446/RH/84

M.R.O. 14—10,000—31-1-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1182 Press / Mis.

194-196

Dated 18-7- 1860.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 18th July 1860.

Read the following letters :—

No. 194. From C. PELLY, Esq., Member of the Board of Revenue, to J. D. BOURDILLON, Esq., Secretary to Government, dated Madras, 13th June 1860, No. 322 :—

From Colr. dated 11th Feb. 1860, *No.* 311.
To do. „ 4th May „ „ 265.
From do. „ 16th May „ „ 458.
From do. „ 9th June „ „ 510.

1. Adverting to my letter dated 28th April 1860, I have the honor to report for the Orders of Government, the number of Táluq Magistrates required for the District of South Arcot. It is based on the recommendation of the Collector who consulted with the Inspector General of Police with whom also I spoke on the subject. The following is the Establishment according to the scale approved by Government in their Proceedings, dated 29th May 1860, No. 879 :—

New Táluqs.	Names of places or stations.	Description	Rough Estimate of extent in square miles.	Number of villages.	Population.	Distance from the new Tahsildári Kasba.	Class.	Salary.
1	2	3	4	5	6	7	8	9
Tindivanam.....	Ginji.....	Village...	406	274	50,227	20	3rd	84
Cuddalore.....	Tiruvádi.....	Town ...	175	100	77,854	14	3rd	84
Chellambaram...	Mannárgudi...	Do.	71	200	46,760	13	3rd	84
Villupuram.....	Vanur.....	Village...	287	180	78,165	20	3rd	84
Elavanásúr	Trikalúr.....	Town.....	169	110	39,819	10	3rd	84
Virdáchellam. ...	Tittagudi.....	Do.	94	52	19,184	20	3rd	84
Chellambaram...	Pálamkotta....	Do.	42	70	19,296	12	4th	69
Tirunámalai.....	Chengama.....	Village...	345	180	34,141	25	4th	69
Cuddalore.....	Cuddalore.....	Town.....	17	15	17,772	3	.....	20
Chellambaram...	Porto Novo...	Do.	61	18	12,755	7	.....	20
								682

2. Hitherto an Officer having the power of committing cases has been established at thirteen stations; but ten only are now proposed. The Collector recommends that the Táluq Magistrates in the first six stations in the table should alone have both Magisterial and Revenue charges; but that those at Pálamkotta and Chengama should be invested with Magisterial authority only. But I would leave the Revenue duties to be assigned to any and all of these Magisterial Officers quite discretional with the Collector. It is contemplated to assign to the Custom Officers at Cuddalore and Porto Novo the Magisterial duties at those stations. The salaries of these Officers would, under the scale of Custom House Establishments proposed by me be 30 Rupees, but I shall perhaps have to increase that rate for Deputy Superintendents of Customs when invested also with Magisterial powers. In the Statement now submitted above, the cost of the Establishment necessary for them is alone shown, being 20 Rupees, viz., a Gumáshta on Rupees 15, and 1 Peon on Rupees 5.

3. Mr. Wood notices that the Inspector General of Mufassal Police has made no provision for the Guards required for the protection of the Kacherí and for Police Guards to the Collector and Magistrate and his Assistants, which in my letter to Government, 29th September 1859, paragraph 10, I assumed would be provided by the Police. I am still of opinion that all Guards for the protection of Government property or the Officers of Government should be supplied from the Police, and I request that instructions may be given to that Officer to make provision accordingly in all Districts.

4. The new Police has already been introduced into the District, and it will soon be necessary to employ the Táluq Magistrates now recommended; and I, therefore, request that Government will be pleased to sanction the Establishment required.

5. The Government have expressed their opinion that these Magisterial Officers should be called Táluq Magistrates, except where their jurisdiction is almost restricted to a Town, and in that case they should be called Town Magistrates. The Collector has assigned in every one of

the cases above, except Cuddalore and Porto Novo, a large number of villages to each of these Magisterial Officers; and I have, therefore, in deference to the opinion of Government called them Táluq Magistrates. But as they will be subordinate in their revenue duties to the Tahsíldár of the same Táluq, and be Assistants to the Tahsíldár in the Magisterial duties, I am still inclined to recommend that they should be called Sub-Magistrates; and though the Officers at Cuddalore and Porto Novo are, properly speaking, Town Magistrates, yet even in this case there is no particular reason for changing the general designation of Sub-Magistrate. But if the Government adhere to their opinion they will be called Town Magistrates; and in their Revenue capacity Deputy Superintendents of Sea Customs.

