

S. W.
Marine (1899) Department.

G.O., No. 79 *W* Marine

DATED 10 Jan 1899.

[Despatch Abstract.]

Meeting of the Legislative Council

For: Legislative Dept. Communicating
Questions asked at the ——— held on the 13th Dec^r
and the answers given thereto, recorded.

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

Communicating with remarks
to the Departments of the
Secretariat Copy of questions
asked at the meeting of the
Council held on the 13th
December 1898 & the
answers given thereto

SW.

BACK PAPERS.

No.	Date.
56230	2/13.12.78
56220	2/13.12.78

FURTHER PAPERS.

No.	Date.
-----	-------

QUESTIONS AND ANSWERS.

QUESTIONS and ANSWERS at the meeting of Council held on Tuesday, 13th December 1898.

With the permission of His Excellency the President—

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

I. (a) Will Government be pleased to state the reasons which have led to the postponement of the reorganization of the Madrasa-i-Azam?

(b) Should Government not be able to see its way to carry out the reorganization of the Madrasa in its entirety, will it be pleased, in view of the fact that all the candidates in the University Examinations have failed in two years consecutively, to appoint a European Headmaster from the beginning of the new year, as this may be done independently of the erection of a new building, and as this reform is, in the opinion of the community, most necessary and urgent?

(c) Will Government be pleased to state whether it is a fact that the concession of half-fees enjoyed by the Muhammadan boys in all schools in this Presidency has been withdrawn from Breck's Memorial school at Qotacamund?

(d) Is Government also aware of the fact that the school-going Muhammadan population of Ootacamund is as poor as that of other towns? If so, will Government be pleased to restore the concession hitherto enjoyed by them?

The Hon'ble Mr. Arundel:—

I. (a) The question of reorganizing the Madrasa-i-Azam is connected with that of finding a suitable site for the institution. A communication recently received from the Director of Public Instruction on this subject is now under consideration.

(b) The question of European supervision is raised in the communication above referred to, and cannot conveniently be decided apart from the general question of reorganization.

(c) Yes.

(d) The Government has reason to believe that the Muhammadan population of Ootacamund is exceptionally well to do. The concession referred to cannot be restored.

The Hon'ble GHULAM MUHAMMAD SAHIB BAHADUR :—

II. (a) Will Government be pleased to state if its attention has been drawn to the entire absence of the Muhammadan element from the higher grades of the Salt and Abkari department, such as, Assistant Commissioners, Inspectors and Assistant Inspectors?

(b) Is Government aware that even in the lower ranks of the Sub-Inspectors, there are only 27 Muhammadans, whilst there are 776 Hindus?

(c) Will Government be pleased to consider the desirability of transferring one of the Muhammadan Deputy Collectors as an Assistant Commissioner of Salt and Abkari Revenue, as was recently done in the case of a Hindu Deputy Collector and draw the attention of the Board of Revenue to this proposal and to the facts mentioned in clauses (a) and (b) in view to a better representation of the Muhammadans in the Salt, Abkari and Customs department?

The Hon'ble Mr. Arundel :—

II. The attention of the Board of Revenue will be drawn to the questions put by the Honourable Member. It may be stated, however, that in the last two years six Muhammadan Sub-Inspectors have been superseded in their grade presumably for inefficiency by six Hindus, and of these six Muhammadans, one has recently been reduced and another dismissed. The answer to clause (c) is in the negative. The Hindu Deputy Collector referred to had ten years' training in the Separate Revenue department before being appointed Assistant Commissioner.

The Hon'ble GHULAM MUHAMMAD SAHIB BAHADUR :—

III. Is Government aware of the entire absence of Muhammadans in the higher grades of the Forest service, ever since the retirement of the solitary Muhammadan Assistant Conservator of Forests some years ago? Will Government be pleased to instruct the Board of Revenue to issue orders to Conservators to give encouragement to Muhammadan candidates, seeing that Muhammadans as a class are eminently fitted for out-door work?

The Hon'ble Mr. Forbes :—

III. Recruitment for the higher grades of the Forest service is regulated by certain rules which will be found reproduced in sections 19 to 34 of the Madras Forest Code. Muhammadan candidates who qualify themselves for employment under these rules will receive every just encouragement.

