M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 84	Press ~~Mis.~~.
52-53	
Dated 17 — 1 —	1860.

Not to be folded or roughly handled

No. 52. Read the following Proceedings of the Board of Revenue, dated 7th December 1859, No. 5052.

Read letter from the Collector of Canara, dated 19th November 1859, No. 202, requesting that he may be favoured with their instructions as to whether Deputy Collectors are at liberty to invest their savings in the purchase of land.

(In Con. 25th November 1859, No. 5881.)

The Board of Revenue observe that in Bengal, where the grade of Uncovenanted Deputy Collector has for some years existed, the rule is most strict that the possession of land by a candidate for that office, or its subsequent acquisition by such officer, ought to disqualify him for employment in the district in which such land is situated, which rule met with the approval of the Home Government, and indeed was at their desire carried to the above extent.

Bengal C. O. No. 619 *dated 18th September* 1843.

2. The peculiar position of the Head and Naib Serishtadars of Canara, who were almost entirely debarred from all prospect of employment elsewhere, and who have become Deputy Collectors in their former district, is sufficient reason, in the Board's opinion, to warrant the waiving of the rule in their cases so far as regards lands previously possessed in the district and registered. But their position and powers are so materially changed by their recent promotions, that the Board cannot think themselves justified in recommending to Government that a special relaxation of the rule above mentioned, be made in their favor in regard to future acquisitions by purchase, as long as the general rule continues in force. They trust that the sub-division of Canara into two districts, which has been determined on by Government, may prevent the rule from operating hardly in the case of these officers, who are, the Board are aware, natives of Canara, and connected with the district by all their family ties.

(A true Extract.)

(Signed) W. HUDLESTON, *Acting Secretary.*

No. 53. ORDER THEREON, 17th January 1860, No. 84.

The Government observe that Native Revenue officers are not prohibited in this Presidency from acquiring or holding land in the districts where they are serving; but certain conditions of publicity are imposed* on such acquisition or holding.

* *Order dated 28th August* 1849 *No.* 818. *Vide Rules I and IV published at pages* 500 *and* 501 *of the C. O. B.*

2. No reason appears for applying a different rule to the Deputy Collectors, from that followed in the case of Uncovenanted Revenue servants generally.

3. In one respect the Government are of opinion that the rules of the 28th August 1849 need of amendment. Instead of requiring that a Revenue officer wishing to purchase land shall obtain the previous consent of the Collector,* it will be the rule hereafter that every Uncovenanted servant of the district establishment shall on the 15th January in each year give in a statement of all land within the district where he is employed, purchased or otherwise acquired by him during the preceding year. The lands included in these statements will be entered in the district registers of lands owned by revenue servants. They will be warned that severe notice will be taken of any omission on their part to give full and correct information on this point; and the newly purchased lands are not to be transferred to their names in the public registers until the selling parties have presented the usual deed of assent (Razínámá) to one of the Covenanted revenue officers of the district.

* *See Rule* I.

(Signed) T. PYCROFT,
Chief Secretary.

No 84.

Proceedings of the Madras Governm

Under date the 17th January

Memo

It appears to me that this question requires further notice:-

The rules permitting Native Revenue Officers of this Presidency to purchase land, on certain conditions, were not framed with any reference to Officers possessing the higher powers & position of a Dep.y Coll.r & Magistrate, because such Officers did not then exist.

They have now been appointed with the sanction of the Supreme Govt exactly on the Bengal model, and it seems time that the rules laid down for them there by the Govt of India & the Home authorities, must be held in force here. These rules will be found by reference to the Bengal Circular orders to be very precise & strict on the subject of these Officers possessing or acquiring land in their own Districts.

Rec.d IV.M

Rec.d 28th Aug.t 49

No 818.

Rules I & IV publish

R. D.

No 84.

Proceedings of the Madras Government
Under date the 17th January 1860.
Read the following

The Board of Revenue (including myself)
are not in favor of retaining these rules.
& [illegible] object was to draw attention to the subject
But [illegible] as the rules do a point of time.
- Till policy can they be set aside here
and is it not a subject to bring before
the Govt of India? - The question
is an extensive as well as an import-
- ant one since if Depy Collrs & Magts
especially those of European birth
are precluded to acquire land, should
the Covenanted servants of Govt be
still debarred from doing so?
- The time seems favorable for bringing
forward the question, since the Bengal
authorities have, I understand, been
seeking enquiries with a view to re-
[illegible] or abolish the present restriction.
Recent events appear to have created an

impression that it is advisable for
the native servants of Govt to possess
a solid stake in the Country.-

- The penal remark of the Revenue Secretary
disapproval of the rules in force
here regarding the purchase of land by
native servants (other than Depy Collectors)
I also dislike it. as imposing a specific
restriction on honest transactions, &
and being no real check on dishonest-
ones - Instead of protecting the weak
against the abuse of official influence
it may to have by throwing the
suspicion of Govt round a wrong transac-
action & thus rendering it for redress
eventually
to be obtained.— It seems to me

Ele

rder 8/28th Augt/49
No 818.
Rules I & IV published
Pages 500 & 501 of the
.B.

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(in 59 pt No 3052.)

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No reason ap-
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R. D.

No 84.

Proceedings of the Madras Government
Under date the 17th January 1860.

Read the following
Proceedings of the Board
of Revenue.

Submitting for information
a copy of the Bd's
Proc. noted below a letter from
the Coll. of Canara request.
ing instructions as to whe
ther by Collrs are at liber
ty to invest their savings
in the purchase of land.

(Here enter 7th Dec 59 No 5052.)

The Government
observe that Natives
Revenue Officers are
not prohibited in the
Presidency from ac=
=quiring or holding land
in the Districts where
they are serving but
certain conditions
of publicity are im=
=posed on such acqui
=sition or holding.

2. No reason ap
=pears for applying

Ellis

Agreed 28th Augt 49

No 816.

Vide Rules I & IV published at pages 500 & 501 of the

sufficient that Public Servants should
give in periodically an explanatory
Statement of the Lands held by them
that
& when they make the new purchases,
they & the Sellers should appear before
the Collector to change the registry
with the usual formalities

22 Dec 59

a different rule to the Deputy Collectors, from that followed in the case of Uncovenanted Revenue servants generally.

3 In one respect the Court are of opinion that the Rules of the 28th August 1849 need amendment. Instead of requiring, that a Revenue officer wishing to purchase land shall obtain the previous consent of the Coll[r], x it will be the Rule hereafter that every Uncovenanted servant of the District Establishment shall on the 15th January in each year give in a statement of all land within the District where he is employed purchased or otherwise acquired by him during the preceding year. The lands included in these statements will be entered in the District Registers of lands owned by Revenue servants.

x See Rule 1.

4 They will be warned that severe notice will be taken of any omission to give full and correct information on this point, and the newly purchased lands are not to be transferred to their names in the Public Registers until the selling parties have presented the usual deed of agent (razinámá) to one of the

Commanded Revenue
officers of the District

By Collr Augusta Coast

6 Copies
For
The Board of Revenue

25
Dispd 18th

13/1/60

Comd

JR

The alterations have been
made in order

21-4-91
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Revenue 1860 Dep.t.
Pro: of Govt. 20th Jany:

No 84.

Pro: of the Madras Govt.
D/ 17th January 60.

From R.P. Campbell Esq.
16 Apl. 60 C No 749 in

From Govt of India 13th October 60
C No 2412 in Pro: 7th Novr No 2067

Observing that no
reason appears for
applying a different
rule to the Deputy Collrs
from that followed in the
case of Uncovenanted
Revenue Servants in
respect to the purchase
of lands.

No 2853.