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Legislative (1899) Department.

ORDINARY MS.

G.O., No. 132

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INDEXED.

13/13

[Despatch Abstract.]

Copy to the departments of the Secretariat
concerned, for information & guidance.
Copies of questions asked at the
meeting of the Council held on
the 17th Dec 99 & the answers
given to them.

BACK PAPERS.

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

FURTHER PAPERS.

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

Secretary

GOVERNMENT OF FORT ST. GEORGE.

LEGISLATIVE DEPARTMENT.

NOTICES FOR THE MEETING OF THE COUNCIL TO BE HELD ON TUESDAY
THE 19TH DAY OF DECEMBER 1899, AT 12 O'CLOCK NOON.

(1) Additional Members.

The Secretary reports that the Hon'ble Mr. E. Norton and the Hon'ble Mr. F. J. E. Spring, C.I.E., take their seats as Additional Members of Council.

Note. The members are absent no report need be made.

(2) Questions.

With the permission of His Excellency the President—

The Hon'ble GHULAM MUHAMMAD SAHIB BAHADUR asks the following questions:—

I. Will the Government be pleased to reconsider its decision as regards the utilization of the Vellore mosque as a store-house in view of the following sentiments of the late Court of Directors, published in Board's Standing Order No. 139?—

P.W.D.

"We think it further necessary to draw your attention to the sentiments conveyed to you in our Despatches of the 23rd February 1813, paragraph 26, and 26th April 1820, paragraphs 131 to 133, viz., that the credit of our administration is connected with the preservation of such a memorial of the former splendour of the Indian Empire, and that it is essential to the character of our Government that the religious prejudices and rights of the natives, whether of the Muhammadan or Hindu persuasion, should, on all occasions, be respected and maintained. We find it difficult to reconcile with these sentiments the idea of Akber's tomb at Secundra being employed as a receptacle for prisoners, and unless you shall be of opinion that there is ample ground for our being satisfied on that point, we desire that such an appropriation of the building may be immediately discontinued."

The Hon'ble Mr. Stokes:—

I. This building has been used for secular purposes for some seventy or eighty years, and the Government sees no reason for reconsidering a decision arrived at so long ago and since maintained.

The Hon'ble GHULAM MUHAMMAD SAHIB BAHADUR:—

II. Will the Government be pleased to take the opportunity, when introducing the revised salary scheme of the Registration Department, recently sanctioned by the Secretary of State, to appoint deserving Muhammadans to the higher grades of Sub-Registrarship?

Just

The Hon'ble Mr. Stokes:—

II. The re-organization of the Registration Department to which the Honourable Member refers does not involve the addition of any new appointments in the higher grades of the department. It therefore affords no opportunity of appointing as Sub-Registrars persons not already in the department. The position on the list, which will be occupied under the new scheme by officers already serving in the department, must depend solely upon individual merit, and Government cannot undertake to take into account considerations of creed or race.

The Hon'ble GHULAM MUHAMMAD SAHIB BAHADUR :—

Just III. (a) Is the Government aware of the fact that, though the proper registration fee on a document accepted at the private residence of a *Gosha* lady may be as low as annas eight, a maximum fee of Rs. 15 has to be charged by the registration officer for attending at the private residence of the *Gosha* lady and for procuring her identification by means of a *Hammamni* in addition to the usual travelling allowance for the journey to and from the private residence?

(b) Will the Government be pleased to reduce the fee referred to from Rs. 15 to Rs. 5 in the case of documents presented at the private residence of *Gosha* ladies, especially as the present fee has become a source of great hardship to poor, but respectable Muhammadan families, so much so that there is reason to believe that many documents of small values executed by *Gosha* ladies are not at all brought for registration?

The Hon'ble Mr. Stokes :—

III. (a) Under clause 10 of the Table of Fees prepared under section 78 of the Indian Registration Act a fee of Rs. 10 is payable for the attendance of Registering officers at the private residences of persons desiring to have their documents registered at their houses.* The fee for the services of a *Hammamni* required for the examination of *gosha* ladies is Rs. 5.

(b) The Government is not prepared to make any reduction in the fees referred to. The Inspector-General has authority under the rules to remit the fees in cases where the charge would be productive of hardship.

The Hon'ble GHULAM MUHAMMAD SAHIB BAHADUR :—

Public IV. Will the Government be pleased to direct heads of departments to state, in their future administration reports, to what extent they have found it possible to comply with the orders on the subject of Muhammadan employment, in the same way as the local Government does in relation to the Supreme Government?

The Hon'ble Mr. Stokes :—

IV. The Government is not prepared to comply with the Honourable Member's suggestion.

The Hon'ble GHULAM MUHAMMAD SAHIB BAHADUR :—

Public V. Will the Government be pleased to appoint a Committee of Members of the leading Muhammadan Associations in Madras to enquire into and report on the subject of Muhammadan employment, especially as it is closely connected with the social and political advancement of the community?

The Hon'ble Mr. Stokes :—

V. The Government does not consider that the appointment of such a committee would serve any useful purpose.

The Hon'ble GHULAM MUHAMMAD SAHIB BAHADUR :—

Equal VI. Will the Government be pleased to take an early opportunity to award to a deserving Muhammadan candidate the scholarship payable for the prosecution of studies in England?