The Hon'ble GHULAM MUHAMMAD SAHIB BAHADUR :—

IV. (a) Will Government be pleased to state whether it is a fact that M.R.Ry. A. M. Chinnasami Mudaliyar, who is unconnected with the Registration department, has been appointed Registrar of Assurances?

(b) If so, will Government be pleased to make a similar concession in the case of the Muhammadan community by appointing one at least of their number as a Registrar especially as no Muhammadan holds the appointment of Registrar, and some of the Muhammadan Sub-Registrars in the higher grade are already leaving the department for want of encouragement?

The Hon'ble Mr. Stokes :—

IV. (a) Yes.

(b) There is no vacancy in the grade of Registrars at present. When a vacancy occurs, the claims of any Muhammadan officers who may be eligible will be considered.

The Hon'ble GHULAM MUHAMMAD SAHIB BAHADUR :—

V. In view of the paucity of Muhammadan Deputy Collectors and Tahsildars and of the observation made by the Secretary of State in connection with the simultaneous examinations question that Muhammadans possess an aptitude for

administrative work, will Government be pleased to pick out a select few among the Muhammadan graduates already in the service and appoint them as Probationary Deputy Collectors and Tahsildars, after giving them the benefit of training under some competent Collectors?

The Hon'ble Mr. Winterbotham :—

V. The Government, while willing and anxious to encourage administrative talent among Muhammadans, cannot consent to any such definite undertaking as that suggested in the Honourable Member's question.

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

VI. (a) With reference to my question No. XV and the answer thereto at the meeting of the Council, dated the 4th April, will Government be pleased to state whether G.O., No. 704, dated 19th September 1895, is intended to exempt from income-tax only pensions and other incomes earned and received in a Native State, but afterwards brought or remitted into British India?

(b) Whether upon the same principle, pensions and other incomes earned in a Native State, but paid and received in British India at a British treasury, are not entitled to exemption from taxation?

(c) Whether Government will be pleased to cause a revision of the terms of the Government Order quoted above in view to the exemption therein allowed being extended to the pensions and other incomes of the kind referred to in clause (b) of this question?

The Hon'ble Mr. Forbes :—

VI. With regard to clause (a) of the question, the G.O. of 19th September 1895 communicated under the orders of the Government of India as the rule to be acted upon, the opinion of the Advocate-General of Bengal in the case of a person who being employed in a Native State earns a salary, which is there paid to him, that such person is not liable to pay income-tax upon such salary or part thereof which he may bring into British India. The cases mentioned in the Government Order are not cases of pension.

To clause (b) of the question, the answer is in the negative.

To clause (c) the answer is that the Government Order referred to by the Honourable Member merely communicated the instructions of the Government of India, which are not open to revision by this Government.

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

VII. (a) Is it a fact that plantain cultivation on the margins of the Cauvery and its branches in Trichinopoly, Tanjore and other districts is charged with water-rates, even where the flow of the water to the plantations is spontaneous?

(b) Is Government aware that water in such cases is injurious to the plantations, and will Government be pleased to issue orders for the removal of the rates, if the answer to clause (a) of this question be in the affirmative?

The Hon'ble Mr. Forbes :—

VII. (a) From inquiries made by the Board of Revenue it appears that as a general rule no water-rate is charged for the spontaneous flow of water to plantain gardens on the margins of the Cauvery and its branches. There appear to have been cases in the Mannargudi and Mayavaram taluks of Tanjore where a charge has been made; and the Board has ordered an inquiry into these cases.

(b) The Government is not aware that water in such cases is injurious to the plantations.

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

VIII. Is it a fact that rupees coined before 1840 are rejected in the railway booking offices?

The Hon'ble Mr. Stokes :—

VIII. Stationmasters are not authorized to refuse rupees coined before 1840 at booking offices of railway stations in this Presidency unless such rupees are of light weight. As however they have to make good any loss incurred through taking light or counterfeit coins, it is possible that individual stationmasters refuse these rupees to ensure being on the safe side.

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

IX. In view of the fact that Tahsildars are now compelled to keep horses, will Government be pleased to take into consideration the necessity of sanctioning a horse allowance to these officers, apart from the batta of one rupee per diem now allowed to them only for days they are out in camp?

The Hon'ble Mr. Forbes :—

IX. The pay of the Tahsildars was originally fixed with due reference to the fact that their duties require frequent touring within the limits of their taluks. In 1896 this Government moved the Government of India to grant to Tahsildars a special horse allowance of Rs. 15 per month, but the Government of India preferred that they should receive a daily allowance of one rupee for each day spent in camp. The Tahsildar's travelling allowance of one rupee per diem is thus intended to include the expense of keeping a horse or pony.

