M.R.O. 14—10,000—21-4-27

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1825	Press / Mis.
156-157	
Dated 13-9-1861.	

Not to be folded or roughly handled

No. 156. Read the following Proceedings of the Board of Revenue, dated 14th August 1861, No. 4,420 :—

Read the following letter from E. B. THOMAS, Esq., Collector of Coimbatore, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, Chepauk, dated 27th July 1861, No. 165.

SIR,

1. I have the honor to acknowledge the receipt of Extract from the Proceedings of Government, No. 817, of the 25th ultimo, and copy of report from the Inspector of Jails relative to the Nericknamah furnished by the Tahsíldár of Coimbatore.

2. Before affording the explanation called for by Government, I beg to state that it has never been usual for the Revenue Officers of this District to interfere in any degree with the market rates of grain or other article. I once before remarked that no authoritative interference with the bazar rates exists, and that the Nericknamah furnished by Tahsíldárs, is simply a list of prices determined by the market, not the market by it.

3. My predecessor when *desired* to fix the rates of grain observed, so far back as the year 1847, that such a course was directly opposed to the orders of the Home authorities, and that the Nericknamahs referred to were intended merely to keep the Officers of Government in possession of information as to the selling price of grain in the different markets in the District, and not for the purpose of regulating it.

MEMORANDUM.—These price lists are signed by the Collector, in whose Office they are scrutinized, not by Tahsíldárs.

4. Mr. Rohde himself admits in paragraph 26 of his report, that by the term "Price Current," he understands a *boná fide* statement made by the Collector of the selling prices of grain, prepared chiefly as a check on the Commissariat.

5. These Nericknamahs are obtained from every Táluq, for the purpose of deducing therefrom a price list for transmission to the Board of Revenue periodically, and not with any view of regulating the market rates, and in these lists the price of old grain is not *usually* distinguished from that of new.

6. I offer these remarks to show that price lists, as they are obtained, are only applicable for purposes of reference, and not for adoption as a standard in entering into a contract or otherwise, a fact I should suppose generally and universally known.

7. I beg leave to state that the order dated in 1850, on which Mr. Rohde appears to lay so much stress, was issued at a time when the supply of old grain was furnished to the Jail at 38 per cent. more than the price of new, whilst the actual difference between the two did not much exceed 18 per cent. in the market. I cannot at this distant period ascertain the exact particulars, but I have a recollection that this difference as regards the Jail supply, was brought to my notice when I was making inquiries in connection with supplies provided for a gang of 100 prisoners, then working under my orders at a distance from Coimbatore. I consulted Mr. Rowpell, then Session Judge and in charge of the Jail, and with his concurrence, caused an average to be struck, and a temporary rate fixed, on the distinct understanding that it was to be adopted only so long as the difference exceeded the 18 per cent. and not as a permanent and immutable rule ; it was rendered more necessary, from the fact that no inclination was evinced by the then Session Judge to obtain supplies upon contract, on the alleged grounds that such supplies were found upon experience, to be of an exceptionable character. Unfortunately, these particulars did not form a subject of record, otherwise there would have been an end of the matter.

8. Admitting even for the sake of argument, that the temporary order of October 1850, was in any way the cause of the difference in the price of cholum, the Inspector General has yet to explain under what circumstances the price of *condiment* was *also* enhanced 20 per cent. above the true market rates, and this would perhaps go far to prove that the temporary expedient adopted by me to meet the occasion, was not the cause of the needless expenditure animadverted upon by Mr. Rohde, but that the fault lies in some other quarter.

9. As already observed, the order in question was not a permanent one, neither was a copy ever sent to the Session Judge, nor do I know why he adopted it, as an immutable standard.

The Tahsíldár was in error in adhering to the tenor of an order which was only meant to be temporary, and not as a guide to the Court; and the Court servants were still more to blame for blindly taking such a Nerick, without inquiry for themselves, and retaining always *one* merchant, without resorting to competition and an open market. The one Chetty who so long supplied the jail, had probably some interest among the native officials of the Court, to be kept on without competition.

