M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 228 Press
Mis.

31 32

Dated 4 — 2 — 19 1863

Not to be folded or roughly handled

No. 31. Read the following Proceedings of the Board of Revenue, dated 5th January 1863, No. 10 :—

Read the following letter from C. W. READE, Esq., Collector of South Arcot, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Tricullore, 12th December 1862, No. 255.

SIR,

1. As required by Rule II on the subject of the possession and acquisition of landed property by Uncovenanted servants, I have the honor to submit, through the Revenue Board for the orders of Government, the accompanying copy of a communication to my address, from Davasegamany Pillay, Deputy Collector in charge of my Treasury, giving details of the land now in the possession of his family, and which it will be seen is partly ancestral and partly self-acquired.

2. Davasegamany Pillay was appointed to this District so recently as the 23rd September last, long subsequent to the acquisition by the family of any landed property, and looking to the trifling extent of such property, its possession may possibly not be held as any bar to the Deputy Collector's employment in this District. However, his continuance here will be at variance with the principle advocated and upheld by Government in regard to the possession of land by this class of officers, and I can only leave it to Government to decide how far that principle may be relaxed in the present instance. The family of Davasegamany Pillay are highly respectable, one brother is a Deputy Collector in the adjoining District, another is a Tahsildar there, and a third is in South Arcot, but whose advancement in this District I do not think desirable so long as Davasegamany, who is the eldest employed member of the family, remains in his present office.

3. In paragraph 10 *et seq.* of his letter Davasegamany brings to notice the partnership conditionally entered into between his eldest brother, not in the public service, and other wealthy resident of the District for the occupation of a large extent of waste land in view to its eventual cultivation. The arrangements are represented as not being complete, and the Deputy Collector expresses his brother's readiness to relinquish the project, and to withdraw from the Company in course of formation. The family is an undivided one, and therefore, although the eldest brother is not in the public service, it is right I should mention that by the Hindoo law every member of the family will have an equal right and interest in this land and in the success of the undertaking, while it is with the family property that the speculation will be entered upon. Thus although nominally and ostensibly not the property of Davasegamany yet legally and actually he necessarily, with the rest of his brothers in the service of Government, have a direct and personal interest in it, and therefore in the face of the spirit of the Government rules on this subject, I am hardly prepared to regard this extension of the family's landed interest in the District as compatible with Davasegamany's continued employment in it, and it seems to me that either he must be transferred to another part of the country, or his eldest brother's connection with the projected land company must be given up. I am not speaking personally in the matter, but in view of the rules which apply equally to the Covenanted and to the Uncovenanted servants of the State, and any departure from the spirit if not from the strict letter of the rules might form an inconvenient precedent.

4. At the present moment Davasegamany Pillay's brother is a candidate for the office of a Tahsildar, and he is an able and intelligent Officer, and well fitted for the post, but I have hesitated to give him such promotion with his brother as a Deputy Collector and with land though of small extent in several of the Talooks, not from any mistrust of either of the brothers, but in view of those principles and considerations which apparently have suggested the expediency and necessity for the prohibitory rules in connection with the possession and acquisition of land whether by Covenanted or by Uncovenanted servants.

5. I can only bear my testimony to the zeal and efficiency of Davasegamany in the conduct of his duties, and I must leave it entirely to Government to determine on the question now submitted for their consideration and orders.

ENCLOSURE No. 1.

From M. DAVASEGAMANY PILLAY, Deputy Collector of South Arcot, to C. W. READE, Esq., Collector of South Arcot, dated Cuddalore, 30th October 1862.

SIR,

1. Referring to the Board's Proceedings dated the 13th October, Standing No. 6,843, on the subject of Uncovenanted servants holding or acquiring lands in the District they are employed, I beg to submit a statement of the lands standing in my name, and in that of a member of my family in this District, and to request that you will be pleased to obtain the sanction of Government in respect of them.

2. From the Statement it will be seen that the lands marked A* alone stand in my name; these have devolved on me by inheritance, and are standing in my name ever since their purchase by my father, thirty years back.