The Hon'ble Mr. Stokes :—

VI. Under the rules in force for the award of the scholarship, the selection of candidates rests with the Vice-Chancellor of the University on the recommendation of the Syndicate and not with Government.

The Hon'ble GHULAM MUHAMMAD SAHIB BAHADUR :—

Pub. VII. Will the Government be pleased to move the Government of India to make a provision in the Bill to amend the Religious Endowments Act to the effect that the income derived from inams which may not be appropriated for the purposes for which they were originally intended be devoted to Educational purposes?

The Hon'ble Mr. Stokes :—

VII. The Government is not prepared to comply with the Honourable Member's suggestion.

The Hon'ble GHULAM MUHAMMAD SAHIB BAHADUR :—

Leave VIII. Will the Government be pleased to provide for the proper representation of Muhammadans and other backward classes in the Bill to amend the Local Boards Act now before the Council?

The Hon'ble Mr. Forbes :—

VIII. The Government is not prepared to legislate in favour of the representation of special classes. The Honourable Member is however requested to address to the Select Committee any remarks on the subject he may desire to make.

The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI AVARGAL :—

Just IX. With reference to the Hon'ble Mr. C. Jambulingam Mudaliyar's question No. LVII of 9th December 1896, and my question Nos. IX and XII, asked at the meetings of the 23rd November 1897 and 13th December 1898, respectively, on the subject of the equalization of the process fees levied in the Civil Courts of all grades, and the reply of Government that the matter was still under consideration, will Government be pleased to state whether any and what decision has been arrived at?

The Hon'ble Mr. Stokes :—

IX. The matter is under the consideration of the High Court.

The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI AVARGAL :—

Pwd X. (a) Is Government aware that the wooden overbridges at the Tiruválur and Májavaram Junctions of the South Indian Railway are exposed to the sun without roofs, and that passengers walking over them experience great suffering owing to the pavement planks being heated up?

(b) Is it a fact that the attention of the railway authorities has been drawn to the grievance without effect, and will Government be pleased to cause the want to be supplied?

The Hon'ble Mr. Stokes :—

X. (a) Government is aware that, like numerous similar structures all over India, the footbridge under reference is not roofed.

(b) Government fails to see greater reason for roofing this particular footbridge than for roofing the numerous others of the same class, throughout the country.

The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI AVARGAL :—

Rev XI. (a) Is it a fact that the Abkari policy of Government under which the revenue depends upon the number of trees marked for tapping for fermented liquor has affected prejudicially the industry in palm jaggery which is made from unfermented toddy?

(b) Is Government aware that there is a general complaint on that score in the jaggery districts?

(c) Is it a fact that the exports of jaggery from Madras and the outports of the Presidency have decreased from 1,297,855 cwts. in 1893 to 267,569 cwts. in 1898, while the amount of the tree-tax has increased from Rs 21,40,017 to Rupees 38,68,218 during the same period?

(d) Is such decrease in the exports of jaggery in any wise attributable to the system of raising revenue referred to in clause (a) of this question?

(e) If not, is the decrease accountable in any other way?

(f) Will Government be pleased to take steps to place the jaggery industry upon a more efficient footing?

The Hon'ble Mr. Forbes:—

XI. The Honourable Member is requested to be good enough to repeat his question at the next meeting.

The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI Avargal:—

XII. (a) Have any proposals for the improvement of the position and prospects of the Civil Hospital Assistants been formulated and approved in principle by the Madras Government and the Government of India?

(b) If so, will Government be pleased to state why the scheme has been held in abeyance?

The Hon'ble Mr. Stokes:—

XII. (a) Yes.

(b) The Government of India have decided that the scheme is not, at present, applicable to this Presidency.

The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI Avargal:—

XIII. Is there any scheme in contemplation to introduce pipe water in Saidapet, and has the feasibility of extending the Red Hills' supply to that place been ascertained?

The Hon'ble Mr. Forbes:—

XIII. The Sanitary Engineer has lately been requested to undertake the preparation of a scheme for the water-supply of Saidapet. As regards the feasibility of extending the Red Hills' supply to the town, the Honourable Member is referred to paragraph 110 of the Sanitary Engineer's administration report for 1893.

The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI Avargal:—

XIV. In view of the fact that during 1897, out of a total of 21,678 deaths from small-pox in the whole Presidency, the single district of Ganjam contributed no less than 14,515 deaths or more than two-thirds of the total number of deaths, will Government be pleased to state whether any and what measures are proposed to be taken to place the vaccination work in that district on a more efficient footing?

The Hon'ble Mr. Forbes:—

XIV. The Honourable Member is referred to paragraph 20 of the report on Vaccination in the Madras Presidency for the year 1897-98.

The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI Avargal:—

XV. In view of the fact that serious inconvenience is caused to people by want of village roads and communications from one village to another, especially during the cultivation and rainy seasons, will Government be pleased to invite the attention of the District and Taluk Boards to the matter, and instruct them to allot a fixed percentage of the road-cess for expenditure under the above head?

The Hon'ble Mr. Forbes:—

XV. The Government has in its order No. 1686 L., dated 14th September 1895, prescribed a minimum to be allotted for expenditure on roads generally, and does not consider it necessary to lay down a similar minimum in the case of village communications, as the distribution of the grant for communications among the several classes of roads is more properly left to the discretion of the Local Boards.

