M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 215 Press ~~Mis.~~

163-106

Dated 4 - 2 ~~-19~~ 1864

Not to be folded or roughly handled

Yellow Cover

Proceedings of the Madras Government, Revenue Department, 4th February 1864.

Read the following papers:—

No. 103. Proceedings of the Board of Revenue, dated 3rd December 1863, No. 7,602.

Read again letter from the Collector of Nellore, dated 31st July 1863, No. 237, in Board's Proceedings dated 21st November 1863, No. 7,386.

Read also the following letter from the same Officer, dated 26th November 1863, No. 400.

1. I have the honor to acknowledge the receipt yesterday of the Board's Proceedings of the 21st, calling on me to explain more fully, with reference to my letter of the 31st July, why I thought the people of this District would prefer that the first Committees under Act XX of 1863 should be elected.

2. In reply, I beg to state that I think the people would prefer the course proposed, because, thus they would be able to choose for themselves.

3. If the elective principle is not made use of, I must in each Talook rely chiefly on the Tahsildar. He may please the people of his own sect; he might, but it is scarce possible, please others. It is still more unlikely, I should thus be able to form an opinion as to the views of the majority. On the other hand, if I consult the people by taking their votes, it is certain that I must thus obtain the opinion of the majority of the influential men concerned; and, appointing the Committees accordingly, it is to be inferred, and I have no hesitation in asserting the course pursued would be approved of. It is the majority whose wishes we should consult; and thus choosing for themselves, there can be surely no doubt that the majority would prefer, that the members of the Committee should be elected, it is self-evident; especially when it is a question of first Committees, the constitution of which is likely to have a lasting influence.

4. I further beg to state that the people of this District are acquainted with the elective principle. Wherever it is possible, I avail myself of this ready means of ascertaining their opinions; and whilst it would be a matter of half an hour at the Jamabundi to conduct the elections, it would be to relieve the Government of the grave responsibility of placing in charge of religious trusts men, who for anything their Officers may know to the contrary, are wholly distasteful to those most interested. I am ready to take any responsibility that may be necessary in the service of Government; but I beg, I may be relieved of this, when the remedy is so simple as asking the people to choose for themselves.

1. Ordered that the above papers be submitted for the decision of Government, and that meanwhile the Collector be required to state the rules under which he proposes to carry out his plan of popular election. It is not possible to delay the election until the Jamabandi, as Mr. Dykes seems to contemplate.

2. There is nothing in Mr. Dykes' letters to show that he has taken any steps to ascertain the wishes of the people in this matter, and in face of the unquestionable fact that nomination by the Collector is in very many instances greatly preferred to resort to popular election by the Natives themselves, the Board are not prepared to accept Mr. Dykes' conclusion that as a matter of course the Native community of Nellore would prefer the latter course.

No. 104. Proceedings of the Board of Revenue, dated 7th January 1864, No. 57.

Read the following letter from the Collector of Nellore, dated 10th December 1863, No. 422.

1. I have the honor to acknowledge the receipt of the Board's Proceedings of the 3rd, No. 7,602, requiring me to state the rules under which I would carry out the election of Committees under Act XX of 1863.

2. The Board further observe that it is not possible to delay the elections till the Jamabandi, as I apparently contemplate.

3. As stated in my letter of the 31st July, with the Income Tax and Land Revenue Registers, there is little difficulty in forming a franchize, and the following are the Rules under which I would recommend it should be exercised:—

Rules to be observed in Elections under Section 8, *Act XX of* 1863.

1. When it is determined to hold an election under Section 8, Act XX of 1863, a writ shall be issued in due course to the Tahsildar, or Head Officer or Officers of the Talook or Talooks, &c., in which the trust may be situated directing such election to be held.

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II. The writ shall be signed by the Collector or other Senior Executive Officer of Government in immediate charge of the Talook.