The Government is at present unable to recommend the grant of any further allowance on this account to these officers.

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

X. With reference to my question No. XX asked at the meeting of the Council on the 4th April regarding the Trichinopoly water-works, is Government in a position now to state whether any, and what, steps have been taken to place the working of the system on a satisfactory footing?

The Hon'ble Mr. Arundel :—

X. Certain proposals have been made by the Sanitary Engineer for placing the working of the system on a satisfactory footing and they are under the consideration of Government.

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

XI. With reference to my question No. XXIV on the same subject asked at the above meeting regarding an investigation into the causes of the failure of the water-works, and the answer of Government, will Government be pleased to state whether any investigation has been made, and if so, with what result?

The Hon'ble Mr. Arundel :—

XI. The question of appointing a Committee to investigate into the matter is under the consideration of Government.

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

XII. With reference to the Hon'ble C. Jambulingam Mudaliyar's question No. LVII of 9th December 1896, and my question No. IX asked at the meeting of the 23rd November 1897 regarding the equalization of the process-fees levied in the civil courts of all grades, will Government be pleased to state whether any and what decision has been arrived at?

The Hon'ble Mr. Stokes :—

XII. The matter is still under consideration.

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

XIII. (a) Was any investigation ordered by Government into the origin and causes of the typhoid fever which prevailed last year and which again appeared in a more serious form this year at Ootacamund, and if so with what results?

(b) Will Government be pleased to order the papers connected with the investigation, if any, to be placed on the table?

The Hon'ble Mr. Stokes :—

XIII. The Hon'ble Member is referred to G.O., No. 1571 M., dated 7th September 1898, which has been placed on the Editors' Table.

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

XIV. (a) Has the attention of Government been drawn to a correspondence which appeared in the *Hindu* of the 18th November 1898 to the effect that Mr. E. L. R. Thornton, Sub-Collector of Cuddapah, had issued in his capacity of President of the Taluk Board of Madanapalle a notice in the following terms :—

“Dr. Myler, Medical and Sanitary Officer, Cuddapah, will inoculate on Monday the 7th November 1898 at 8 A.M. those gentlemen that are willing to be inoculated. All members of the Taluk Board, Madanapalle, are requested to come without fail and be inoculated.”

(b) Are the statements contained in the above correspondence true, and, if so, does the Government consider the proceedings of the officer judicious?

The Hon'ble Mr. Arundel :—

XIV. (a) No; but the attention of the Plague Commissioner was drawn to the paragraph at the time.

(b) The matter is under inquiry.

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

XV. Has Government in contemplation to make a provision for the widow and children of the late M.R.Ry. T. G. Sundaresa Iyer, Tahsildar of Hindupur (Anantapur), who was murdered at Kondaipur, when he was on plague duty, and has it called for any report upon the matter from the District officers?

The Hon'ble Mr. Forbes :—

XV. Proposals for the grant of a provision for the widow and children of the late Tahsildar are under the consideration of Government.

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

XVI. With reference to the recent speech of His Excellency the Viceroy at the United Service Club's dinner in regard to the frequent transfers of District officers and the speech of His Excellency the Governor in the course of his tour in the Northern Circars in October last on the same subject—

(a) is the matter engaging the attention of Government? and

(b) is it in a position to hold out any hopes of redress in the near future?

The Hon'ble Mr. Arundel :—

XVI. (a) Yes.

(b) The Government is unable at this stage to make any announcement on the subject.

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

XVII. (a) Is it a fact that the Sessions Judge of Tinnevely Mr. K. C. Manavedan Raja has made the following observations in Sessions Case No. 54 of 1898, in regard to the conduct of Sub-Magistrate Mr. Padmanaba Iyer of Velathikolam in recording a confessional statement from a mother charged with the murder of her child :—

“Though ignorant of what occurred at the inquest, he (the Sub-Magistrate) puts his signature to the inquest report, and his explanation is that is mamool. I am constrained to remark that the Sub-Magistrate appears to me to be unwilling to speak the whole truth, and further that he cannot be safely entrusted with the duty of holding an enquiry under chapter XIV.”

(b) Has Government or the district authority taken any and what notice of the Sessions Judge's recommendation?