The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI Avargal:—

XVI. (a) Whether under clause (a), section 13 of the Indian Railways Act, 1890 (Act IX of 1890), His Excellency the Governor-General in Council has appointed any time within which the railway administration in charge of the Mayavaram-Mutpet line is required to provide it with fencing?

(b) If not, whether Government will be pleased to take the necessary steps to provide the line in question with fencing, in view of its present unfenced condition and consequent risk to human beings and cattle?

The Hon'ble Mr. Stokes:—

XVI. (a) No.

(b) The Honourable Member is referred to a letter No. 2944 C., dated the 29th July 1896, from the Secretary, Public Works Department, Railways, to the President, District Board, Tanjore, in which it was mentioned that to efficiently fence the Mayavaram-Mutpet Railway would cost Rs. 1,40,000.

As under existing arrangements this sum must be supplied by the Tanjore District Board; and as the efforts now being made by that Board, in concert with Government, for financing the Avadaiyarkóvil extension would so be rendered ineffectual; and as, in the opinion of the Government Inspector of Railways, Madras, as well as of the Agent, South Indian Railway Company, fencing is not at present demanded in the interests of the travelling public; Government does not propose to press the District Board to have the line fenced.

The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI Avargal:—

XVII. (a) Is there any objection to locating the District Munsif's Court of Tirumangalam (Madura) in Tirumangalam itself instead of in the town of Madura as at present?

(b) In view of the convenience to suitors, will Government be pleased to direct the location of the Court in Tirumangalam, which is the head-quarters of a taluk and is also otherwise of sufficient importance?

The Hon'ble Mr. Stokes:—

XVII. (a) & (b) Under section 5 of the Madras Civil Courts Act, 1873, the location of a District Munsif's Court rests with the High Court and not with Government.

The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI Avargal:—

XVIII. Whether in view of the fact that the taluk of Pattukkóttai (Tanjore) is unconnected with other portions of the district by railway and in consideration of the convenience of the ryot population, will Government be pleased to direct the head-quarters of the Pattukkóttai division to be located at that place itself instead of at Tanjore as at present?

The Hon'ble Mr. Forbes:—

XVIII. The suggestion will be referred to the Collector of the district for his remarks.

Twl
The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI Avargal:—

XIX. Whether, in view of the crowded condition of the City of Madura, and in consideration of the convenience of suitors, Government will be pleased to take into consideration the desirability of locating the West Madura Subordinate Court in Dindigul?

The Hon'ble Mr. Stokes:—

XIX. The suggestion will be considered.

Rev
The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI Avargal:—

XX. (a) Whether the attention of Government has been drawn to the article in the issue, dated the 17th December 1898, of the *Vara Varthamani*, a Tamil weekly published at Pollachi (Coimbatore), on the "Coimbatore south forest grievances," and on the ravages committed by herds of wild elephants from the *Anamalais* on cultivation?

(b) Whether, when the ryots of *Sethumalai* village (Pollachi) petitioned the Collector in September of last year for protection, they were advised to plant only *castor* oil plants in the immediate vicinity of the forest, under the belief that a belt of *castor* a hundred yards wide would keep elephants out of the *cholum* beyond?

(c) Whether the ryots have brought to the notice of the District authorities that the *castor* plants afford no protection against the inroads of the elephants; that these plants also continue to be destroyed by the latter; and that their grievances still remain unredressed?

(d) Whether any remissions were granted to the ryots during the last fasli as claimed by them on account of the destruction of their crops by the elephants?

(e) Whether any loss of human lives has been caused last year by the descent of these elephants into the outskirts of the villages?

(f) Whether Government will be pleased to issue orders to the Forest department to prevent the descent of the wild elephants from the hills into the plains below by the excavation of trenches at the outer limits of the reserved forests, and by the entertainment of shikaries to be on the watch at those limits?

The Hon'ble Mr. Forbes:—

XX. (a) to (f) The subject of the Honourable Member's questions has been referred to the Collector for report.

The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI Avargal:—

Twl
XXI. Question No. XVIII asked at the meeting of the Council held on the 14th November 1899:—

"XVIII. (a) Is it a fact that one Pera Sinnanna Nadar of Sivakási despatched the following telegram on the 5th of June 1899, *i.e.*, the day preceding the riots at that place, to the Superintendent of Police of Tinnevely?—

'After Honour's visit here on the 31st May, I hear Iyempati, Karvisalkulam, Kongankulam, Kattanarpati, Satisarati, Aneikuttam are plundered day time by Maravars, Kallars, Pallars being helped by other caste people. Pushakavatti, two miles from here, was plundered yesterday. My caste people only sustain loss. Notice to the effect that Sivakási will be plundered on the 6th, Tuesday, is known. My caste people fear, as no precautions, and after attempt, are taken by native officials here to the people whose properties are plundered. I have seen mobs 200—300 in number. I humbly crave Honour to take immediate steps before plunder and murder. Notwithstanding crying for protection of person and property, by wire and petitions, your Honour didn't believe the facts; but if your Honour be pleased to stay here for a few days, evidence will be personally known. There will be no plunder and murder at all if your Honour be pleased to arrest Vellia Thevan alias Vcerappa Thevan, Naduvapatti, and Vendar Arumugam Pillai, Sivakási.'