III. The Tahsildars, &c., on the receipt of the writ, shall prepare a list of the candidates he would recommend, and posting their names for public information, shall fix a day for the election and the place where it is to be held, allowing one clear month from the date of posting; unless a longer period be requisite with reference to the distances involved, in which case a longer period shall be allowed with the sanction and under the orders of the immediate superior aforesaid.

IV. It shall further be competent to the Collector or other superior Officer to order the addition to the list of the names of any other individuals than those mentioned by the Tahsildars, should the same appear advisable; and similarly, it will be the duty of the Tahsildars to include in the list any names brought forward before the election by those entitled to vote, provided at least two voters sign the requisition.

V. All shall be held entitled to vote, who profess the religion for the purpose of which the mosque, temple, or other religious establishment was founded, or is now maintained, and who pay either direct or otherwise, Rupees 100 assessment per annum on lands situated within the limits of the trust, or, themselves so resident, pay Rupees 20 Income Tax.

VI. And at the election, the votes shall be given either by ballot, or by record as may be deemed advisable by the Officer issuing the writ for the election. In the former case, each voter will be furnished with papers bearing the names of the candidates to be put in the urn or torn up as he wishes them to be elected or not, and in the latter, each vote will be recorded in due course by a Clerk or Clerks specially appointed for the purpose by the Officer issuing the writ, or any subordinate duly authorized.

VII. And the election having been closed, those for whom the majority of votes shall have been polled, shall be declared to have been duly elected by the Officer conducting the election, which further shall be an appointment specially vesting in the office from which the writ issued.

4. The Jamabandi will commence with the beginning of next month, and will, I hope, be concluded by the end of March, with the exception of the Sriharikotta villages, which I propose to take up in April; there is therefore no delay involved in my contemplating the Jamabandi as the proper time for obvious reasons to hold the elections. On the contrary, it will, I fear, be difficult to get the requisite orders in time; and to this end, as well as to allow of the elections being carried out in the Sub-division before Mr. Elliott leaves on furlough, and is succeeded by a new comer, I beg the favor at an early date of the Board's attention to the rules now submitted for their consideration and I trust approval.

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1. Ordered to be submitted to Government in continuation of the Board's Proceedings, No. 7,602, dated 3rd December 1863.

2. Mr. Dykes proposes,

1*st.* That for the first elections under Section 8, Act XX of 1863, three Committees shall be elected in each Talook for the Siva and Vishnu Hindu Temples and for the Mahomedan Mosques.

2*nd.* That lists of proper and fit persons to serve on them shall be prepared by the Government Officers, and published for one month at least prior to election, and that any name proposed by any two parties entitled to vote at the election shall be added to such list.

3*rd.* That all persons shall be entitled to vote at the election who profess the religion to which the Temple is devoted, and who, whether resident or non-resident within the limits of the trust, pay either directly to Government, or otherwise, Rupees 100 yearly assessment on lands within such limit, or themselves being so resident pay Rupees 20 yearly Income Tax.

4*th.* And that the votes shall be taken by ballot or record, the candidates who may secure the greatest number of votes being elected to office.

Proceedings of the Madras Government, Revenue Department, 4th February 1864.

3. Mr. Dykes does not state how he proposes to define the local limits of the trust, or what shall be the number of the Committee, but until Government decide the question of election or nomination, the Board deem it unnecessary to call for further explanation on these points.

4. His proposed qualifications for the franchize appear to the Board to be fixed far too high to produce a satisfactory result. Payment of any Income Tax at all should qualify for a vote as the Law now stands, and Rupees 50 is amply high enough for the limit of assessment on land to constitute a qualification.

