venkanna 7th Cl.

Tahildar 2nd Class

P. Martirez Pantulu 2nd Class
B. Lakshmi Kantam Ph. Sher 3rd Class
H. Ramayya Pantulu Head Sum
A. V. Ramadoss Pantulu Suma
M. Ramabrahman Pantulu Do
M. V. Apparao Pantulu Do
S. Ch. Venkatarao Ph. Do
Y. V. Naraina Pantulu Do
M. Gopalakrishna Ph. Do
Y. Venkatarao Ph. Do
A. Chinnia Venkatarao Ph. Do
T. Ramayya Swami

13

3rd Class Magistrate's Court

P. Venkataramaniah Pantulu 3rd Class
P. Krishnappa Pantulu Hrd Sum
P. Ramappa Pantulu 2nd Do
Salarama Patnaik District

General Deputy Magistrate

A. Suryanarayana Rao Hrd Sum
Mr. J. T. Loner Agt. Do
A. Venkatarao Rao Hrd Sum
P. L. N. Prasad Rao 2nd Do
P. Balakrishnamma Ph. Agt. Do
D. S. Appalasaaraswami 3rd Class
Kodhusudhana Iyer Hrd Sum
J. Gunappa Attender
Tahsildar 2nd Class Magistrate
T. Krishnarao Pantulu Tah. 2nd Class
N. Venkatarao Pantulu Tah. 3rd Class
M. Jagannadham Pantulu Hrd Sum
H. Hanumantharao Rao Clerk
K. Jagannadhaswami Clerk
B. V. Sukkarao Pantulu Do
S. Krishnaswami Do
S. Balakrishnamma P. Do
A. Pancharamappa Rao Do
P. Venkataswami Rao Do
Srinivasa Patnaik Do
N. Krishnamurti Pantulu Poudy

H Can speak, read & write
Wuzi.

Can only speak Wuzi
Passed General test in
Wuzi well which is the
mother tongue.

Can speak.

Can speak, read & write
Wuzi & passed translation
test in Wuzi.

Can speak, read & write
Wuzi.

Do do do tolerably
Can only speak Wuzi.

Can speak.

Can speak, read & write
Wuzi
Can only speak Wuzi

Can speak, read & write
tolerably.

Can only speak Wuzi.

Can speak, read & write
tolerably.

Can speak, read & write
well.

Syamadasu dara Patnaik 5th class
G. Jagannadha das. Duft

Tahildar 2nd class Ma
H. Gurmurti Baidi Tahildar
classmate

S. Lakshminarasimham P. Sher. 3rd
D. Sureshwarayana Pantulu H. Gurmurti

Viswanatha Bervasta 3rd class
Vasudewa Mahapatra Patnaik Do
S. Parappa Pantulu Guma

H. Krishna Chilachetty Do

G. Balakrishnamma Kaidi age 10
P. Appalanarasimham P. Guma

P. Kamiah-setti age 10
G. Venkataramaswathi Guma

G. Appappa Kaidi Do
G. Narasingam P. Do

G. Hamesam Pantulu age 10
G. Narayana Kaidi age 10

B. Sopalam. Duft
Hari Patnaik Pondam

Satyavadi Mahapatra age 10
G. Adinaraina. Imigist

S. Ramamurti Pantulu age 12
A. Venkatarathnam. 2nd class

S. Jagannadham Pantulu 1st class
P. Ramadham Pantulu 2nd class

G. Balakrishnamma Pantulu 3rd class
V. Varasimham Pantulu age 10

3rd class Magistrate's
H. Venkataraya Pantulu 3rd class

Raja Sopalam Pantulu H. Gurmurti
H. Adinaraina 2nd class

Enclosure in letter from the Com.
and District Magistrate
of Gayam dated 20th September
1890 No. 6236.

Statement showing how far the present District Munsiffs and their Establishments located within the
Uruga-speaking tracts are acquainted both with that language and with Telugu. 17