"(b) Is it a fact that the same person despatched on the same date, *i.e.*, the day preceding the date of the riots at Sivakási, the following telegram to the District Magistrate, Tinnevely?—

'I crave Honour sufficient protection of person and property is indispensable to Sivakási Nadars from marauding of Maravars and their addition which will commence 6th, Tuesday

morning, as several adjoining villages have been plundered and their booties are carried in carts only in day time. Government native officials here take no steps before or after. Honour's presence with Police Superintendent is indispensable here for a week at least from Monday. Cause of plunder and murder by Maravars and their addition in several villages is higher authorities disbelieving telegrams and petitions of my innocent caste people at beginning but believing words and tricks of Government native officials here. There will be no plunder and murder elsewhere, if Vendar Arumugam Pillai, Vellia Thevan Naduvapatti are arrested. Sivakási Nadars tremble that mobs have fixed Tuesday for their plunder and murder as the mobs have already fulfilled their mischiefs in several villages according to their words. Precaution is indispensable before plunder and murder.'

"(c) Is it a fact that the Assistant Superintendent of Police of Tinnevely recommended towards the end of April last that a Magistrate should be stationed at Sivakási in view of the strained relation between the Shanars and other classes, and what action was taken upon such recommendation if it had been made?

"(d) Is it a fact that the District Magistrate and the Superintendent of Police visited Sivakási on the 31st May and the 5th June 1899, and that the Police Inspector, Parthasaradhi Aiyangar, had reported to them that Sivakási would possibly be attacked on the 6th of June 1899?

"(e) What was the Police force available at Sivakási on the day of the riots, and what part did they take in the suppression of the riots?

"(f) Is the following opening speech of Mr. Sankaran Nair, Government Pleader, made in the Court of the Additional Sessions Judge of Tinnevely in the trial of Sivakási rioters, Vadigada Thevan and 92 others, correctly reported by the *Madras Mail* in its issue of the 13th October 1899?—

'The situation was considered so serious that the Sub-Magistrate of Virudupatti was stationed at Sivakási till about the end of May. From the end of April negotiations were going on between the Shanars and Maravars in view to an amicable settlement of the dispute but to no purpose. The Missionaries of Sachiapuram did what they could, but the Maravars insisting on the exclusion of the Shanars from the temple nothing came of it. But they obtained pledges of immunity for themselves—pledges that were faithfully kept. Towards the end of May, matters became more serious. From acts of lawlessness on the part of individual Maravars and Shanars, it came to a matter of riots between the Maravars as a class and Shanars as a class. The public roads were rendered unsafe and villages were attacked wholesale and all sorts of serious offences were perpetrated. The first of such riots attended with dacoity, &c., occurred on the 23rd May and cases continued to occur on the following days. On the 24th, 26th, 27th, 29th and 30th the villages were thus attacked. On the 31st May two villages were attacked, two others again on the 1st June, four on the 2nd June, three on the 4th June, two on the 5th June and four on the 6th June, exclusive of the big riot at Sivakási. A point about these riots was that the earlier riots occurred at night; but, owing apparently to the fact that the inquiries made into these earlier riots were not efficiently full and complete to observe the rioters, the latter became more and more bold and reckless, and from midnight dacoities they ventured on broad daylight dacoities. On these occasions it was only the Shanars who were attacked, the other classes either joining the attacking force in the plunder or quietly looking on. The Nadars meanwhile were not idle, but were keeping the authorities informed by telegrams of their fears. From the 26th May such telegrams were being sent to the District Magistrate, the Superintendent of Police and the Deputy Magistrate. The prosecution case was that the authorities were, as a matter of fact, kept informed of what was alleged to be going on. The question whether the information conveyed ought or ought not to have impressed the authorities with the seriousness of the situation was one with which the prosecution was not concerned. The prosecution was content to show that the plans for the attack on Sivakási were long maturing; that the ringleaders concerned were acting openly; and that the very day and the hour of the intended attack were known previously. Besides the Shanars, the Christian Missionaries were aware of what was going on, and what was to take place at Sivakási. There were on the spot a Sub-Magistrate and a Police Inspector; they knew of what was going on. They kept the Divisional Magistrate informed of the state of things, and they told the District Magistrate and the Superintendent of Police that Sivakási was to be attacked on the 6th June. The Sub-Magistrate, officially within whose jurisdiction lay the villages that were attacked before the 6th June, had informed the Divisional Magistrate that all these attacks were due to the feeling against Sivakási Shanars, and it was also on record that these attacks before the 6th June were by the smaller gangs that were gathering for the attack of Sivakási. The information was available early enough, in point of time and with sufficient fulness as to details to support the prosecution case that the attack was deliberately planned and carried out.'

"(g) With reference to the matters disclosed in clauses (a) to (f) of this question, will Government be pleased to state whether any and what precautionary measures were taken by the district authorities for the purpose of preventing the riots?

"(h) Will Government be pleased to furnish information on the following points?—

- (i) Number of persons killed at Sivakási on the 6th June 1899, the date of the riots.
- (ii) Number of persons fatally wounded on the above date, and who died subsequently.
- (iii) Number of persons wounded on the above date, but subsequently recovered.
- (iv) Number of houses and other buildings burnt or otherwise destroyed at Sivakási on the above date.
- (v) Extent of other loss caused by the rioters at Sivakási on the above date in the matter of cattle, grain, money and jewels, &c."