P.S.—After the above was written, I had another conference with Mr. Robinson, and he was of opinion that one of the two stations in the Chellambaram Táluq might perhaps be dispensed with, and on referring to the Collector, Mr. Wood says, that, if one Sub-Magistrate only is to be allowed, he should reside at Mannárgudi, under these circumstances the stations at Pálamkotta may be omitted.

No. 195 From C. PELLY, Esq., Member of the Board of Revenue, to J. D. BOURDILLON, Esq., Secretary to Government, dated Madras, 13th June 1860, No. 324.

1. I have the honor to submit for the Orders of Government, a list of stations at which it is proposed to place a Táluq Magistrate in the Distract of North Arcot. These stations have been selected by the Collector in communication with Mr. Robinson, Inspector General of Mufassal Police, with whom also I have had personal communication on the subject. There are eleven stations at present where Police Amíns or other Magisterial and Police functionaries are stationed with Establishments costing as below 2,562 Rupees.

From North Arcot, dated 25th Feb. 1860, No 339.
To do. do. 30th April 1860, No. 260.
From do. do. 10th May 1860, No. 452.
To do. do. 18th do. do. 289.
From do. do 31st do. do. 498.
From the Inspector General of Mufassal Police, dated 16th Feb. 1860, No 321.

Present Establishments.

No.	Stations.	Cost. Rs.	A.	P.
1	Tirupati	377	8	0
2	Venkatagirikotta	147	2	0
3	Kangundi	244	0	0
4	Árni	235	12	0
5	Velloor	321	0	0
6	Náranavanam	263	8	0
7	Terutani	227	0	0
8	Cálástri	249	8	0
9	Mádarpákam	203	8	0
10	Petamur	77	0	0
11	Ranipett	216	4	0
	Total	2,562	2	0

2. These will be absorbed by the new Police and Revenue Establishments; but it will still be necessary to have Subordinate Magisterial Agency at nine of these stations and also at Punganúr. The Collector does not think any is needed at Petamur nor at Ranipett, the station of the Head Assistant.

3. In the scheme forwarded to Government on 28th April 1860, I proposed four classes of Sub-Magistrates. The Inspector General of Police in communication with myself, expressed his opinion that there should be a first class Establishment at the town of Tirupati, as it was a place of great resort; and he thought the Officer should be placed in as respectable a position as possible. The Collector has, however, only recommended a salary of the third class or 50 Rupees, I think a third class Establishment will suffice, considering that the town is only eight

miles from the Kasba of the Táluq Chendragiri. In the large Zamíndáris of Kavetnaggar and Cálástri, two stations in each are required; and the Inspector General thinks it of much importance to have the best paid men in these Zamíndáris, and proposes that the first class Establishments for all or a first and seconnd class in each of the Zamíndáris should be allowed. The Collector proposes 75 Rupees (but he had not the proposed scale before him) for three, and 50 Rupees for the fourth, Mádarpákam station in the Cálástri Zamíndári. In charge of these Zamíndáris it is proposed* to place a Deputy Collector, and the Collector proposes that his head quarters should be at Putur in the Kavetnaggar Zamíndári. In that division of the Kavetnaggar Zamíndári it will not then, perhaps, be necessary to have a first class Táluq Magistrate. I have, therefore, proposed two first and two second class Establishments for each of these two Zamíndáris.

* *Mins. Cons., dated* 11*th April* 1860, *No.* 556.

From Collector, 10*th May* 1860, *paragraph* 2.

4. In the Punganúr Zamíndári there should be a first class Establishment also. There is no Establishment of any kind there at present.

5. The Collector proposes to give Revenue powers to the Officers at Tirupati and Venkatagirikotta which they now exercise. I would leave the Revenue duties to be assigned to the Táluq Magistrates to the discretion of the Collector.