District	Munsiff's Court at	Establishment	Office	No. of persons in each Establishment.		No. of persons acquainted with										Remarks.		
				Telugu	Urugas	Telugu to			Examinations passed in Telugu			Uruga to			Examinations passed in Uruga			
						Read	Write	Speak	Matr. of School	Matr. of Middle School	Trans. Latin	Read	Write	Speak	Matr. of School		Matr. of Middle School	Trans. Latin
Asoka	Regular	District Munsiff	1	"	1	1	1	"	1	1	1	1	"	"	1			
		Clerks	6	1	7	7	7	2	2	1	4	4	6	"	"	"		
		Peons & Sweepers	2	2	1	1	1	"	"	"	2	2	4	"	"	"		
	Copyist	Examiner	1	"	1	1	1	1	"	1	2	2	2	"	1	"		
		Copyists	1	1	2	2	2	"	"	1	2	2	1	"	"	"		
	Process Service	Deputy Nazir	1	"	1	1	1	"	"	"	6	6	12	"	"	"		
		Amins	9	5	14	14	14	"	"	"	5	5	30	"	"	"		
		Peons	22	7	11	11	29	"	"	"				"	"	"		
				1 Mahomedan							20			"	"	"		
Berham-pore	Regular	District Munsiff	1	"	1	1	1	"	1	"	"	"	"	"	"			
		Clerks	6	1 Mahomedan	8	8	8	"	2	2	2	2	8	"	"	1		
		Peons & Sweepers	3	1 Mahomedan	3	3	4	"	"	"	"	"	4	"	"	"		
	Copyist	Examiner	1	"	1	1	1	"	"	"	1	1	1	"	"	"		
		Copyists	1	"	2	2	2	"	1	"	"	"	1	"	"	"		
	Process Service	Deputy Nazir	1	"	1	1	1	"	"	"	4	4	15	"	1	"		
		Amins	8	4	14	14	15	1	"	"	3	3	35	"	"	"		
		Peons	21	3 Mahomedans	14	14	35	"	"	"				"	"	"		
				5 Mahomedans							10		1	"	"	"		
Sompeta	Regular	District Munsiff	1	"	1	1	1	1	1	1	1	1	1	"	"	1		
		Clerks	7	"	7	7	7	2	4	3	2	2	2	"	"	"		
		Peons & Sweepers	4	"	2	2	4	"	"	"	"	"	"	"	"	"		
	Copyist	Examiner	1	"	1	1	1	"	"	"	"	"	"	"	"	"		
		Copyists	2	"	2	2	2	"	"	"	"	"	"	"	"	"		
	Process Service	Deputy Nazir	1	"	1	1	1	"	"	"	1	1	2	"	"	"		
		Amins	11	2 Mahomedan	14	14	14	"	"	"	2	2	6	"	"	"		
		Peons	24	5 Mahomedans	20	20	31	"	"	"	6			"	"	"		
Chicasole	Regular	District Munsiff	1	"	1	1	1	1	1	1	1	1	1	"	"	1		
		Clerks	6	1 Mahomedan	7	7	7	"	5	2	"	"	1	"	"	"		
		Peons & Sweepers	4	"	2	2	4	"	"	"	"	"	"	"	"	"		
	Copyist	Examiner	1	"	1	1	1	"	1	1	"	"	"	"	"	"		
		Copyists	2	"	2	2	2	"	"	"	"	"	"	"	"	"		
	Process Service	Deputy Nazir	1	"	1	1	1	"	1	1	1	1	1	"	"	"		
		Amins	14	"	14	14	14	"	"	"	"	"	"	"	"	"		
		Peons	26	4 Mahomedans	17	17	30	"	"	"	17	38	38	136	2	3		
		Total	192	56	175	175	244	10	19	17	38	38	136					

Gayam District Court
27th June 1890.

True Copy

(Signed) A.W.B. Higgins.
Ag. District Judge.

Ganjam District Court.
27th June 1890.

No 1413.

From

14

A. W. B. Higgins Esquire,
Ag. District Judge of Ganjam,
Berhampore.

To

The Registrar of the High Court
of Judicature, Appellate Side,
Madras.

Sir,

In reference to your letter dated the 18th April
last, No 1196 and G.O. dated 8th March 1890, No 443,
Judicial, I have the honor to submit the return, called
for in para. 3 of the G.O. and to report as follows, after
having consulted with the Collector on the subject.

2. To divide the District into two parts, making
the Telugu or Uriya language the Court language
of that part, where it is spoken, as suggested in
para. 3 of the G.O. will not I think be possible. The
Telugu and Uriya people are so mixed up in some
parts that such a division, if made without dis-
turbing the existing limits of Munsiff's jurisdic-
tions, would affect both races prejudicially, and
the same circumstances would prevent any re-
arrangement of the territorial jurisdiction of the
Courts, which might be made, from producing
the desired result.