The Hon'ble Mr. Stokes:—

XXI. (a) & (b) The Government has no information.

(c) Yes.

A Magistrate was kept at or in the vicinity of Sivakási from the beginning of May until the date of the riots, with the exception of four days at the end of May.

(d) The answer to the first part of the question is in the affirmative. Government has no information to show that any such report as is alluded to by the Honourable Member was made by the Inspector of Police.

(e) The Police present at the time of the riot consisted of 2 Inspectors, 3 head constables and 33 constables.

The Police appear to have done little or nothing to suppress the riot.

(f) The Government has no information.

(g) The Police at Sivakási were strengthened and a Magistrate was ordered to remain in the neighbourhood of the town. Extra police were called for from other districts, and orders were issued for the establishment of daily beats between Sivakási and the neighbouring villages.

(h) (i) Twenty-three.

(ii) One, as far as is known.

(iii) The Government has no information.

(iv) Eight hundred and eighty-six.

(v) The loss as estimated by the Shanars was Rs. 43,000, but the amount is reported by the Special Commissioner to be exaggerated.

The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI Avargal:—

XXII. (a) With reference to the memorial dated the 26th October 1899, submitted to His Excellency the Governor in Council by the Madras Landholders' Association praying that, for the reasons stated in it, the short Bill introduced by the Hon'ble Mr. V. Bhashyam Aiyangar Avargal to amend the Rent Recovery Act VIII of 1865, may be passed into law without loss of time, will Government be pleased to state whether it is its intention to comply with the prayer of the memorialists?

(b) Whether in view of the circumstance that the Land Bill now in the hands of the Select Committee may take a long time before it becomes law, and in view of the hardships experienced by the landholders under the existing law as pointed out by the memorialists, Government will be pleased to bring forward the Hon'ble Mr. Bhashyam Aiyangar's Bill during the current session of the Council?

The Hon'ble Mr. Forbes:—

XXII. (a) & (b) The Government does not at present propose to move in the matter.

The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI Avargal:—

XXIII. (a) With reference to clause (3) of section 14 of the amended District Municipalities Act, 1884, will Government be pleased to state whether it has interpreted in practice the clause to mean that its previous sanction is necessary each time a Municipal Council elects a Vice-Chairman, and whether it has cancelled any election under such interpretation?

The Hon'ble Mr. Forbes:—

XXIII. The answer to this question is in the affirmative.

The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI Avargal:—

XXIV. (a) Has any portion of the expenses of defending the prisoners (Sesha Chari and Swaminatha Aiyar) in the Police Extortion case recently tried in the High Court Sessions been defrayed by Government, and if so, what were the circumstances under which it was thought necessary to incur the expenditure?

(b) If such expenditure has been already incurred by Government, will any, and what, steps be taken to recover the same from the prisoners whose trial had ended in conviction?

The Hon'ble Mr. Stokes:—

XXIV. (a) In accordance with the provisions of Police Order No. 288 the accused Sesha Chari and Swaminatha Aiyar in the Police Extortion case recently tried at the High Court Sessions received an advance from public funds to engage counsel for their defence.

(b) The matter is under the consideration of Government.

The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI Avargal:—

XXV. Will Government be pleased to order an enquiry into the circumstances under which the original gambling case instituted by the City Police against the Sowcars in the Police Court in the beginning of the current year was allowed to be withdrawn—a proceeding which has been characterized by the learned Chief Justice as a "somewhat unusual and startling procedure"?

The Hon'ble Mr. Stokes:—

XXV. The question is under the consideration of Government.

The Hon'ble M.R.Ry. P. RATNASABHAPATI PILLAI Avargal:—

XXVI. Is it the intention of Government to appoint a committee of enquiry into the system of Police administration in the City of Madras, having regard to the disclosures made in the late trial of the Police Extortion case before the Honourable the Chief Justice?

The Hon'ble Mr. Winterbotham:—

XXVI. The answer is in the negative.

The Hon'ble M.R.Ry. G. VENKATARATNAM PANTULU Garu:—

XXVII. (a) Will Government be pleased to state if any steps have been taken to carry out the following recommendations of the Education Commission?—

(i) That an attempt be made to prepare a moral text-book, based on fundamental principles of natural religion, such as may be taught in all Government and non-Government Colleges.

(ii) That the Principal or one of the Professors in each Government and Aided College deliver to each of the College classes in every session a series of lectures on the duties of a man and the citizen.

(b) Have these recommendations been carried out? If not, will Government be pleased to take them now into its favourable consideration and adopt steps to give practical effect to them?

The Hon'ble Mr. Arundel :—

XXVII. (a) No. The recommendations referred to were not supported by the Government of India or the Secretary of State in reviewing the report of the Education Commission.

(b) No; on these points this Government shares the views of the Government of India stated in that Government's Resolution No. 10—309, dated 23rd October 1884, paragraph 28.

The Hon'ble M.R.Ry. G. VENKATARATNAM PANTULU Garu :—

XXVIII. (a) Has the attention of Government been drawn to the following provisions contained in the Bombay Land Revenue Code?—

"In the year in the course of which a survey-settlement, whether original or revised, may be introduced, the difference between the old and new assessment of all lands on which the latter may be in excess of the former shall be remitted, and the revised assessment shall be levied only from the next following year."