6. The Collector is of opinion that two Peons will be sufficient for the minor divisions and townships, but would assign not less than three Peons at the very least to the Sub-Divisions of the three large Zamíndáris of Punganúr, Cálástri, and Kavetnaggar, and four Peons to the mixed Magisterial and Revenue charges of Tirupati and Venkatagirikotta. I think that when there is even Revenue duty to be performed two, Peons will generally be ample, and I am not disposed to recommend more for these Officers, because these Peons will have no *Police* work at all to perform, and if for Revenue duties further assistance is in any case required, the Tahsíldár may depute a Peon from his own Establishment.

New Táluqs.	Names of places or stations.	Description.	Rough Estimate of extent in square miles.	Number of Villages.	Population.	Distance from the new Tahsíldári Kasba.	Class.	Salary.
1	2	3	4	5	6	7	8	9
1 Pallikonda... ...	Velloor...	Town and its Suburbs ...	Not ascertained.	11	...	7 miles.	3rd	84
2 Árni.....	Kasba Árni.....	Jágír....	172	150	65,982	Kusbah.	3rd	84
3 Cálástri....	Kasba Cálástri.	Zemíndári Sub-Division.	Not ascertained.	305	48,440	Do.	1st	134
4 Máderpák	Kasba Máderpák.	Cálástri Zamíndári Sub-Division....	Do.	321	51,164	Do.	2nd	114
5 Kavetnaggar ...	Kasba Putúr or Narayanavaram..	Zamíndári Sub-Division.	507	216	1,02,044	Do.	2nd	114
6 Tirutani..... ...	Kasba Tirutani.	Karvetnaggar Zamíndári Sub-Division.	415	168	1,15,355	Do.	1st	134
7 Kangundi.....	Kasba Koppam	Zamíndári ...	355	319	48,289	Do.	2nd	114
8 Punganúr.... ...	Do. Punganúr.	Do.	627	69	94,441	Do.	1st	134
9 Chendragiri.. ...	Tirupati	Town and Environs...	Not ascertained	64	31,569	8 miles.	3rd	84
10 Palmanair...	Venkatagirikotta	Do.	Do.	237	19,100	30 Do.	4th	69
							Total...	1,065

7. The Order of Government, 27th December 1859, No. 1,777, calling for a report on a proposition from the Collector of North Arcot to retain a Police Amín at Velloor, and to revise the rate of pay of Peons in four Táluqs, is now disposed of by this letter, and by the Order of Government, No. 555 of 11th April 1860.

8. In the foregoing list it will be seen that there is but one Town Magistrate whose jurisdiction is confined almost exclusively to Velloor Town, the others are mostly Táluq Magistrates in Zamíndáris; the designation is adopted in accordance with the opinion of Government, as more particularly noticed in my letter No. 322 of this date.

9. I have not thought it necessary to recommend a higher rate of salary than 85 Rupees for the Zamíndári first class Officers in Cálástri and Kavetnaggar, because there will be a Deputy Collector and Magistrate to superintend their Division, and because the salary of 85 Rupees is 10 Rupees more than the salary recommended by the Inspector of Mufassal Police for these Officers, and 25 Rupees more than that recommended by the Collector.

No. 196. ORDER THEREON, 18th July 1860, No. 1,182.

1. After communication with the Collectors of North and South Arcot and consulting with the Inspector General of Police, Mr. Pelly now reports on the Establishment of Táluq and Town Magistrates which he would propose for those Districts in accordance with the general scheme approved by Government in their Order of May 29th, No. 879.

2. NORTH ARCOT.—In North Arcot Mr. Pelly proposes to have Subordinate Magisterial Agency at nine stations besides Punganúr making ten in all; viz., three first class, three second, three third, and one fourth class, the total monthly charge being Rupees 1,065. The present number of Police Amíns is eleven, exclusive of Punganúr; but it is considered unnecessary to have Magistrates at Ranipett and at Pettámúr. The proposed arrangement is approved and sanctioned.

3. SOUTH ARCOT.—For South Arcot Mr. Pelly intended at first to have ten Táluq Magistrates; but, on further communication with the Collector and the Inspector of Police, he has reduced the number to nine at a monthly cost of Rupees 613. Of these six are to be in the third class and one in the fourth class; the remaining two Officers are the Customs Officers at Cuddalore and Porto Novo. The Government approve and sanction this arrangement.