* 23 Cawnies.

3. B and C† stand in the name of my brother Balasoobramaniya Pillay, and have been acquired by purchase subsequent to my employment in the public service.

† B 13 Cawnies.
C 8 do.

4. These latter perhaps do not come under the category of the rules; but considering the state of my family an undivided one, I thought it just as well to include them.

5. I may be vouchsafed a few words in explanation as to my interest and that of my other in these properties.

6. Full particulars of the lands marked A,‡ I have given in 1850, when a similar return was called for; they have devolved on me before I entered the public service. But at present I have simply the title to them, the enjoyment and possession being with my uncle for whose maintenance they were long ago assigned coeval in fact with their purchase.

‡ 23 Cawnies.

13 Cawnies.

7. In the land B, my brother Balasoobramaniya Pillay *has* a direct interest, the land being let out for cultivation.

8 Cawnies.
§ 4 Cawnies.

8. As regards the property C, 4 Cawnies assessed at Rupees 19, is converted into a pleasure garden, the rest§ stands in the name of my brother, but the enjoyment and possession is with one Soobba Reddy's family, who are the owners really of the property, and my brother's interest consists simply in his having advanced money thereon, and till the money is repaid the property stands in his name.

9. Thus you will see my landed interest in this District is of very inconsiderable extent.

10. It may not be out of place here were I to mention certain facts connected with my brother Balasoobramaniya Pillay.

11. He is not in the public service and has taken to mercantile pursuits.

12. You are probably aware that certain individuals have formed a Company in this District in 1861, and have taken a large extent of waste land for cultivation in the Talook of Chellumbrum.

13. Of this Company, Mootoosamy Mudali, the agent of Messrs. Parry & Co., is a member under Mootoosamy Mudaliar; my brother has covenanted for a share, but no actual allotment of shares has yet taken place, the lands not being in a state fit for cultivation, though the land tax is and has been regularly paid from the time they were taken up. So I am unable to state the exact extent of interest of my brother in the lands, and have therefore omitted to enter this in the Statement, and here mention it in view to the sense of Government being taken on the propriety of my brother, considering my possession in this District at present fulfilling his covenant.

14. I cannot state what extent of land will fall to the share of Mootoosamy Mudalier, the probable share is supposed will be about Cawnies 230. It is obvious then that the interest of my brother cannot be great, nor will it engross my time, nor require my influence in its management.

Proceedings of the Madras Government, Revenue Department,
4th February 1863.

15. Should however the Government disapprove of my brother taking any interest in my present position in this District, my brother is prepared to withdraw his connection with it.

16. I may state that the covenant was entered into in 1861, when I was in Coimbatore and had not the remotest idea of occupying my present place.

(True Copy.)

(Signed.) C. W. READE, *Collector.*

ENCLOSURE No. 2.

STATEMENT showing the particulars of lands held by M. Davasegamany Pillay, previous to his appointment as the Deputy Collector of South Arcot.

No.	Name of the person on whom the title stands.	Land acquired. Extent.	Land acquired. Assessment.	Talook in which land is situated.	When acquired, whether prior or subsequent to the employment in the public service.	By what means acquired.	Remarks.
1	M. Davasegamany Pillay.	23	194 0 0	Chellumbrum.	Prior to the employment in the public service.	By inheritance.	A.
2	Brother Balasoobramanya Pillay, unemployed.	13	107 0 0	Do.	Subsequent to the employment in the public service.	By purchase.	B.
3	Do.	8	44 0 0	Do. and Cuddalore.	Do.	By purchase, and a small portion by means of Durkhast.	C.
	Total...	44	345 0 0				

(True Copy.)

(Signed.) C. W. READE, *Collector.*

1. Ordered to be submitted for the consideration and orders of Government.

2. As a member of an undivided family Davasegamany Pillay has an interest in all the lands entered in the Statement, but he takes no active part in their management, and under these circumstances the Board do not consider that the possession of this property is incompatible with his continuance in the District in which it is situated.

