

ORDINARY, MS.

25-3-91

Public DEPARTMENT.	
G.O., DATED	20. 7 91.
No.	594 ✓

INDEXED.

• When given for copying

[Despatch Abstract.]

Approval given of
report adopted by the
Board for particulars of
land holding by
Hue: secret—

ORDINARY, MS.

25-3-08

Public DEPARTMENT.	
G.O., DATED	20. 7 91.
No.	594 ✓

INDEXED.

When given for copying

[Despatch Abstract.]

Appropriate form of
 reports supplied to the
 Board for particulars of
 land holding by
 the: secret—

READ AGAIN ORDER OF GOVERNMENT, DATED
18, No. , MISCELLANEOUS.

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BRING MEANT FOR DESPATCH
IN ORIGINAL (not paged).

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.

BOARD OF REVENUE (LAND REVENUE), 27TH JANUARY 1890, No. 48.

PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

MR. H. W. BLISS.
MR. W. S. WHITESIDE.

READ—the following G.O., dated 23rd September 1889, No. 795, Revenue :—

Read—also the following letter from ——— to the Secretary to Government,
Revenue Department, dated ——— 15th August 1889 :—

14. *Previous acquisition of lands by Deputy Collectors.*—The orders now in force are contained in Standing Order No. 248. Paragraph 1 requires that the orders of Government shall be taken about lands previously acquired, and paragraph 14, that a register of the lands held by Deputy Collectors shall be kept in the Board's office. This differs from the C.O. approved in G.O., dated 4th October 1862, No. 2137, in which rule II requires that the orders of Government shall be taken only when a Deputy Collector is posted to a district in which he possesses lands, and rule VI requires Deputy Collectors, on their first appointment, to report previous acquisitions only if they are not already recorded in the district register. The orders now in force are distinct enough, but have been a dead letter everywhere. As to the particular case of ——— he says (enclosure B, question 21) he made no fresh application because he thought the statements he had already submitted to the Collector would suffice, and urges that Mr. ——— knew all about his having land in the district, as is shown by enclosure Q. The name of ——— does not appear at all in the register which the Board keep under section 14 of Standing Order No. 248. Most of the land acquired by him as a Tahsildar, &c. (not all), was reported in the jamabandi reports from time to time, but this was not transferred to the Deputy Collector's register after he became a Deputy Collector for obvious reasons. As has been shown, he acquired land in 1886 and 1888, but this has not been reported to the Board. I think that it should be required that every Deputy Collector, on his first appointment, or on proceeding to any district, should submit a statement of lands acquired by him up to that date to the Board through the Collector, and that the Board should submit the first of these statements for the orders of Government.

15. As regards the Board's register, they have already called for information which will enable them to make it correct.

16. *Annual statements of lands acquired by public servants.*—These statements are prescribed in S.O. No. 248, paragraph 7, but there is an inconsistency in the instructions regarding them, both in the Standing Order and in the Circular Order referred to above. It is required that they shall show all lands acquired during the preceding year, but shall contain a declaration that they truly represent all landed property possessed, which, of course, includes acquisitions diminished by relinquishments made before the previous year. Enclosure H shows how the form prescribed in the G.O. has got altered from time to time in ——— and enclosure K shows that it

sometimes assumes the form of "lands acquired before and after entering the service," sometimes "of lands acquired before and after entering Government service in 18," and sometimes of "lands acquired in the of the district in 18." Instead of being submitted on one invariable date, the 15th January, as ordered, it is submitted with the jamabandi accounts of the taluks, and is allowed to bear any date up to the time they are submitted. The statements (as I shall show below) are not kept carefully, and I have reason to believe that the district registers of land are not always kept up to date. They are attended to by some low-paid clerk, are outside the ordinary range of a Collector's activity, and are seldom inspected. I think attention should be drawn to the matter and the form shown in enclosure R should be adopted. This form, though it includes acquisitions and relinquishments before the previous year, can be easily and rapidly prepared by each individual, and it will enable the correctness of the register to be ascertained without going through a number of statements.

19. * * * I also think that Standing Order No. 248-A should be amended, and that new orders should be issued as to bringing previous acquisitions of Deputy Collectors to the notice of Government, &c., and as to the time in which the annual statements of landed property acquired by public servants should be submitted.

Order—dated 23rd September 1889, No. 795, Revenue.