4. Paragraph 3 of Mr. Pelly's letter (No. 322) respecting Police guards for the protection of Government property and of Government Officers, will be referred to the Judicial Department for consideration and Orders.

Para. 5. 5. The Government see no reason to modify their Orders as to the designation to be given to the Subordinate Magisterial Officers; they will be called Táluq Magistrates as directed in paragraph 4 of the Order of the 29th May.

(Signed) J. D. BOURDILLON,
Secretary to Government.

Memo:

Letter from Govt Pleader, 4th July/60, No 102, reporting dismissal by the Sadr Adalut of a Miscellaneous Petition from Raja Narayya Appa Rau Bahadur, Appel: in A. S. No 129 of 1857.

1. A brief but sufficient memorandum of the circumstances which led to the institution of the original suit in the Masulipatam Court, is given in the Rev: Bds Pro: of the 1st July/59, No 2524. "The first defendant in the suit (No 3 of 1857), Raja Narayya Appa Rau*, assigned the village of Ramajaveram on lease to the Plaintiff, Birji Mohandas, for 10 years, in payment of a debt of 59,500 Rs. The village was calculated to produce 6000 Rs per annum, and the proprietor was to pay the peshkash, so that at the expiration of the lease, the sum of 500 Rs would be payable to him, and the lessee's claim would be satisfied. To this arrangement the Govt assented, but on the distinct condition that the temporary alienation of the village should not affect its liability.

See Pro: of Govt: 29 July/59, No 1015.

6000 × 10 = 60,000.
Amt of debt – 59,500
Surplus Rs 500

* At this time this individual was Ex. Proprietor of the Zamindari of Nidadavole in Masulipatam.

in common with the rest of the estate, for the peshkash on the latter, in the event of default on the part of Narayya Appa Rau. The peshkash fell subsequently into arrear; the whole of the estate was attached and sold, and was purchased by Govt; the village of Vinnakotta Rajeveram paying into it to Govt under the above condition. It had then been held by the Lessee (Plaintiff) for seven years, in one of which he paid its quota of peshkash himself. Birji Mohandas then applied to Govt to continue the village to him for the remainder of the lease, or to pay him the estimated proceeds for four years, Rs 24,000, with certain arrears due by the ryots. His application was not complied with. He next filed the suit reported to above* against the ex-Zamindar for the balance of the debt, Rs. 23,500, and for the arrears, Rs. 1,067. 12. 6, alleged to have been transferred

*O.S. No. 3 of 1857 (Masulipatam)

Birji Mohandas. Plaintiff

versus.

Raja Narayya Appa Rau. Defdt.

by order of Court

Coll of Masulipatam. Suppd Do.

by him to Govt, and remitted by the Coll.r. By an order of the Court, the Coll.r was included as supplemental Defdt.

2. From the judgment submitted with these Proceedings of the Revn. Board, the Govt learnt that the Court decreed the balance of the debt (23,500 Rs with interest) against the 1st Defendant alone (Raja Narayn Appa Rau), and released the Coll.r from liability; and that in respect to the second item of arrears (Rs. 1,067. 12. 6), the Court decreed that the plaintiff (Birji Mohandas) should sue the ryots for the amount. The Board of Revn., however, recommended that this sum should be paid by Govt, on the ground that after the purchase of the estate, a proclamation was issued remitting the arrears in Plaintiff's village, as well as in others. In reply, the Govt observed that, in principle, the Plaintiff should be allowed to recover his own arrears from the ryots, but looking to the peculiar cir.

Govt: Res: 29th July/59, No 1015.

cumstances of the case, and considering that the declaration of the remission of the arrears placed difficulties in the way of their recovery by him, the Govt resolved to pay the amount, as an act of grace to the ryots, and not by any means as a matter of right. The Coln of Masulipatam was directed to take a legal acquittance from the Sahúkar, both for the ryots and the Govt.

3. From the decree of the lower Court, however, the Plaintiff Sahúkar appealed to the Sadar Adálat, and on the application of the Revenue Board, the Govt authorized the Govt Pleader (Mr. Dale) to appear on their behalf and defend the appeal. This Appeal was numbered, No. 127 of 1859.

Rev: Bd's Pro: 7 July/59, No 2658.