"In the year next following that in which any original or revised survey-settlement has been introduced, any occupant who may be dissatisfied with the increased rate imposed by such new assessment on any of the survey numbers held by him shall, on resigning such number before the 31st March, receive a remission of the increase so imposed."

(b) Will Government be pleased to consider the advisability of applying a similar concession to the ryotwari holdings in this province and to direct its application in the revision settlement to be introduced during the current year in the Gódavari and Kistna districts?

The Hon'ble Mr. Forbes :—

XXVIII. (a) The Government has read the section referred to.

(b) In many respects the increment remission rules of this Presidency are much more favourable to the ryot than the rules quoted by the Honourable Member.

The object of not charging the new rates in the year of introduction of a settlement is to give the ryots the opportunity of relinquishing any land which they may consider overassessed. The Government believes that few, if any, instances of such relinquishment can be quoted in this Presidency, and regards it as unnecessary to make a special rule for such exceptional cases.

The answer to this part of the question is therefore in the negative.

The Hon'ble M.R.Ry. G. VENKATARATNAM PANTULU Garu :—

XXIX. (a) Is the rule requiring a Deputy Commissioner to arrange the grouping of villages "with the aid of a well-constituted panchayat, selected from respectable ryots, who may fairly represent the community of the several localities" now in force? If not, when and why was it cancelled?

(b) Having regard to the fact that such means of obtaining the opinion of the ryots is in accordance with the views of the Honourable Court of Directors, expressed in paragraph 20 of their Despatch, No. 17, of the 17th December 1856, will Government be pleased to consider the propriety of restoring the said rule?

The Hon'ble Mr. Forbes :—

XXIX. (a) The Honourable Member apparently refers to a statement in the Settlement Manual. This statement reproduces an instruction issued in 1858 by Mr. Newill, then Director of Revenue Settlement, to his Deputies. This procedure recommended by Mr. Newill has long fallen generally into desuetude.

(b) The Government does not consider that any useful purpose would be served by reviving the rule as to panchayats.

When a settlement scheme is under preparation, the grouping of villages and all other connected questions are discussed with the resident ryots interested. This is entirely in accord with the views expressed by the Court of Directors in their despatch cited by the Honourable Member which merely pointed out that much useful information may be gathered by consulting the most intelligent and influential inhabitants of the villages in course of assessment.

The Hon'ble M.R.Ry. G. VENKATARATNAM PANTULU Garu :—

XXX. Is it the fact that Deputy Commissioners, who fix the assessment for land-revenue, have also the power to hear objections to the rates fixed by them and that an appeal lies to the Commissioner of Land Revenue from any decision or order passed by a Deputy Commissioner?

The Hon'ble Mr. Forbes :—

XXX. Yes, the appeal lies to the Commissioner of Revenue Settlement.

The Hon'ble M.R.Ry. G. VENKATARATNAM PANTULU Garu :—

XXXI. Have the existing orders or rules regarding the conversion into village sites of jeroyati land on which dwelling houses have been built been given effect to in the re-settlement of the Gódavari and Kistna districts? If not, will Government be pleased to issue instructions to give effect to the said orders or rules?

The Hon'ble Mr. Forbes :—

XXXI. The Government does not understand to what existing orders or rules the Honourable Member refers.

The fact that a pattadar builds a house upon his land does not warrant the Government in treating the land as village site poramboke.

The Hon'ble M.R.Ry. G. VENKATARATNAM PANTULU Garu :—

XXXII. (a) Was the intermediate rate of water-tax extended to the Gódavari and Kistna deltas in fasli 1307 and was it levied during the said fasli on all "dry" crops which were "systematically" irrigated except turmeric?

(b) Did Government withdraw during the currency of fasli 1308 the said rate and charge full rate in the case of all crops on which an intermediate rate had been levied in the previous fasli?

(c) Was any notice of such withdrawal given to the ryots before their applications for water for irrigation had been accepted? Is it a fact that in some cases the crops were also harvested before the announcement of the said withdrawal to the ryots?

(d) What were the reasons which led Government to adopt the said course? Were the District officers consulted before Government determined upon it?

(e) Will Government be pleased to state the principles regulating the imposition of the intermediate rate and to lay before the Council any rules or orders relating thereto?

The Hon'ble Mr. Forbes :—

XXXII. (a) to (d) In July 1896, the Government sanctioned the levy of an intermediate rate of Rs. 3 per acre for water used for dry crops systematically irrigated. The rate was introduced into the general scale of water rates which is not applicable to the Gódavari and Kistna deltas. In 1898 it came to the notice of the Government that the Board had mistakenly prescribed an analogous rate of Rs. 3-12-0 in these areas.

The necessary alteration of the Board's orders was then made. The District officers were not consulted before the mistake was corrected. The Government has no further information on the matters referred to in these questions.

- (e) The intermediate rate is charged for the systematic irrigation of dry crops in areas where the general water rate rules are applicable. It is left to the discretion of the Collector to decide whether irrigation in any particular case is systematic or occasional. Copies of G.Os., No. 3038, dated 30th July 1896, and No. 345, dated 15th June 1898, will be laid upon the table.

The Hon'ble M.R.Ry. G. VENKATARATNAM PANTULU Garu :—

XXXIII. Question No. XL asked at the meeting of the Council held on the 14th November 1899 :—

"XL. (a) Have District Registrars been required to furnish the Inspector-General of Registration with any statistics in regard to the economic condition of the agricultural population of their districts ?