20. The Board will embody the recent resolution of the Government of India on the subject of borrowing in the Standing Orders, and will issue such orders as will ensure the punctual submission of the annual statement of lands acquired by public servants, and the proper maintenance of the prescribed registers. The proposals contained in paragraphs 14 and 16 of Mr. ———'s letter and the form R suggested by him are approved.

(True Extract.)

(Signed) J. GROSE,
Ag. Secretary to Government.

To the Commissioners of Land Revenue.

RESOLUTION—dated 27th January 1890, No. 48.

With reference to the extract of the Government Order read above, the Board resolves to issue the following revised Standing Orders Nos. 248 and 248-A, in the place of the existing orders bearing those numbers:—

248. Uncovenanted Servants holding lands.—No Deputy Collector will be allowed to hold (except in cases of lands previously acquired about which the orders of Government will be taken) or to acquire by purchase, bargain, mortgage, transfer or by any other means, directly or indirectly, any landed property, or interest in any landed property, within the district in which he may be employed.

2. Collectors' Sheristadars are forbidden to hold land other than ancestral land already acquired, or to acquire land, in the districts in which they are employed.

3. Officers of the grade of Tahsildar or Sub-Magistrate or Taluk Sheristadar exercising the powers of a Sub-Magistrate are forbidden to hold or acquire lands within the limits of the taluk in which they are employed.

4. Revenue and Magisterial servants above the grade of peon and other than village officers are prohibited from purchasing directly or indirectly any kind of property, movable or otherwise, at sales on account of Government dues in the taluks in which, or at the Huzur station at which, they may be employed.

5. Large purchases of land by Uncovenanted officers made with a view to agricultural profit under the Waste Land Rules or otherwise will not in any case be permitted.

6. With the exception of the prohibitions given above, and on the fulfilment of certain conditions as shown below, Uncovenanted servants of Government are permitted to hold and acquire lands.

7. Every Uncovenanted servant on the establishments under the Collector above the grade of peon must, on the 15th January of each year, give in, for registry in the Collector's office, a statement in the form given in the appendix, showing all land purchased or otherwise acquired by him up to date, whether within or without the district in which he is employed, with a declaration at foot duly signed by him to the effect that it truly represents all the landed property possessed by him, or in which he is in any way interested, both in the district in which he is serving and elsewhere. The lands included in these statements will be entered in the district registers of lands owned by Revenue servants. Care should be taken that delusive entries are not made, as for instance the registry of property in the name of a public servant's wife or other relation. All public servants are hereby warned of the heavy penalty attached to any omission on their part to give full and correct information on this point (see para. 14). The newly-purchased lands are not to be transferred to the names of purchasers in the village and district registers until the selling parties have presented the usual deed of assent or razi-nama to one of the Covenanted Revenue officers of the district.

8. When Uncovenanted servants as above specified become possessed of land, or of an interest in land, by individual inheritance, or as members of a family, they will immediately, upon such property devolving upon them, communicate all particulars respecting it to the Collector for registry, with a declaration as to their truthfulness.

9. When persons holding land, or having any interest in land, are appointed Deputy Collectors, or are appointed to situations in a Collector's or Magistrate's Huzur or Taluk establishment, they will immediately, upon such appointment, communicate to the Collector, for record in the district register, all necessary particulars of such landed interests, should they not be already fully recorded in the same district register, with a declaration as to their truthfulness.

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

11. When any Uncovenanted officer, to whom these rules apply, is transferred from one district to another, it shall be his duty to obtain, from the Collector's office of the district from which he is transferred, an extract from the prescribed register referring to the lands held by him, which shall be forwarded to the Collector of the district to which he is transferred in order that it may be copied into the register maintained in the office of the latter.

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

13. When a village officer purchases land at a sale on account of Government dues, the name of his office is to be exhibited in Forms 9 and 10 under Act II of 1864.

14. Failure to make the returns prescribed in paragraphs 7, 8 and 9 and in the manner therein laid down, will render the individual liable to immediate dismissal from the public service.

15. Collectors will keep a register in their office of all lands referred to in these rules. In the case of Deputy Collectors a copy of the register of lands held by them will be maintained in the Board's office. The information necessary to maintain this register should be furnished by each Collector to the Board every year before the 1st March. The Collectors should also report in their jamabandi reports the number of public servants who have acquired land during the fasli, the extent acquired and such other important particulars as may seem necessary. The information may be furnished in an abstract statement.

16. The previous consent of the Collector is not necessary to enable a servant to purchase or acquire landed property where it may be admissible for him to do so under these rules.