(c) Were similar complaints made to the District authorities or Government on previous occasions against the same officer when he was Sub-Magistrate of Ottapidaram (Tinnevely) regarding his unfitness to exercise magisterial functions, and, if so, with what results?

The Hon'ble Mr. Stokes :—

XVII. (a) and (b) The Government has received no official information in the matter.

(c) The Honourable Member is referred to the answer given to question No. XXI put by him at the meeting of the Legislative Council held on 23rd November 1897.

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

XVIII. (a) Has the attention of Government been drawn to the sub-leader in the *Hindu*, dated 1st September 1898, headed "High-handed Proceedings by Revenue Officials", and has Government made any inquiry into the matter referred to therein, and, if so, with what result?

(b) Is it a fact that whereas no arrear was due by the shrotrianddar of Mukundarayapuram (Wallaja—North Arcot), an arrear of 2 pies for fasli 1305 was claimed from him, and his land worth Rs. 30 was sold in auction for Rs. 6-8-0 on 16th May 1896?

(c) Did the shrotrianddar send two registered letters—one to the Tahsildar, and one to the Head Assistant Collector—on 11th May 1896 intimating that there was not a single pie in arrear against him, and that the sale advertised ought to be stopped?

(d) Was the auction sale nevertheless held on 16th May 1896 with the results mentioned in clause (b) of this question?

(e) Did the shrotrianddar give to the Collector notice of his intention to file a civil action against Government, and was any inquiry made by Government or the Board of Revenue upon the receipt of the notice of the intended action before the defence was sanctioned, and, if so, with what result?

(f) Was a civil suit subsequently filed by the shrotrianddar against Government in the Court of the District Munsif of Sholinghur, and decreed against Government with costs amounting to Rs. 22 and odd payable to the plaintiff, while his actual expenses amounted to nearly Rs. 400?

(g) If the facts are as stated above, does not the Government think that the shrotrianddar is entitled to some adequate reparation at the hands of Government?

The Hon'ble Mr. Forbes :—

XVIII. The Government has obtained a report from the Board of Revenue on the subject from which it appears that it is a fact that the shrotrianddar obtained a decree with costs against the Government for Rs. 22 and odd. It further appears that the Board ordered an inquiry into the matter so long ago as May last, but that the inquiry has not yet been completed for want of certain records from the court of the District Munsif of Sholinghur. As the case has not yet been fully investigated, the Government is unable to say whether the facts are correctly detailed in the Honourable Member's question, or to make any pronouncement on the merits of the case.

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

XIX. (a) Has the attention of Government been drawn to a sub-leader in the *Madras Standard* of 12th August 1898 headed "Conduct of a High Official," and did the Government move the High Court to make an inquiry into the allegations made therein against M.R.Ry. V. Ramiengar, Manager, Appellate Side of the Court, and, if so, with what result?

(b) If the answer to the above be in the negative, will Government be pleased to move the High Court in view to an inquiry being made into the matter complained of?

The Hon'ble Mr. Stokes :—

XIX. The Government has now perused the article in question, and is not prepared to take any action in the matter, which is one falling entirely within the province of the High Court.

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

XX. (a) Is Government aware that Mr. Higgins, late Collector of Tinnevely, was memorialized by the people of Srivilliputtur and requested to arrange for the establishment of a Village Munsif's Bench Court at their station, and, if so, with what result?

(b) If not, will Government be pleased to direct the necessary steps to be taken to establish a Bench Court at Srivilliputtur?

The Hon'ble Mr. Stokes :—

XX. The Government is not aware of the submission of any such memorial, and considers that the matter may be left to the Collector who will no doubt take such action as is necessary.

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

XXI. With reference to the observation quoted in the margin of the Board of Revenue in its resolution embodied in G.O., No. 474, Revenue, dated 25th August 1898, is Government in a position to state whether any, and what schemes, are in contemplation to improve the sanitary conditions of the City of Madras?

The Hon'ble Mr. Stokes :—

XXI. A scheme for the drainage of the city estimated to cost Rs. 31,81,000 is now under execution and schemes for the improvement of water-supply and for the purification of the Cooum are in contemplation.