"(b) Will Government be pleased to lay on the table any such statistics submitted by the District Registrars of Gódvári and Kistna for the five years ending with 1897-98 ?"

The Hon'ble Mr. Stokes :—

XXXIII. (a) Yes.

- (b) The statistics received from Gódvári and Kistna are incomplete. The Inspector-General of Registration has called for revised returns which, when received, will be open for inspection by the Honourable Member at the Inspector-General's office.

The Hon'ble M.R.Ry. G. VENKATARATNAM PANTULU Garu :—

XXXIV. (a) Is Government aware that karnams have been detained for several months both last year and this year at taluk head-quarters for preparation of settlement accounts in the Gódvári and Kistna districts and that no batta has been paid to them during their stay at such head-quarters ?

(b) Will Government be pleased to sanction batta for the period during which they have been so employed on settlement work ?

The Hon'ble Mr. Forbes :—

XXXIV. (a) A settlement occurs only once in a generation, and if the karnams are to learn their work and perform it efficiently their detention at taluk head-quarters while preparing their new village accounts is inevitable. The length of the period of detention will depend on the efficiency of the individual.

- (b) The Government is not prepared to adopt the Honourable Member's suggestion. The Honourable Member is reminded that the pay of karnams in Gódvári and Kistna has recently been raised.

The Hon'ble M.R.Ry. G. VENKATARATNAM PANTULU Garu :—

XXXV. (a) Is Government aware of the inconvenience and delay caused in its operation by the rule, noted in the margin, purporting to have been made by the Board of Revenue under section 32 of the Proprietary Estates' Village Service Act, and published in the Fort St. George Gazette, dated 9th November 1897 ?

10. The officers mentioned above (village officers) shall also reside in their villages and shall not absent themselves therefrom, except on public duty, without the permission of the Tahsildar or Divisional officer. Their applications for leave should be submitted through the proprietors concerned or their local agents to the Tahsildar or the Deputy Tahsildar, who will grant the leave or obtain the sanction of the Divisional officer as in Government villages and communicate the same to the proprietors or their local agents and to the village officers concerned.

(b) Was there any previous publication of this rule as required by section 32 of the Act ? If so, when ?

(c) Will Government be pleased to order the amendment of the said rule, so as to vest, subject to such restrictions as may be deemed expedient, the power of granting leave to village officers in the proprietors of villages in whom the power of their appointment is vested under the Act ?

The Hon'ble Mr. Forbes :—

XXXV. (a) The answer to clause (a) of the question is in the negative.

(b) A draft of the rules proposed to be made under section 32 of Act II of 1894 was duly published in the Fort St. George Gazette on the 2nd June 1896 and objections and suggestions invited. In consequence of one of the suggestions received, the rule referred to by the Honourable Member was incorporated in the rules finally made and published.

(c) With regard to clause (c) a report will be called for on the subject.

(3) Act assented to by His Excellency the Governor.

The Secretary reports that the Malabar Compensation for Tenants' Improvements Bill, which was passed into law at the meeting of the Council held on the 14th ultimo, received the assent of His Excellency the Governor on the 4th instant.

I have the honour to report (4) Petitions, &c.

The Secretary reports the communication to the Select Committees concerned of the following papers :—

G.O., No. 119, Legislative, dated 18th November 1899.

" " 120 " " 23rd " "

" " 123 " " 4th December "

The Secretary also lays on the table the following papers :—

G.O., No. 1063 W., dated 27th April 1898, and the Surgeon-General's report referred to in the answer to question No. VII at the meeting of the Council held on the 24th January 1899.

List of villages referred to in the answer to clause (b) of question No. XXXVI at the meeting of the Council held on the 9th March 1899.

G.O., No. 991, Financial, dated 14th September 1899, referred to in the answer to question No. XXX at the meeting of the Council held on the 14th November 1899.

G.O., No. 1384, Judicial, dated 30th August 1899, referred to in the answer to question No. XXXVI at the same meeting.

(5) Madras Tenancy Bill.

The Hon'ble Mr. A. T. Arundel, c.s.r., will move the addition of certain gentlemen to the Select Committee on this Bill in the place of the Hon'ble Mr. C. Arnold White, the Hon'ble M.R.Ry. V. Bhashyam Aiyangar Avargal, c.r.e., Diwan Bahadur, the Hon'ble M.R.Ry. C. Jambulingam Mudaliyar Avargal, Rao Bahadur, the Hon'ble M.R.Ry. P. Ratnasabhapati Pillai Avargal, and the Hon'ble Mr. J. Sturrock, who have all vacated their seats on the Committee.

Seconded by Hon'ble Mr. J. Sturrock

In favour of the Bill

Ratnasabhapati Pillai

W. Nicholson

Carried

** To send a ship
overseeing the dis-
tribution of Quail
-cons & answers
among Press or
reporters.*

*three
the proceedings
of Government
mentioned in the
agenda paper
of G.O. No 131
Legislative dated
16th December
1899*

*How Mr Stokes
Postpones This*

(6) Bill to amend the Madras Steam Boilers and Prime-movers Act, 1893.

*Business
to be adjourned*

The Hon'ble M.R.Ry. V. Bhashyam Aiyangar Avargal, C.I.E., Diwan Bahadur, will introduce this Bill and move that it be read in Council, and if the motion be carried, will further move that the Bill be not referred to a Select Committee for report. If that motion be also carried, he will next move that Council Rule 46 be suspended and the Bill taken into consideration and passed into law.