10. Adverting to the two letters from the Session Judge dated in 1857, to which Mr. Rohde alludes in paragraph 26 of his report, they were of a general nature; no mention was made therein of the order of October 1850, which would have otherwise been cancelled at once, as it has since been. On this occasion the Tahsíldár was warned against interfering with the market rates, and directed to afford only such assistance as was required to the Session Judge in the obtainment of supplies for the jail. How far the Court servants were justified in maintaining silence as regards the temporary order referred (which was never since thought of in the Revenue Department), and in making it apparently an instrument to favor the single party furnishing supplies to the jail, is a matter for the consideration of Government; so far as my own Office is concerned it was never considered as a guide. I had 100 prisoners working under me separately, as Magistrate, for several years; and at this moment, the Lungerkhana at Coimbatore, under my immediate superintendence, has its supplies of grain and condiment procured at the *market rates*, and not with any reference to the temporary order to which the Court appear to have thought it proper to import a permanence which was never intended by me for a moment.

11. In paragraphs 25 to 38, the Inspector General of Prisons labors to throw on the Collector the onus of over-expenditure in the Jail contracts; with such contracts the Collector has nothing to do; although he is at all times prepared to aid the Court. They belong entirely to the Inspector of Prisons and the Session Judge's Department; if such expenditure has been excessive, it might, and should have been discovered by those Officers, and checked long ago. I am not in any way responsible, nor could I properly or officially interfere in the matter, though I have more than once demi-officially pointed out to the former and present Session Judge, the advisability of giving such contracts on public *competition*, rather than to one favored Chetty now for 23 years sole supplier; a tenure very open to abuse.

12. The high Nerick is explained in my letter of 24th April 1861 to the Session Judge, but if it were too high it was at all times easy and competent to the Inspector of Prisons (in his visits), or to the Session Judge (always on the spot) to make a few inquiries either through the Collector or his own Court officials into the *market* prices, close at hand. I cannot see the justice or necessity of the Inspector of Prisons exonerating himself and the Session Judge, at my expense. If error has been committed, it has been discovered late, and belongs to the Judicial, not the Revenue Department; the evils of the system pursued at the Jail are pointed out by Mr. Rohde himself, in paragraphs 32 and 38; what Mr. Rohde is pleased to call the false Nericks (and which the Session Judge would have checked at any moment of the period alluded to), were temporary orders, never meant for, and never sent to, the Session Court.

In Cons. 1st July 1861, No. 3,982.

Ordered to be submitted to Government, with reference to their Proceedings, No. 1,273, Revenue Department, dated 27th June 1861.

(A true Copy and Extract.)

(Signed) W. HUDLESTON, *Secretary.*

No. 157. ORDER THEREON, 13th September 1861, No. 1,825.

Communicated to the Judicial Department, with reference to paragraph 5 of Proceedings in that Department, dated 25th June 1861, No. 817.

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

R. 27 June 61 Nos 292-4
293

Rev 1861 Department.

Pro: of Gov^t for September

No. 2053

PROCEEDINGS of the BOARD of REVENUE,

Dated 14*th August* 1861.
Despatched. 23/8/61
Received. 27/8/61

Pay the Coin List

No. 4,420.

Submitting with reference to the order of the 27th June No. 1,273, a letter from the Collector of Coimbatore, affording explanation regarding the alleged falsification of the Current price furnished by Collector to the Session Judge.

4 Copies to

14 " The Judicial Dept. Pub. 14
with Rec. Bo.
Board of Revenue.

No. 1825

Communicated to the Judicial Dept with reference to para 5 of Proceedings in that Dept dated 25th June 1861 No. 817.

Fort St. George
13th Sept 1861

J. B. S.

No. 156 & 157.

No. 1875. 12th Sept.
With an Order