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

XXII. With reference to the statement of the Board of Revenue noted on the margin in its resolution (quoted in the above question) submitting its report on the settlement of land revenue in the Presidency for fasli 1306 (1896-97), has any inquiry been made into the abnormally high figures under "Deaths from cholera" during the fasli year ending 30th June 1897, especially in the districts of Coimbatore, South Arcot, Tanjore, Madura, Malabar, Ganjam, Tinnevely, Salem and Trichinopoly?

The Hon'ble Mr. Stokes :—

XXII. No; the subject has been fully dealt with in the annual reports of the Sanitary Commissioner for 1896 and 1897 and the orders of Government thereon which have been placed on the Editors' Table.

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

XXIII. (a) With reference to the figures quoted on the margin in regard to the revenue sales made for arrears of land revenue for fasli 1306, and the observations of the Board of Revenue in its resolution submitting to Government its report on the settlement of land revenue for the above fasli, that the Collectors of Vizagapatam and Tanjore will be separately requested to report on the abnormal increases in the number of sales, has

District.	Number of defaulters whose property was sold in	
	Fasli 1305.	Fasli 1306.
Tanjore	727	1,519
Vizagapatam	65	126
Trichinopoly	246	379

Government received any communication from the Board on the cause of the increases in question?

(b) Will Government be pleased to direct the papers on the subject to be placed on the table?

The Hon'ble Mr. Forbes:—

XXIII. (a) In reply to the first clause of the question the answer is in the negative.

(b) In answer to the second clause the expediency of placing the papers on the table will be considered when the correspondence is complete.

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

XXIV. (a) With reference to clause (v) of paragraph 13 of G.O., No. 476, Revenue, dated the 21st September 1896, resolving to notify that, after a certain date, candidates for the public service and school boys born in municipal towns should be required to produce attested extracts from birth registers, will Government be pleased to state whether any and what action has been taken in the matter?

(b) Was any draft notification submitted to Government for its approval by the Board of Revenue as desired in the paragraph of the Government Order quoted in clause (a) of this question, and, if so, what is the date from which the proposed rule was recommended by the Board to be given effect to?

The Hon'ble Mr. Forbes:—

XXIV. In reply to clauses (a) and (b) of the question, on further enquiry and consideration, the Government found that owing chiefly to defective methods of registration of births in Municipalities in the past, the Resolution referred to by the Honourable Member was attended with difficulties and could not be effectively carried out. It was therefore decided to abandon it for the present.

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

XXV. With reference to clause (vi) of paragraph 13 of the G.O., No. 476, Revenue, dated 21st September 1896, quoted in the preceding question stating that the proposal made by Surgeon-Major-General C. Sibthorpe to calculate the number of birth and death registrars in municipal towns in proportion to the population and the area to be dealt with, would be considered in the Local and Municipal Department, will Government be pleased to say whether the proposal has been considered in the Local and Municipal Department, and, if so, with what result?

XXVI. With reference to paragraph 13, clause (x) of the Government Order quoted in the preceding question stating that the proposal made by Surgeon-Major-General C. Sibthorpe to offer special inducements to all municipal servants for reporting cases of unregistered births or deaths would be considered in the Local and Municipal Department, will Government be pleased to say whether the proposal has been considered in the Local and Municipal Department, and, if so, with what result?

The Hon'ble Mr. Stokes:—

XXV and XXVI. The Hon'ble Member is referred to G.O., No. 926 M., dated 17th May 1898, which has been placed on the Editors' Table.

The Hon'ble M.R.Ry. C. VIJAYARAGHAVACHARIAR:—

XXVII. (a) Is it a fact that, as yet, no appointment from the Imperial list of the Forest Service has been transferred to the Madras Provincial list in accordance with the re-organization scheme of the Forest Service introduced in 1891?

(b) How many officers are there in the Madras Branch of the Imperial Forest Service who have been recruited after the re-organization scheme had been sanctioned by the Secretary of State?

(c) Is it a fact that the Government of India has decided that no Deputy Conservatorship would be transferred to the Madras Provincial list until a certain number of Assistant Conservators, who have so entered, shall have been made Deputy Conservators? If so, what is the number of such officers, and about how many years hence is a vacancy in Deputy Conservatorships available for transfer to the Provincial list expected to occur?

(d) In view of the fact that the re-organization scheme put a stop to promotions from the subordinate staff to the Imperial Service, and of the fact that the home recruitment after the introduction of the scheme was re-adjusted so as to make it possible for transfers from the Imperial to the Provincial list being effected from time to time since 1891, will the Government be pleased to state the circumstances under which the Government of India has decided to postpone the claims of the Madras Provincial Forest Service in favour of officers recruited on the above basis?