3. It is true that the majority of the Telugus
permanently residing within the jurisdiction
of the Aska Court understand Uriya, and simi-
larly that the majority of the Uriyas residing
within the jurisdiction of the Chicacole Court under-
stand Telugu, and, on this score, the Uriya language
could be made the Court language of the Aska
Court, and Telugu the Court language of the Chicacole
Court; but in both jurisdictions there is a proportion

of the population amounting to say 15 per cent in Akka and 20 per cent in Chicacole, who would not thoroughly understand the language of the Court, and who would thus be put at a disadvantage. These two Courts are situated at the two extremes, North and South, of the District. In the central portion are the Berhampore and Sompeta Munsiffs' jurisdictions. The population in the Berhampore area is mixed Telugu & Uriya. That in Sompeta is Telugu on the coast and Uriya inland. In the former there are probably about 75 per cent and in the latter 50 per cent of Uriyas. For neither of these existing jurisdictions is it possible to prescribe any one language and their combined area could not be again divided so as to accomplish that end.

4. In these circumstances, I am of opinion that it will be sufficient for all practical purposes to make both the Telugu and Uriya languages the Court languages of all the Courts, to appoint as District Munsiff in this District men who are acquainted with the two languages and to distribute the Telugu and Uriya knowing clerks and Process Servers among the Courts according to the proportion of Telugu and Uriya population residing within the jurisdiction of each Court.

5. In this connection it should be stated that, with the permission of the High Court my predecessor lately ordered a supply of some of the Civil Code forms in Uriya, which, having been printed in the District Press, were distributed amongst the Courts in proportion to the Uriya population living in the jurisdiction of each.

6. From the statement submitted herewith, it will be observed that the number of employers who are Uriyas by race and those of other races who can read and write Uriya is very far behind the number of those who are acquainted with Telugu. Where pleadings are presented by Uriyas in Uriya character

21/7
character and their depositions recorded in that language, the need of clerks able to read and write Uriya will be much felt. Similarly where all Civil Processes issued to Uriya people are issued in Uriya, it will be necessary for the Process Servers to read and write that language. I would therefore suggest that of the Clerks and Process Servers allowed to each Court at least $\frac{3}{4}$ in Akka and $\frac{1}{2}$ in Berhampore, $\frac{1}{2}$ in Sompeta and $\frac{1}{4}$ in Chicacole should as soon as possible be required to be able both to read and write Uriya to such an extent as is necessary for the prompt performance of the several duties of each of those classes of servants. The paucity of educated Uriyas and of Telugus knowing Uriya will prevent this plan being carried out fully at once, but something might perhaps be done immediately by transfers, and the scheme would be kept in mind in filling up future vacancies.

I have the honor to be,
Sir,

Your most obedient servant,
(Signed) A. W. B. Higgins,
ag. District Judge.

(True Copy)

High Court of Judicature,
Appellate Side,
Madras, 16th August 1890.

Hester
Offg. Registrar

E. W. B.

Enclosure to High Courts
letter of 16th August 1890. No. 1942

Read - also the following papers:-

No. 1942.

From

High Court of Judicature,
Madras, 16th August 1890. 23/

H. W. Foster Esquire,
Offg. Registrar of the
High Court of Judicature
Appellate Side,
Madras.

To

The Honorable J. F. Price,
Chief Secretary
to Government,
Fort St. George.

Sir,

I am directed to forward the statement called for in G. O. No. 4443, dated 8th March 1890, Judicial, showing the extent to which the members of the several subordinate judicial establishments in Ganjam District are acquainted with Telugu and with Urdu, with the following expression of the views of the High Court on the desirability of making Urdu the exclusive Court language in the Urdu-speaking tracts of the District.

2. In this letter, of which a copy is enclosed, the Ag. District Judge points out that there is no such clear line of demarcation between the areas occupied by the two races as to make it practicable either to prescribe one or other language for exclusive use in any of the District Munsif Courts with their present territorial jurisdictions, without prejudice to a considerable number of persons not acquainted with the language.

so prescribed, or even to re-distribute the territorial jurisdictions so as to make it possible to introduce advantageously such an arrangement. In each Municipality the two races are closely intermingled, and though there is a large preponderance of Uriya speaking people in the Aska Municipality and of Telugas in the Chicacole jurisdiction the residue forms a sufficiently large proportion of the population to make it inexpedient to prescribe one language for exclusive use.

3. In these circumstances the High Court is of opinion that the division suggested by the Government is not feasible, but effect may be given to the views of the Government, in which, I am to say, the High Court generally concurs, by declaring both Telugu and Uriya to be the languages of all the four District Municipal Courts and laying down a rule in accordance with the suggestions made by the Ag. District Judge in para. 6 of his letter, namely, that so far as possible both the Regular and the Process Service Establishments of the four Courts should, in future, be so recruited that at least three-fourths of the whole number in the Aska Court, half in Berhampore and in Sonpet and one-fourth in Chicacole may be persons acquainted with Uriya to the extent necessary to enable them to perform their duties efficiently with the use of that language alone.