A. S. No. 127 of 1859

Birji Mohandas. Plaintiff

versus

1. Raja Appa Rau Br.
2. Coln of Masulipatam } Defts.

Govt Pro: 13 July/59, No 933.

4. From the decree of the lower Court, the 1st Defd (Raja Narayya Appa Rau) also appealed to the Sadar. The Coln was not made a respondent in this appeal; but as Mr. Dale was of opinion

Rev: Bd's Letter, 7th Jan 7/60, No 85.

A. S. No. 129 of 1859.

Raja Appa Rau. Appellant
Birji Mohandas. Respondent.

that an appeal opened the whole case,
and that the interests of Govt might
be prejudiced by the non-appearance
Fort Po: 15 Jan.y 60, No 55. of the Collr, the Govt directed him to
appear on behalf of the Collr, and take
such measures for the protection of their
interests, as might appear necessary
during the trial of the appeal.

5. With reference to the foregoing,
Mr. Dale now reports that Raja Narayana
a Appa Rau Bahádúr's pleader pre-
sented a miscellaneous petition, to the
Sadar, which was opposed by Birji
Mohandás' pleader, and that on hearing,
the Sadar dismissed the petition with
costs. He promises to send a copy of the
order. The petition of the rája (who is now
again Zemindar of Nidadavole in Masulipa-
tam) was to the effect that, as the Govt
had in the meantime restored to him
his Zamíndári, and had thereby put
him into a position to transfer the vil-

Lage of Nundrajaveram to Birji Mohandas, the Court would allow the sahukars to take possession of the village for the remaining portion of the lease, and would dismiss the suit, (the rája's appeal suit, No 129 of 1859 no doubt), with costs on both sides. As the petition has been dismissed, however, the two Appeal Suits Nos. 127 and 129 of 1859 perhaps still hold good.

W. S. 13/7/60.

Memo:

of Suit and Appeal Suits
between Birji Mohandás, a
Sahúkar, and Naraya Appa
Rau Bahádur, Jemr. of Nidadavól.

№ 102

From Clement Dale Esquire Government Pleader Sadr Adalat
To Thomas Pycroft Esquire Chief Secretary to Government

Madras 4th July 1860

Sir,

With reference to the Letter and the Order of Government noted in the Margin, I have the honor to Report for the information of the Honorable The Governor in Council that the Pleader for Narayu Appa Row Bahadoor Zemindar the 1st Defendant in O.S. № 3 of 1859 on the files of the Civil Court of Vizagapatam, and Appellant in A.S. № 129 of 1859 on the files of the Sadr Adalat, presented to the latter Court a Miscellanious Petition of which I do myself the honor of Enclosing a Copy. This Petition Came on for hearing this morning when the Pleader for the Plaintiff in O.S. № 3 of 1859 (who is also the Appellant in A.S. № 127 of 1859 and a Respondent in A.S. № 129 of 1859) opposed the Petition and the same was dismissed with Costs. I will do myself the honor of forwarding a Copy of the Order when obtained from the Court.

Letter from Secy to the Bd of Rev. to Govt
dy 4 January 1860 № 85
Proceedings of Govt 10 January 1860
№ 55 Revenue Department

Bahadur Zamindar Sadr Adalat

I have the honor to be
Sir
Your most Obedient Servant
Clement Dale
Govt Pleader S.A.

~~10th Janry 60 Nos 110 & 111.~~

1st Dec 1857. No 27-28
15th Dec 1857. No 18-19
28th March 1858. No 3-4
15th July 1859 No 44-45
29th July 1859. No 79-80.
10th Janry 1860. No 110-111.

J.A.

No 184 & 185.

Revenue 1860 Department
Pro. 13th July
From Govt Madras
To Chief Secy to Govt
Dated 4th July 60
Rec'd 6th Do

No 102
(With 1 Enclosure)

Forwards copy of a miscellaneous Petition presented to the Sadr Adalat on behalf of Rajaya Appa Rão Bahadoor Zamindar, Appellant in A.S. No 129 of 1859 on the Sadr Court file, and reports that it was dismissed with Costs.

From Bd of Revt 27 July 60
No 876.

With an order
No 1177 - 16 July

No 1177 to 1177

The Government will await the copy of the Court's order promised by Mr Dale.

Fort St. Geo
16th July 1860.

List

1 Copy to the Govt Madras Disp. 17