(e) Will the Government be pleased to take such steps as it may deem fit for the early removal of the hardship thus caused to the Madras Provincial Forest Service under the decision of the Government of India?

The Hon'ble Mr. Forbes:—

XXVII. (a) The answer to clause (a) of the question is in the negative. One such appointment was transferred in July last.

(b) There are four officers who have been so recruited.

(c) and (d) With reference to clauses (c) and (d) of the question the recruitment for the Imperial branch of the Forest Service was reduced in 1894. Under the order issued by the Government of India for the formation of the Provincial branch of the upper controlling staff, no Deputy Conservatorship can be transferred from the Imperial to the Provincial list until the claims of all Imperial officers recruited in England in and prior to 1894 have been considered. There are at present nine such officers in the Forest Department in this Presidency who have not yet reached the grade of Deputy Conservator. The Government cannot foretell the number of years that will pass before the claims of all these officers will have been considered.

(e) The Government does not consider that the gradual introduction of the scheme can justly be deemed a hardship to the Madras Provincial Forest Service.

The Hon'ble M.R.Ry. C. VIJAYARAGHAVACHARIAR:—

XXVIII. (a) In view of the fact that the Government of India has sanctioned the proposal of this Government to reserve five Civil Surgeoncies for Civil Assistant Surgeons, will the Government be pleased to state what steps it intends to take to give effect to its resolution at an early date?

(b) Has the Government considered the desire of the Government of India that a larger number of Civil Surgeoncies may be thrown open to Civil Assistant Surgeons and, if so, will it be pleased to state its decision?

(c) Will the Government be pleased to state what steps it intends to take, agreeably to the wishes of the Government of India, in order to raise the pay and allowances of the Civil Assistant Surgeons so as to assimilate their position and prospects to those of the other Provinces?

The Hon'ble Mr. Stokes:—

XXVIII. The whole subject is now under the consideration of Government.

The Hon'ble M.R.Ry. C. VIJAYARAGHAVACHARIAR:—

XXIX. (a) Is it a fact that the Government has been discountenancing appointment of non-officials as Municipal Secretaries?

(b) Will the Government be pleased to state whether any and how many non-officials as Municipal Secretaries it has approved?

(c) In view to efficient control by Municipal Councils over their officers and in view to their realizing and undertaking the full responsibility of administration imposed upon them by law, will the Government be pleased to leave them free in the choice of their Secretaries and not to exercise the power of vetoing such appointments except in very special cases?

The Hon'ble Mr. Stokes:—

XXIX. (a) The answer to this part of the question is in the negative.

(b) The Government has approved the appointment of four non-officials as Municipal Secretaries.

- (c) The Government is not prepared to leave the choice of Secretaries entirely to the discretion of Municipal Councils, nor will it interfere unnecessarily with such appointments.

The Hon'ble M.R.Ry. C. VIJAYARAGHAVACHARIAR then withdrew with the permission of His Excellency the President the following question:—

XXX. (a) Is it a fact that the Municipal Council of Tellicherry recently appointed M.R.Ry. Chathu, the pensioned Tahsildar of Badagara, as its Secretary?

(b) Is it a fact that the Government vetoed the appointment, and, if so, will it be pleased to state on what grounds?

(c) Will the Government be pleased to leave the Municipal Council free to re-appoint M.R.Ry. Chathu if it sees fit to do so?

The Hon'ble M.R.Ry. N. SUBBA RAO PANTULU:—

XXXI. With reference to the motion brought forward at the meeting of the Council held at Ootacamund on the 13th June last, that the Select Committee appointed thereat to consider the Madras Tenancy Bill be requested not to hold its sittings for a period of four months from that date, and with reference to the observations of the Hon'ble Mr. C. S. Crole, then in charge of the Bill, for not accepting the motion, that "the reason for taking up this Bill was that it was in an advanced stage and there is no reason why we should not go on with it," will Government be pleased to state when the Select Committee will submit its report and whether there is any likelihood of the Bill coming before the Council for consideration during this session?

The Hon'ble Mr. Arundel:—

XXXI. Government is not in a position to say when the Select Committee will submit a report; nor is it able to say when the Bill will come before the Council for consideration.