I have the honor to be,

Sir,

Your most obedient servant,

Hester

Offg. Registrar.

Judicial {1890} Department.

No.

FROM

THE REGISTRAR OF THE HIGH COURT
OF JUDICATURE AT MADRAS,
APPELLATE SIDE.

Dated
Received

16 August



No. 1942

Enc. - one Statement.

Submitting the Statement
called for in L.O. 20443 dated
8 March 1890, Judicial, and
expressing the views of the High
Court on the desirability of
making Uriga the Court
language in the Uriga
speaking tracts of the Ganjam
District.

To await reply from the
Magistrate.

From
C. C. Johnson Esquire
District Magistrate
Ganjam

To
The Chief Secretary to Government
Judicial Department
Cotacamund.

Enclosure.

Dated Gopalgore 20th September 1890.

Sir,
Adverting to Government Order N^o 443
dated 8th March 1890 Judicial I have the
honor to report that in this District north of
Bhampur Urigas preponderate, while it is the
Telugus who do so south of Bhampur; and
in this part of the District many Uriga villages
are to be found inland. The Telugu and Uriga
people are so mixed up in some parts that it
would be impossible to separate the District
satisfactorily into two parts with a view to
making Uriga or Telugu respectively the Court
language of that portion where it is most spoken.
2. Under these circumstances I am of opinion
that the only practical course to be adopted
is to make both Telugu and Uriga Court
languages for all Courts in the District and
to appoint as submagistrates in this District
only men who are acquainted with the two
languages; distributing the Telugu and
Uriga knowing Clerks among the Courts accord-
ing to the proportion of Telugu and Uriga
population residing within the jurisdiction
of each Court. A process addressed to Urigas
should moreover be written in Uriga.
3. I enclose a statement showing how far
the present Magistrates and their establish-
ments located within the Uriga speaking

facts in the District are acquainted with
araja. All the magistrates and their es-
cortment are as a rule, acquainted with
Teluga.

I have the honor to be

Sir

Your Most Obedt. Servt.

William
District Magistrate

and

St.

C.N. 3331490

Gaujam District

From

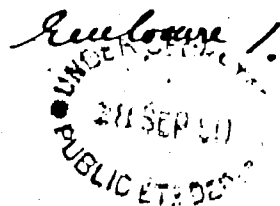
The District Magistrate
Gaujam

To

The Chief Secretary
to Government
Judicial Department
Ootacamund.

Dated 20th September 1890

N. 6236.



Reporting that the portion of
the District South of Selahpur
is mainly Telugu and that
north of it Uriya and enclosing
a statement showing how far
the present Magistrates and
their establishments located
within the Uriya speaking
tracts, are acquainted with
Uriya —

DEPARTMENT.

No.

From

Dated

18

FOR ORDERS.

The question is one of declaring
Uriya to be a Court language
in parts of Gaujam under
sections 536 Crim. P.C. &
445 Civ. P.C.

The J. suggested a line of
demarcation across the district
(the north of which Uriya
should be the language, & the
South Telugu).

The District Judge, the District
Magistrate & the High Court
all agree that this is impossible
& they propose that both
languages should be notified
as Court languages throughout
the district.

This will necessitate a rearrang-
ment of establishments & the
High Court for this purpose divid-
the municipalities into three groups &
propose that in the Asaka Court

The local officers
must arrange for the
distribution.

25/11/30
The S. Magistrate distribute
the High Court's as may be Uriyas, in Berhampur & T.
from there to the other districts. 1/2 + in Sonapat & Chikara
is that done for the High Court. 1/4
of the S. Magistrate's. 1/4
Chikara. The difficulty is to get Uriya

C. N. 3331790

Gaujam District

From

The District Magistrate
Gaujam

To

The Chief Secretary
to Government
Judicial Department
Ootacamund.

Dated 20th September 1890

N^o 6236.

DEPARTMENT.

No.