17. Nothing contained in these rules will be held to apply to houses and grounds taken up for ordinary dwelling purposes, nor to public topes planted under the tope rules.

18. These rules should be made generally known throughout the districts. They should be occasionally published in the District Gazettes, and copies of them with translations should be posted up in the Revenue offices.

FORM.

Statement of lands acquired and relinquished by public servants before and after entering the service.

NOTE.—Lands in which the officer acquired an interest before the year for which the return is submitted, and in which he retained an interest during that year, should be shown first; then those lands regarding which transactions took place during that year.

1	2	3	4	Extent and assessment of land.				Sircar or inam.	Situation of land.			From whom acquired or in whose favor relinquished.	Year, month and day of deed.	Rights possessed in the land.	Price paid or obtained for the land.	Remarks.	
				Dry.		Wet.			Village.	Taluk.	District.						
				Extent.	Assessment.	Extent.	Assessment.										
5	6	7	8	9	10	11	12	13	14	15	16	17					
																RS.	

I hereby declare that the above statement truly represents all the landed property possessed by me, or in which I am in any way interested, both within the ——— district and elsewhere.

(Station) _____

(Signature) _____

(Date) _____

(Office) _____

11th September 1848; 26th February 1855; 4th July 1856; G.O., 17th January 1860, No. 84; 13th October 1862; 19th December 1862; 4th July 1863; 25th November 1863; 26th January 1865; 20th October 1865, Mis., 20th January 1866; 25th January 1866, No. 591; 30th August 1870, No. 934; 16th May 1871, No. 2070; 28th July 1871, No. 3171; 27th September 1872, No. 1922; 23rd May 1882, No. 1368; 27th January 1890, No. 48.

248A. All Covenanted Civil Servants, Statutory Civilians, Uncovenanted officers who hold gazetted appointments or other positions of trust and responsibility and Military officers in Civil employ are prohibited, under pain of dismissal, from taking loans from, or otherwise placing themselves under pecuniary obligations to, persons subject to their official authority or influence, or residing, possessing property, or carrying on business within the local limits for which they are appointed.

2. This prohibition does not extend to transactions in the ordinary course of business with Joint Stock Banks and British Firms.

3. It is not necessary or expedient to attempt to define all the transactions to which the prohibition applies. It clearly includes all gifts of value, loans, credits, advances, supply of articles or accommodation at unduly low rates or for insufficient consideration, and sales of property for inordinate prices; and while it is evident that no honest man will find any difficulty in applying the rule to his individual case, the Government will not be induced by any unworthy plea of non-violation of the letter of the rule to pass unpunished any disregard of its spirit, but will, on the other hand, visit such cases with their severest displeasure.

4. This rule will apply in the Revenue department to all Covenanted Civil Servants, Statutory Civilians, Deputy Collectors, Huzur Sheristadars, Sub-Collectors' and Head Assistant Collectors' Head Clerks, Tahsildars, Taluk Sheristadars, Sub-Magistrates, Deputy Tahsildars, Forest Range officers, and all Government servants in corresponding positions of responsibility and trust.

26th April 1883, No. 1177; 12th May 1888, No. 430; 27th January 1890, No. 48.

2. The following addition will be made to Standing Order No. 243 :—

“ 4. For further rules on the subject, see Standing Order No. 248-A.”

3. Collectors are requested to see that the registers prescribed in Standing Order No. 248 are properly maintained in their office, and that the extracts showing lands held by Deputy Collectors are submitted punctually to the Board so as to reach its office on or before the 1st March.

4. The revised Standing Orders now issued will be published in all District Gazettes, with the following notice :—

“The following revised Standing Orders Nos. 248 and 248-A of the Board of Revenue are republished for information.”

5. The Superintendent of the Government Press is requested to strike off a sufficient number of copies and distribute them to all Collectors.

(A true Copy and Extract.)

(Signed) M. HAMMICK,
Secretary.

(True Copy.)

(Signed) C. CLARK,
Registrar.

To all Collectors.

„ the Superintendent, Government Press.

Copy to the Secretary to Government, Revenue Department.

„ to the Commissioner of Revenue Settlement and

Director of the Department of Land Records and Agriculture.

„ to the Commissioner of Salt, Abkari and Separate Revenue.

Exd. W. J. Lewis.

REVENUE DEPARTMENT.

1890.

Board of Revenue

(Land Revenue),

MADRAS.