The Hon'ble M.R.Ry. N. SUBBA RAO PANTULU:—

XXXII. (a) Is it a fact that in May last Messrs. Hogg and Francis of the 4th Hussars, Secunderabad Division, came for shikari purposes to the Chintalapudi division in the Gódvári district and set fire to a reserved forest at Mankinavarigudem, about 12 miles off Chintalapudi, and that they were ordered to be prosecuted for the said act by the District Forest-officer?

(b) Will Government be pleased to state the result of the proceedings instituted against them?

(c) Is it a fact that, on the same occasion, they went to Chintalapudi and that, at about 8 P.M. on the 17th May, one of them, Mr. Francis, accompanied by some armed servants entered the compound of the Deputy Tahsildar of Chintalapudi during the absence of the said officer, and, without any sufficient cause, beat his cook and peon, who were then attending on his sleeping children?

(d) Is it a fact that, at about 10 P.M. on the same day, Mr. Hogg broke open the door and entered into the house of the Deputy Tahsildar and insulted the Deputy Tahsildar by using foul language and by other acts, and that when the police came, Mr. Hogg's attendants, about ten in number, who had accompanied him with arms on the occasion, drew their swords, presented their guns and threatened to fire, and that Mr. Hogg created disturbance in spite of the presence of the local officers including the hospital assistant, the sub-registrar, the forest ranger, and the inspector of police and others,—all because the village officers apparently failed to meet instantly the demand of Messrs. Hogg and Francis to be supplied with some men and cots, which the Deputy Tahsildar had ordered the village officers to supply as soon as he received intimation of the same?

(e) Whether Government is aware that the conduct of Messrs. Hogg and Francis under the colour of the British uniform created a commotion in the village and that the police were helpless on the occasion?

(f) Is it a fact that the Deputy Tahsildar brought the above circumstances to the notice of the District Collector and Magistrate, Gódvári, and asked for permission to prosecute Messrs. Hogg and Francis at the expense of the State, and that the said District Collector and Magistrate either declined to grant permission as requested or recorded the report of the Deputy Tahsildar?

(g) If Government is not in possession of the facts mentioned above, will Government be pleased to call for a report in the matter and take such steps as it may consider proper to maintain the prestige and dignity of the offices held by its civil officers at Chintalapudi?

The Hon'ble Mr. Forbes:—

XXXII. The Government has no information on the subject, but a report will be called for.

The Hon'ble M.R.Ry. N. SUBBA RAO PANTULU:—

XXXIII. With reference to G.O., No. 1747, Judicial, dated 28th August 1893, calling the attention of the District Collectors to the remarks of Mr. G. T. Mackenzie, I.C.S., then District Judge, Kistna, upon the unsatisfactory preparation of the lists of assessors and jurors under the Code of Criminal Procedure and to the importance of exercising discrimination in the selection of men to perform the important duties entrusted to them under the Act, will Government be pleased to state what improvements have been effected since, in the preparation of such lists and what specific rules regarding property, educational or other qualifications have since been adopted for the guidance of Tahsildars and village officers who are called upon by the District Collector to prepare the lists?

The Hon'ble Mr. Stokes:—

XXXIII. The Local Government is not in a position to issue rules at variance with the provisions of chapter XXIII of the Criminal Procedure Code. If the Honourable Member will himself attempt to frame any general rules declaring the property, educational, moral and other qualifications of a juror or assessor, he will probably become alive to the wisdom of the legislature in refraining from enumerating disqualifications other than those mentioned in section 278, Criminal Procedure Code. Discretion must be left where section 321 of the Criminal Procedure Code vests it, viz., in the Sessions Judge and Collector of the District.

The Hon'ble M.R.Ry. N. SUBBA RAO PANTULU:—

XXXIV. (a) Whether Government is aware that during the current year the price of opium in the Gódvári district, which consumes more than half the quantity of opium imported into the Presidency, largely as medicine for several complaints, has risen by nearly 50 per cent., a tola now selling at 8 annas against about 5 annas in previous years, thus causing an additional burden of 3 lakhs of rupees per annum on the district, particularly on the poorer classes who form the bulk of consumers?

(b) Whether Government is aware that this rise in the price of opium is due to a change in the vend of the opium monopoly of the district by selling it for three years instead of for one and to a single individual instead of several in ranges, thus stifling healthy competition and against the spirit of the rules framed by the Board of Revenue, and that the above change was made without any notice to the public?