(7) Bill to amend Madras Acts II of 1894, III of 1895 and IV of 1897.

*When motion is
carried the
Secretary to
read the title
of the Bill.*

The Hon'ble Mr. H. M. Winterbotham will introduce this Bill and move that it be read in Council.

H. TREMENHEERE,
Secretary to Government.

The title of the Bill is "A Bill to amend the Madras Proprietary Estates' Village Service Act, 1894, the Madras Hereditary Village offices Act, 1895, and the Madras Survey and Boundaries Act, 1897."

The Hon'ble Mr Winterbotham will next move that the

(X) Bill be referred to a select committee consisting of
Hon Mr Winterbotham
Hon Mr Stokes for report.

If this motion is carried, H.C. to dissolve the meeting
the business before it having been concluded.

X Seconded by Hon Mr. Thomson.

(Carried)

(X) Seconded by Hon Mr Stokes.
Adv. Gen
Forbes

Venkataram

Hon Mr Winterbotham

(Carried)

19 12 99.

The Hon'ble M.R.Ry. V. Bhashyam Aiyangar Avargal, C.I.E., Diwan Bahadur, will introduce this Bill and move that it be read in Council, and if the motion be carried, will further move that the Bill be not referred to a Select Committee for report. If that motion be also carried, he will next move that Council Rule 46 be suspended and the Bill taken into consideration and passed into law.

(7) Bill to amend Madras Acts II of 1894, III of 1895 and IV of 1897. The Hon'ble Mr. H. M. Winterbotham will introduce this Bill and move that it be read in Council.

H. TREMENHEERE,
Secretary to Government.

X Seconded by Hon Mr. Thomson.
(Carried)
Seconded by Hon Mr Stokes.
Adv. Gen
Forbes
Venkataram
Hon Mr Winterbotham
(Carried)

Government of Fort St. George.
LEGISLATIVE DEPARTMENT.

NOTICES

FOR THE

MEETING OF THE COUNCIL

On Tuesday, the 19th day of December 1899,
at 12 o'clock noon.



Proposed by Mr Arundell
Seconded by

Mr Messrs the Hon. ^{Mr} C. Jambun-
linga Mudaliar, the Hon. ^{Mr}

P. Ratnasapathi Pillai

and the Hon. Mr. Nicholson

be appointed members

of the Select Committee

of the Madras Tenancy

bill.

RA
19.12.99

VH.

To Rev.

Can Rev. give a list
of Hon members to be
proposed for Select
Comm^{ee} of the
"Proprietor" Bill?

H. I.

18 12 99.

H. M. S. 18/12/99.

1. Advocate Genl
2. Mr. Forbes
3. I propose to ask[?] Mr.
Sanyam Venkata ratnam -
If he declines, Mr.
Ratna Sankarathu Pillai
4. My self
I can't think of any one
else who wd be useful
unless Hon Mr. Arundell will
join.

H. S. -

18-12-99.

7.45 p.m.

By D. L. M.

Adv. Genl

Dr Farber

Sanjam Venkata Ratnam

Myself -

the movie -

1. Adv. Genl

2. Dr Farber

3. Sanjam Venkata Ratnam

4. Myself -

the movie -

5. Adv. Genl

6. Dr Farber

7. Sanjam Venkata Ratnam

8. Myself -

the movie -

9. Adv. Genl

10. Dr Farber

11. Sanjam Venkata Ratnam

12. Myself -

the movie -

LEWIS DEPARTMENT.

Papers to be read in Proceedings :—

Again G.O., No. _____, dated _____ 189_____

Again G.O, No. . , dated 189

Current No. _____ of 189 _____, dated _____, from _____

” ” ” 189 ” ” ” ”

" " M " 189 , " *rest* , "

Questions & Answers at the meeting of the Executive Council held on the 19th instant.

ORDER. *no. 132 d/21.12.98*

Communicated to the departments of the
Secretariat concerned for information
and guidance.

2. The allocation of the Judicial Department will be drawn to the answers given to questions Nos XIX (and ^{xxiv} XIX (b), ^{xxv} XXXIII (b), and that of the Revenue Department to the answers given to questions Nos XI, XVIII, ^{xx} XXXI (e) and XXXV (c).

P. 2.
21-12-88

	Public Works Dept.	Sept 1899	20/11/99
The	Town	✓	
"	Revenue	✓	
"	Public	✓	
"	Edncl	✓	
"	L & H	✓	
"	P.W.D. - Railway for auct	✓	

Note.

of 29.

Note. May a copy of letter no. 2944-C
of 29 July 1896 referred to in the answer
to clause 6, of question 801 be furnished
to the Hon. the m. R. N. K. Natua Sahasrabati
Billai. ?

yes.

28/12

Copy

When given for copying _____
When copied _____
When examined _____ 189 .
When signed _____

READ AGAIN G.O., No. _____, DATED
189 ,

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—
A = Copy in full.
B = Not to be copied.
F = Copy abstract only.
Q = Copy heading only.

[Faint, mostly illegible handwritten text, possibly bleed-through from the reverse side. Some words like "communication" and "document" are visible.]

[Faint handwritten notes and signatures at the bottom of the left page.]