5. It appears from the District Rent Roll for Fusly 1271, that out of a total number of Puttahs amounting to 56,965, only 5,375 were above 50 Rupees each, the number from Rupees 30 to Rupees 50 was 5,655 and 45,945, ranged from Rupees 30 downwards, as shown below :—

	Single Puttahs.		Joint Puttahs.	
Under Rupees 10.....	23,588		4,202	
From 10 Rupees to 30 Rupees	15,953		2,192	
	39,541	+	6,394 =	45,935
From Rupees 30 to Rupees 50	4,995	+	660 =	5,655
From Rupees 50 upwards.....	4,409	+	966 =	5,375
				56,965

5. The Rent Roll does not enable the Board to show exactly the effect of Mr. Dykes' proposal, but it appears that there are 3,800 Puttahs at from 50 to 100 Rupees, and 1,775 above Rupees 100.

7. It may safely be assumed however that it would restrict the franchize on this qualification to not more than 3,000 individuals out of the 57,000 Puttah holders whom the District contains. The Board's suggestion would probably at least double the number of voters, and if Rupees 30 were the minimum, there would still be only about 11,000 voters out of 57,000 Puttahdars.

No. 105. From J. W. B. DYKES, Esq., Collector of Nellore, to J. D SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Nellore, 14th January 1864, No. 2.

SIR,

1. In their Proceedings of the 7th,* the Board refer to the return of Puttahs in this District, and I do myself the honor to report, direct to Government to save time, that these returns furnished by myself cannot, in my opinion, be relied on.

* No. 57.

2. Hitherto there has been every discreditable inducement to disguise the real conditions under which land is held, and in addition there have been other inducements wholly creditable and equally influential, operating entirely in the same direction. For instance, in the one case the man who holds 10 Rupees is more like to get a remission, to be put down "Nádár," "Fowti" or "Farári", than the man who holds a 100. On the other hand, so long as no change is attempted to be made in the Puttah roll, legal proceedings are avoided that there would be little hope of escaping if a transfer were applied for; and this from good motives or bad I believe our returns cannot be depended upon. And were a stimulus supplied, the results referred to by the Board would be very materially modified.

3. The question has arisen with reference to the franchise to be fixed under Act XX of 1863, and, in fixing the qualifications in land at Rupees 100, I beg to explain I had another object in view: I wished at once to apply a spur in a direction that cannot but be beneficial to Government, viz., consolidation of holdings; whilst, I may add, the influence that would be exerted at the coming elections by the existing state of things would be in accordance with the views that led Government to deprecate elections in the first instance.

4. As regards the Income Tax qualification, I beg to state I had inadvertently fixed it with reference to 4 per cent., and I fully agree that all who at present pay should be held entitled to a vote.

5. The "tract" I would further beg to state, with reference to paragraph 3, should in my opinion be the Talook in which the election is held, save in the case of the very large temples where elections should be similarly held in several Talooks, and the successful candidates fixed by the combined results.

No. 106. ORDER THEREON, 4th February 1864, No. 215.

1. The question submitted in the foregoing papers is whether the Committees to be appointed for religious Establishments in Nellore under Act XX of 1863, shall be appointed by election, or nominated by the Collector.

2. Mr. Dykes the Collector strongly advocates election, but the Board of Revenue are not in favor of this course.

3. The Governor in Council will defer passing orders on the question pending the receipt of the Rules for elections, called for in paragraph 4 of the Proceedings of Government, 24th June 1863, No. 1,121. The Board of Revenue will be requested to expedite the submission of these Rules.

(True Extract.)

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

To the Board of Revenue.
„ Collector of Nellore.

Exd. S. T. Augustin.

No. 7,386.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 21st November 1863.

Read the following letter from J. W. B. DYKES, Esq., Collector of Nellore, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated 31st July 1863, No. 237:—

1. I have the honor to acknowledge the receipt of the Board's Miscellaneous Circular No. LIV, requesting that no time be lost in submitting proposals for the first Committees to be appointed under Act XX of 1863, with certain other information.