Printed February 18th.

Proceedings, 27th January 1890, No. 48.

Amending, with remarks, *Standing Orders* Nos. 248 and 248-A on the subject of land holding and borrowing by public servants.

BOARD OF REVENUE (LAND REVENUE), 11TH MARCH 1891, No. 155.

PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

THE HON. J. GROSE.
MR. G. McWATTERS.

READ—the following papers:—

G.O., dated 16th July 1890, No. 4390, Revenue.
From the Collector of Tinnevely, dated 18th July 1890, No. 594.
" " of Kistna, " 24th Oct. " " 7739.
" " of " " 30th Jan. 1891, " 798.
" " of Tanjore, " 2nd Oct. 1890, " 694.
" " of " " 12th Jan. 1891, " 21.
" " of Trichinopoly, " 2nd Aug. 1890, " 328-4.
G.O., dated 8th Jan. 1891, No. 91, Revenue.
From the Collector of Bellary, dated 5th Jan. 1891, No. 21-Ref.

RESOLUTION—dated 11th March 1891, No. 155.

Board's Standing Order No. 248 on the subject of land-holding by uncovenanted servants, circulated in Board's Proceedings, No. 48, dated 27th January 1890, will be amended as follows with reference to G.O., No. 426, Public, dated 12th June 1890. The Board observes that in certain respects the standing order goes further than the Government Order, but considers that no alteration need be made in the former on this account:—

(a) In paragraph 4 after the word "dues," add "or under the orders of a Court."

(b) In paragraph 7, strike out the second and third sentences beginning with "The lands included in these, &c.," also the words "for registry in the Collector's office" in the first sentence. At the close of this paragraph, add the following:—

"The particulars required to be furnished in this paragraph should embrace all immoveable property acquired or registered in the name of or held or managed by the wife of the officer making the statement, or by any other member of his family living with or in any other way dependent on him."

(c) After paragraph 7, insert a new paragraph as follows:—

"8. The particulars regarding landed property furnished under paragraph 7 shall, in the case of Deputy Collectors, be duly entered year by year in registers to be maintained in the Collector's office. These registers shall be kept in the form given in the appendix. In the case of every other uncovenanted officer, the particulars shall be embodied in a statement in similar form, which will be attached to his service register, every entry or alteration therein being duly attested by the head of his office. The procedure herein laid down applies also to the returns furnished under paragraphs 9, 10 and 11."

(d) Alter the numbering of paragraphs 8, 9 and 10 to 9, 10 and 11.

(e) In paragraph 9 (new), omit the words "for registry"; at the end of the paragraph: add the following:—

"When Deputy Collectors are transferred to districts in which they already own land, they will at once communicate all particulars respecting such land to the Collector of the district to which they are transferred."

(f) In paragraph 10 (new), strike out the words "for record in the district register" and also the words "should they not be . . . district register."

(g) Paragraph 11 (old), omit.

(h) At the end of paragraph 12, *add* the following :—

“ This rule applies also to the management of landed property held or administered by the wife of the officer or by any other member of his family living with or in any way dependent on him.”

(i) In paragraph 14, for “ paragraphs 7, 8 and 9 ” *read* “ paragraphs 7, 9 and 10.” Also, after the words “ therein laid down ” *insert* “ or the making of delusive entries therein.”

(j) In paragraph 15, omit the first sentence.

(k) To paragraph 17, add the following :—

“ But the cultivation on lands held as appurtenances to buildings for residence, of cinchona, tea, or other products, which have a commercial value, for purposes of profit (except so far as prospective profit may arise from an increase to the probable value of the estate owing to such cultivation) is strictly prohibited, as is also the sale, whether public or private, of any produce of such lands.”

(l) In the statement appended to the standing order between the first and third columns, insert another to show “ Date of entertainment in the public service ” ; after column 4 add columns to show “ (a) Nature of *property*, *i.e.*, lands, gardens with or without houses attached, (b) Survey field : ” after column 13 add another to show “ By what means and for what purpose acquired.” At the foot of the statement add the following notes :—

“ (i) The statement must be submitted punctually on the 15th January of each year.”
“ (ii) New acquisitions in the year should be entered in red ink.”