From

Dated

FOR ORDER

33

Order d/ 15.12.90 No 2024

In G.O. d/ 8th March 1890

No. 443. His Excellency, the
Governor in Council resolve
for the sake of the Uriga-
speaking population in
the District of Gaujam,
to declare Uriga & a local
language in the District
in addition to Telugu and
requested the Hon'ble
the Judge of the High Court
and the District Magistrate
of Gaujam to offer their
opinion on the subject.
Their views are submitted
in the foregoing reports
in which they state that

Criminal.		Able & not twice.	
Name of Const.	Number	Name of Const.	Number
District Magistrate	2	Borhampore 2 nd Class	2.
Sub-District Magistrate	1 (at Borhampore)	2 nd Class Magistrate	
Sub-District Magistrate	3	General Deputy Magistrate	4.
Sub-District Magistrate	1	Gaujam 2 nd Class	2.
Sub-District Magistrate	1	Magistrate	
Sub-District Magistrate	1	Parachakuram 3 rd Class	4
Sub-District Magistrate	3	General Deputy Magistrate	5.
Sub-District Magistrate	17	Sub-District Magistrate	9.
Sub-District Magistrate	2	Sub-District Magistrate	3.
Sub-District Magistrate	4.	Sub-District Magistrate	2.

In the replies received it is clear that -
 no definite line of de-
 marcation can be drawn
 in the District dividing
 it into two parts in
 each of which either
 Telugu or Uriya can be
 made the exclusive
 language of the Court,
 but that both the
 languages should be
 declared as Court
 languages throughout
 the District. His Ex-
 cellency in Council
 concurs in the above
 opinion and declares
 accordingly that both
 Uriya and Telugu
 be the languages of
 the Court in the Dist.
 of Ganjam under
 Sections 556 of the
 Criminal and 645
 of the Civil Procedure
 Codes.

2. In

the original idea of
 dividing the District into
 two portions in one of
 which Uriya should be
 the Court language ^{while} ~~the~~
 other Telugu ^{held this position in the latter} ~~is~~ ^{is} impracticable
 & that it is necessary to
 declare that in every Court
 both Uriya & Telugu shall
 be regarded as the language
 of the Court. Accordingly,
 under section 556 of the
 Code of Criml. Proc. &
 section 645 of the Code of
 Civil Proc., &c. the J. in C.
 is pleased to declare that
 both Telugu & Uriya
 shall be regarded as the
 language of the Court in
 every Criml. & Civil Court
 within the District of Ganjam.

Some such arrangement
 as this will be necessary
 & the Officer of the District
 & the local officers to make
 the necessary distribution
 of establishments ^{placed nearby}
 future application shall
 even be made for want
 of mag. & persons
 who are not acquainted
 with both languages.

(From order)

By
 Mr. Secy.

3/5P
 2. In respect of the
 recruitment of Estab-
 lishments in the se-
 veral Municipal Councils
 in Ganjam, The Hon.
 the Judges ^{of the District} suggest that
 75 per cent. in the Asst.
 Court, 50 per cent. of that
 in the Courts at Bhubaneswar
 & Sonapat & 25 per
 cent. of that in the Chancery
 Court ~~may be~~ ^{should consist of} persons
 acquainted with Uriya.
 Your officers of the
 suggestion and will
 leave it to the local
 officers to arrange for
 this distribution.

3. The District Ma-
 gistrate should dis-
 tribute his Magisterial
 Establishments as
 nearly

in the reply, received it is, that the
no definite line of de-
marcation can be drawn
in the district dividing
it into two parts in
each of which either
Telugu or Uriya can be
made the exclusive
language of the Court,
but that both the
languages should be
declared as Court
languages throughout
the district. His Ex-
cellency in Council
concurs in the above
opinion and des-
acced.

the original idea of dividing the District into two portions in one of which Wraya should be the Court language ^{whilst} ~~the other~~ ^{held this position in the other} ~~other~~ ^{is} Telugu ^{is} ~~is~~ ^{unpracticable} & that it is necessary to declare that in every Court both Wraya & Telugu shall be regarded as the language of the Court. Accordingly, under section 538 of the Code of Criml. Proc. & section 605 of the Code of Civil Proc., &c. the J. in C. is pleased to declare that both Telugu & Wraya shall be regarded as language of the

5237 of 90

a

80

show proof
Ror

ORDINARY, PRINTED.

Judicial DEPARTMENT.
G.O., DATED 15. 12. 90
No. 2874.

First copy sent to Press. 15/12

Returned for signature. 9/1/91

Reprinted in print. 10/1



13/12

[Despatch - Abstract.]

Court Language of Guyana

Passing orders declaring
that both English & Dutch
shall be regarded as the
language of the Court in
every Criminal & Civil
Court within the Guyana
district.

18-11-09 ✓

18-6-09 ✓

4-11-10 ✓

24-1-12 B.I.

7/11/13

10/9/14 B.I.

18-8-15 ✓

26-1-17 ✓

27-4-17 ✓

21-2-18 ✓

5-4-19 ✓

1-3-20 ✓

4-12-20 ✓

8/12/15 B.I.

9-6-27 VV ✓

7-3-29 VV ✓

27-2-31 I ✓