2. In this District we have two sects of Hindus, Sivavites, and Vishnuvites, and Moslem trusts to provide for.

3. And I beg to recommend that Committees be appointed for each class of trusts in each Taluk in the District.

4. For the two Sub-Magistrates' Divisions of Venkatagiri in the south of the District and the same number of Magisterial Sub-divisions in the north, I would have one set respectively.*

* Each set comprising a Committee for each sect.

5. And I should prefer the Committees being elected. I do not anticipate that in this District, recourse to elections would give rise to much excitement or party contention; and such a course would be more satisfactory, I think, to the people.

6. The franchize must vary according to the portion of the District; and the returns of the Income Tax Department and the Land Revenue Registers will give ample data for this purpose.

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1. The Collector will please to explain more fully his reasons for preferring that the first Committees should be appointed by election, and for supposing that such a course will be most acceptable to the people.

2. The view is opposed to that of all other Officers whose replies on the subject have reached the Board, and also to the opinion of Government.

3. An early reply is requested.

(A true Copy and Extract.)

(Signed) W. HUDLESTON,
Secretary.

To J. W. B. Dykes, Esq., Collector of Nellore.

Exd. J. Wright.

Enclosure in Mr. Secretary Sim's D.O. letter dated 2nd December 1863. No. 602.

1863. Department.

No. 290/63.

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 21*st November* 1863.

Despatched

Received

No. 7,386.

Requesting a fuller explanation of his reasons for preferring that the first Committees to be appointed under Act XX of 1863 should be elected.

No. 7,602.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 3rd December 1863.

Read again letter from the Collector of Nellore, dated 31st July 1863, No. 237, in Board's Proceedings dated 21st November 1863, No. 7,386.

Read also the following letter from the same Officer, dated 26th November 1863, No. 460:—

1. I have the honor to acknowledge the receipt yesterday of the Board's Proceedings of the 21st, calling on me to explain more fully, with reference to my letter of the 31st July, why I thought the people of this District would prefer that the first Committees under Act XX of 1863 should be elected.

2. In reply, I beg to state that I think the people would prefer the course proposed, because, thus they would be able to choose for themselves.

3. If the elective principle is not made use of, I must in each Taluk rely chiefly on the Tahsildar. He may please the people of his own sect; he might, but it is scarce possible, please others. It is still more unlikely, I should thus be able to form an opinion as to the views of the majority. On the other hand, if I consult the people by taking their votes, it is certain that I must thus obtain the opinion of the majority of the influential men concerned; and, appointing the Committees accordingly, it is to be inferred, and I have no hesitation in asserting the course pursued would be approved of. It is the majority whose wishes we should consult; and thus choosing for themselves, there can be surely no doubt that the majority would prefer, that the members of the Committee should be elected, it is self-evident; especially when it is a question of first Committees, the constitution of which is likely to have a lasting influence.

4. I further beg to state that the people of this District are acquainted with the elective principle. Wherever it is possible, I avail myself of this ready means of ascertaining their opinions; and whilst it would be a matter of half an hour at the Jamabundi to conduct the elections, it would be to relieve the Government of the grave responsibility of placing in charge of religious trusts men, who for any thing their Officers may know to the contrary, are wholly distasteful to those most interested. I am ready to take any responsibility that may be necessary in the service of Government; but I beg, I may be relieved of this, when the remedy is so simple as asking the people to choose for themselves.

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1. Ordered that the above papers be submitted for the decision of Government, and that meanwhile the Collector be required to state the rules under which he proposes to carry out his plan of popular election. It is not possible to delay the election until the Jamabundi, as Mr. Dykes seems to contemplate.

2. There is nothing in Mr. Dykes's letters to show that he has taken any steps to ascertain the wishes of the people in this matter, and in face of the unquestionable fact that nomination by the Collector is in very many instances greatly preferred to resort to popular election by the natives themselves, the Board are not prepared to accept Mr. Dykes's conclusion that as a matter of course the native community of Nellore would prefer the latter course.

(A true Copy and Extract.)

Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.,
with copy of Board's Proceedings, dated 21st November 1863, No. 7,386.