2. These amendments dispose of most of the questions raised in the papers read above. There remain one or two points which require to be separately noticed. In paragraph 4 of his letter, No. 594, dated 18th July 1890, the Collector of Tinnevely states that frequently land is purchased by an officer in the name of his son-in-law or some other connection, and suggests that a list of the relatives and connections whose holdings in land should be included in the statements may be prepared. The Board is of opinion that it is impossible to define all the relations in whose names lands may be purchased. When lands are purchased in other person's name, they ought to be shown in the statement. Any omission in this respect may be dealt with under paragraph 14 of the standing order.

3. The Collector of Bellary inquires whether a return corresponding to taluk account No. 51 should be submitted with the jamabandi report. The Collector will be referred to paragraph 15 of the standing order.

4. The Superintendent of the Government Press will be requested to strike off a sufficient number of copies of the rules and statement as revised above and distribute them to all Collectors in lieu of those sent as per Board's Proceedings, No. 48, dated 27th January 1890.

(A true Extract.)

(Signed) H. A. SIM,
Acting Secretary.

(True Copy.)

(Signed) C. CLARK,
Registrar.

To the Secretary to Government, Revenue Department.

„ all Collectors.

„ the Superintendent, Government Press.

Copy to the Commissioner of Revenue Settlement,
Land Records and Agriculture.

„ to the Commissioner of Salt, Abkari and Separate Revenue.

Exd. A. C. Munisawmy.

REVENUE DEPARTMENT.

1891.

Board of Revenue
(Land Revenue),
MADRAS.

Printed March 24th.

Proceedings, 11th March 1891, No. 155.

Amending Standing Order No. 248 (old edition)
on the subject of land-holding by uncovenanted
servants.

REVENUE DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Copy attached

Read *Trans. of the Board of Revenue*

(Land Revenue) dated 11th March 1891 No. 155.

Order thereon 2nd June 1891 No. 3235.

Recorded with the following remarks:

- i *Para 4 of the Standing order - The prohibition against purchase at Revenue or Court sales should extend to the whole of the district vide para 4 of the Rules appended to G.O. dated 12th June 1890, No. 426 Public Dept.*
- ii *Para 8 - As Dy. Collectors are appointed and transferred by Government, extracts from the registers maintained should be transmitted to the Government office for record to prevent Dy. Collectors being posted to districts in which they hold land & the lists of persons recommended for the post of Dy. Collector should also specify particulars of the land held by them.*

iii *The form of Register adopted by the Board differs from that prescribed in G.O. of 12 June 1890, No. 426, It will be considered in the Public Dept. whether the Board's form may be accepted in lieu of that prescribed.*

(True Extract)

*To the Comr. of Land Revenue:
Public Department.*

Secretary to Govt.

Govt. of {189/} Madras.
REVENUE.

10/12/90 20 859 Pros
Rev Int 1008 7/3/91
10/6/91 No 451-File

REVENUE DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Recd Endorsement of the Public

Department dated 13 June 1891, ^{10/5/91} requesting to be
furnished with a copy of the Register adopted
by the Board on the Subject of Landholding by
Uncovenanted Servants.

Order thereon dated 26 June 1891 No 363 Routine

The Public Department
will be furnished with a copy of Board's Proceeding
dated 27 January 1890 No 48, which contains
the form of register adopted by the Board.
(True extract)

[Signature]
Ag. Asst. Secretary to Govt.

To the Public Department
with Encl.s and Copy of B.P. 48
27-1-90

The Revenue Department
is requested to furnish
a copy of the Register
adopted by the Board.
Indraiah
Chief Secretary.

J.B.
11/6



CHIEF SECRETARY
10 JUN 91 Encl.
GOVERNMENT

Dated
Recd.

Mis. G.O., 2 June 1891, No. 3235

SUBJECT
Recording with remarks
B. P. amending S. O. No
248 (old Edition) on the
Subject of Landholding
by uncovenanted Servants

[Signature]

Govt. of {189/} Madras.
REVENUE.

To

The Public Department.

Huo.

Submitted that there
appears to be no objection
to the form adopted by
the Board for Dy. Collectors.

30B

13/7

14 July

Dated

Recd.

Encl.

Mis. G.O., 26 June 1891, No. 363 R.

Order. 20th July 91 No. 594

The form of register

adopted by the Board of
Revenue seems sufficient,
and is accordingly ap-
proved.

(From orders)

SUBJECT.
Furnishing the Public
Department with a copy
of B.P. 48
27-1-90
Containing
the form of Register adopted
by the Board on the subject
of Land holding by untouchables
Civilians.

30B

17/7.

To the Revenue Dept. 24 JUL 91

IN P.S.