(c) Is it a fact that an application of an Agency renter to import a larger quantity of opium within the Agency tracts was refused by the District Collector, thus compelling Agency renters to buy opium from the sole monopolist of the non-Agency tracts?

(d) Will Government be pleased to state on what grounds the said change was made in the policy of the sale of the opium in the district and why the application of an Agency renter was refused?

(e) Will Government be pleased to state whether the above change of policy meets with its approval?

The Hon'ble Mr. Forbes :—

XXXIV. The Government is aware that, owing to combination among the former renters at the auction sales, the Board of Revenue leased the privilege of vend of opium for three years. The Government has no information on the other questions put by the Hon'ble Member.

The Government has approved the Board's action, which is in accordance with rule XXXV of the rules under the Opium Act. A maximum price of two tolas per rupee was fixed for retail sales.

The Hon'ble M.R.Ry. P. RANGAYYA NAYUDU :—

XXXV. (a) Will the Government be pleased to state what has become of the Report of the Select Committee on the Madras Tenancy Bill?

(b) Will the Government be pleased to publish the report of the Committee with the covering letter of Mr. C. S. Crole in the Gazette?

(c) Will the Government be pleased to state whether it will furnish the Members of the Council with a copy of the report and the letter at any early date?

The Hon'ble Mr. Arundel :—

XXXV. The Honourable Member will be referred to the answer given to question No. XXXI.

The Hon'ble M.R.Ry. P. RANGAYYA NAYUDU :—

XXXVI. (a) Will the Government be pleased to state the total amount spent in the Public Works Department Accounts Department under the head of the Presidency allowance?

(b) How many Accountants draw the house allowance in Madras and what are their salaries?

(c) Will the Government be pleased to state whether a saving could not be effected and efficiency secured by deputing the high-paid Accountants to mufassal stations?

(d) Will the Government be pleased to state whether it will insist in future that all candidates appearing for the Accounts Branch should have passed some University Examinations?

The Hon'ble Mr. Stokes :—

XXXVI. (a) Rs. 7,846 was spent during 1897-98 inclusive of one Examiner (in whose case the allowance amounted to Rs. 768).

(b) At present the number of Accountants drawing Presidency house-rent, inclusive of Accountants attached to Head-quarters Executive Divisions, is 19. Their salaries are—

- 2 Accountants, 1st grade, on a salary of Rs. 500 each.
- 3 Accountants, 2nd grade—2 on Rs. 340 each; 1 on Rs. 300.
- 3 Accountants, 3rd grade, on Rs. 250 each.
- 5 Accountants, 4th grade—2 on Rs. 240 each; 3 on Rs. 200 each.
- 1 Accountant, 5th grade, on Rs. 150.
- 2 Accountants, 7th grade, on Rs. 80 each.
- 3 Accountants, 8th grade, on Rs. 60 each.

(c) Only a small saving would be effected as other Accountants would have to take their place who would also be entitled to Presidency house-rent, as sanctioned by the Government of India, but efficiency would certainly not be secured.

(d) No, as the examinations for the Accounts Branch are regulated by the Government of India, and not by the Local Government.

The Hon'ble M.R.Ry. P. RANGAYYA NAYUDU :—

XXXVII. (a) Will the Government be pleased to state how many times the Competitive Examination for the selection of candidates for Probationary Assistant Superintendents of Police has been held in this Presidency?

- (b) How many were selected in each examination?
- (c) How many applied for the examination this year?
- (d) How many were admitted?
- (e) To what nationalities they belong?
- (f) Is there any rule that at least three candidates should present themselves for the examination?

The Hon'ble Mr. Stokes :—

- XXXVII. (a) } An examination is now in progress and this is the first which
 (b) } has been held.
 (c) Seven.
 (d) Three candidates were nominated.
 (e) British.
 (f) No.



PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following paper.

Copy attached. Questions asked at the meeting
of the Council held on the 13th Decem-
ber 1898 and the answers given
thereto.

Order. - No 85 of 16th December 1898
Communicated to the depart-
ments of the Secretariat for information
and guidance.

L. x x x

(True Extract)

A. J. J. J.
for Secretary to Govt.

CM 16/12/98 To
M 16/12/98 The Departments of the Secretariat.
(Adm. & Fin. Dept.)

P.W. 1056/98