Copy to J. W. B. Dykes, Esq., Collector of Nellore.

Exd. J. Wright.

Received 1863. Department.

No. 2991

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 3rd December 1863.

No. 7,602.

Submitting with remarks letter from the Collector of Nellore explaining fully why he thought that the people of the District would prefer that the first Committees under Act XX of 1863, should be elected.

No. 7,602.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 3rd December 1863.

Read again letter from the Collector of Nellore, dated 31st July 1863, No. 237, in Board's Proceedings dated 21st November 1863, No. 7,386.

Read also the following letter from the same Officer, dated 26th November 1863, No. 400 :—

1. I have the honor to acknowledge the receipt yesterday of the Board's Proceedings of the 21st, calling on me to explain more fully, with reference to my letter of the 31st July, why I thought the people of this District would prefer that the first Committees under Act XX of 1863 should be elected.

2. In reply, I beg to state that I think the people would prefer the course proposed, because, thus they would be able to choose for themselves.

3. If the elective principle is not made use of, I must in each Taluk rely chiefly on the Tahsildar. He may please the people of his own sect; he might, but it is scarce possible, please others. It is still more unlikely, I should thus be able to form an opinion as to the views of the majority. On the other hand, if I consult the people by taking their votes, it is certain that I must thus obtain the opinion of the majority of the influential men concerned; and, appointing the Committees accordingly, it is to be inferred, and I have no hesitation in asserting the course pursued would be approved of. It is the majority whose wishes we should consult; and thus choosing for themselves, there can be surely no doubt that the majority would prefer, that the members of the Committee should be elected, it is self-evident; especially when it is a question of first Committees, the constitution of which is likely to have a lasting influence.

4. I further beg to state that the people of this District are acquainted with the elective principle. Wherever it is possible, I avail myself of this ready means of ascertaining their opinions; and whilst it would be a matter of half an hour at the Jamabundi to conduct the elections, it would be to relieve the Government of the grave responsibility of placing in charge of religious trusts men, who for any thing their Officers may know to the contrary, are wholly distasteful to those most interested. I am ready to take any responsibility that may be necessary in the service of Government; but I beg, I may be relieved of this, when the remedy is so simple as asking the people to choose for themselves.

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1. Ordered that the above papers be submitted for the decision of Government, and that meanwhile the Collector be required to state the rules under which he proposes to carry out his plan of popular election. It is not possible to delay the election until the Jamabundi, as Mr. Dykes seems to contemplate.

2. There is nothing in Mr. Dykes's letters to show that he has taken any steps to ascertain the wishes of the people in this matter, and in face of the unquestionable fact that nomination by the Collector is in very many instances greatly preferred to resort to popular election by the natives themselves, the Board are not prepared to accept Mr. Dykes's conclusion that as a matter of course the native community of Nellore would prefer the latter course.

(A true Copy and Extract.)

(Signed) W. HUDLESTON,
Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.,
with copy of Board's Proceedings, dated 21st November 1863, No. 7,386.

Copy to J. W. B. Dykes, Esq., Collector of Nellore.

Exd. J. Wright.

Revenue Department

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Memo

The question
here submitted for orders
is whether the Committees
to be appointed for religious
Establishments in Nellore
shall be appointed by
election or nominated
by the Collector.

Mr. Dykes strongly advocates election - He thinks the people would naturally prefer to choose for themselves - and he begs to be relieved of the responsibility of choosing for them. He adds that the people of Nellore

are

I should of course be desirable upon such a question as this that the people should have a direct influence upon the decision of the person to act as Trustee or Committee & I think therefore he should forward all the Board has framed rules for elections

Revenue Department.

No. 2991

PROCEEDINGS OF THE BOARD OF REVENUE,

Dated 3rd December 1863.

No. 7,602.