3. They are however of opinion that the connection of his elder brother with the land speculation referred to, should be dissolved, to bring the case in accordance with the spirit of the rules, or else that the Deputy Collector should be employed in another District.

(True Copies and Extract.)

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

No. 32. ORDER THEREON, 4th February 1863, No. 238.

Under the circumstances stated by the Board of Revenue the Government agree with them in the opinion that there is no present objection to Devasigamany Pillay holding office in South Arcot. The Board will, however, inform the Deputy Collector that his brother must give up the idea of joining in the land speculation mentioned.

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

14. I cannot state what extent of land will fall to the share of Mootoosamy Mudaliar, the probable share is supposed will be about Cawnies 230. It is obvious then that the interest of my brother cannot be great, nor will it engross my time, nor require my influence in its management.

15. Should however the Government disapprove of my brother taking any interest in my present position in this District, my brother is prepared to withdraw his connection with it.

16. I may state that the covenant was entered into in 1861, when I was in Coimbatore and had not the remotest idea of occupying my present place.

(True Copy)

(Signed) C. W. READE, Collector.

ENCLOSURE No. 2.

STATEMENT showing the particulars of lands held by M. Davasegamany Pillay, previous to his appointment as the Deputy Collector of South Arcot.

No.	Name of the person on whom the title stands.	Land acquired. Extent.	Land acquired. Assessment.	Taluk in which land is situated.	When acquired, whether prior or subsequent to the employment in the public service.	By what means acquired.	Remarks.
1	M. Davasegamany Pillay.	25	194 0 0	Chellumbum.	Prior to the employment in the public service.	By inheritance	A.
2	Brother-Balasoobramanya Pillay, unemployed.	13	107 0 0	Do.	Subsequent to the employment in the public service.	By purchase.	B.
3	Do.	8	44 0 0	Do. and Cuddalore.	Do.	By purchase, and a small portion by means of Durkast.	C.
	Total...	44	345 0 0				

(True Copy.)

(Signed) C. W. READE, Collector.

---

1. Ordered to be submitted for the consideration and orders of Government.

2. As a member of an undivided family Davasegamany Pillay has an interest in all the lands entered in the Statement, but he takes no active part in their management, and under these circumstances the Board do not consider that the possession of this property is incompatible with his continuance in the District in which it is situated.

3. They are however of opinion that the connection of his elder brother with the land speculation referred to, should be dissolved, to bring the case in accordance with the spirit of the rules, or else that the Deputy Collector should be employed in another District.

(True Copies and Extract.)

Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.

Copy to C. W. Reade, Esq., Collector of South Arcot.

Exd. J. Wright.

14th February 62 Nos 313-314
29 May " " 538-539
4 October " " 33-34
Board's Circular 13 Feby 62
No. 6845-

Under the circumstances stated by the Bd of Rev. the Govt agree with the Chairman in his opinion that there is no present objection to Devasegamony Pillay holding Office in S. Arcot.

S. Arcot. The Bd will however enjoin the Collr that his being employed upon this duty is not to be drawn into a precedent for employing in the Land Revenue Dept the Officers mentioned in para 2 of the Bd's Proc. dated 29th May 1863.

No 31 & 32-
Col Jan 63 R 26

Revenue 1863. Department.
Proc: of Govt for Feby

No. 94

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 5th January 1863.
Despatched. 9
Received. 12th

No. 10.

Submitting with the Board's opinion a letter from the Collector of South Arcot on the subject of the landed property of Davasegamany Pillay Deputy Collector in charge of the Treasury.

Nos 238-4 Feby

With an order

For Orders. The Rules referred to will be found the Rules Bd C O No 684 dd 13 Oct 1862 (marked A in the Packet).

I agree with the Board that there is no present objection to Devasegamany Pillay holding office in S. Arcot. His better willing to give up the idea of joining in the Land Speculation in Chittoor.

Elu