Submitting with remarks letter from the Collector of Nellore explaining fully why he thought that the people of the District would prefer that the first Committees under Act XX of 1863, should be elected.

are acquainted with the
election principle and,
that whenever practicable
he avails himself of this
mode of ascertaining
their wishes.

The Board remark
that there is nothing to
show that Mr. Dykes
has taken steps to ascertain
whether the people of
Nellore would really
prefer election to nomi-
nation and that in
the face of the unquestion-
able fact that the latter is preferred
in nearly nearly instances
they are not prepared
to accept Mr. Dykes'
assertion.

In their original
instructions on the
subject, Government
declined

desired that recourse to
election should only
be resorted to, when
really necessary - on
account of the excite-
ment and party
contention which it
would probably evoke.

I should think a
Collector, who has been
several years in a District
should have no difficulty
in naming men acceptable
to the community at
large and qualified for
the office - and I should
prefer telling Mr. Dykes
to nominate in all cases
where the majority of
the people do not express
a decided desire for
election - So can easily
ascertain the wishes of
influential

influential and respect-
-able individuals in re-
regard to his nominees.
without the formality
of a regular election

But wherever
election is resorted
to, rules must be prescri-
-bed - and this is not
so easy a matter as
Mr. Dykes supposes -
In the draft he sub-
-mits he limits the
franchise to persons
paying Income Tax
or an assessment of
100 Rs. per annum -

The Income Tax
is but temporary and no
reason is assigned why
the

the franchise should be
restricted to tax-payers
only - The possessors of
house or other property
and persons supporting
or contributing to a reli-
-gious Establishment
seem to me equally
entitled to a vote. The
amount of tax-qualification named also seems
high - Mr. Dykes further
rules that Tahsildars
should recommend
candidates - but this is
clearly a matter which
should be left to the
electors - Mr. Dykes
would constitute each
Taluk as the local limits
of each trust except in the
case of very large insti-
-tutions, the elections for
which

which should be held in
several Talooks - Exceptions
however must be made in
favour of individuals who
contribute towards a
Pagoda or Mosque lent
lies at a distance.

The Board have
been desired to frame
rules for elections after
consulting the different
Collectors and I should
be disposed to wait for
this -

Orders requested

L. D. S.

Revenue Department

No. 215.

Proceedings of the Madras Government

Under date the 4th February 1864.

Read the following paper

Proc: of the Board of Revenue.

Submitting with their remarks letter from the Collr. of Nellore explaining fully why he thought that the people of the District would prefer that the first Commissioners under Act XX of 1863, should be elected.

(Here enter 3d Proc: 18 Jany 1864 No 602)

Proc: of the Board of Revenue.

Submitting with their 3d remarks, letter from the Collr. of Nellore, containing his rules for carrying out the election of Commissioners for the management of Pagodas under Act XX of 1863.

(Here enter 4th Jany 1864 No 57)

From the Collr. of Nellore

Referring, with reference to the above Proc: of the Board of 30th December last, his proceedings regarding the returns of Pagodas in that District, that those returns furnished by him are of course not to be considered as

(Here enter 4th Jany 1864 No 222)

The question submitted in the foregoing papers is whether the Commissioners to be appointed for each Division established in the Nellore under Act XX of 1863 should be appointed by election, or nominated by the Collector

2. Mr Dyke & the Collector strongly advocate election, but the Board are not in favour of the measure

3. The Govr in Council will defer passing orders on the question regarding the receipt of the public servants election called for in para 4 of the Proceedings of Govt 24 June 1813 No 11. The Board will be requested to expedite the communication of the above public —

[illegible]

" Board of Revenue &c &c &c
Collr of Malda

18-1-11 ✓

Revenue 1864 Deptt.
Proc.s of Govt for February.

No 215.

Proc.s of the Madras Govt.
Dated 12th February 1864.

The question of appointing Commissioners to
decide on certain matters
of Boundaries in the Collectorate
be considered on the receipt
of the Orders for decision.

No 103 & 104.