M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 835 Press ~~Mis.~~

825-826

Dated 24-2-~~19~~ 1864

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 24th February 1864.

No. 345. Read the following Proceedings of the Board of Revenue, dated 3rd February 1864, No. 736:—

Read the following letter from the Collector of the Kistna District, dated Masulipatam, 9th January 1864, No. 1.

1. I have the honor to forward the accompanying letter and enclosures from the Deputy Collector in charge of Vinukonda and Palnad Talooks.

2. You will observe that it was addressed to Mr. Foord, but was received subsequent to that gentleman's departure.

ENCLOSURE No. 1.

From V. VENKATACHELLUM, Deputy Collector; to E. B. FOORD, Esq., Acting Collector of the Kistna District, dated Vinukonda, 26th December 1863, No. 26.

1. I have the honor to acknowledge the receipt of your letter of the 7th instant informing me that you see no necessity for referring to the Board of Revenue a matter which you are competent to decide yourself.

2. I respectfully beg leave to enclose for your perusal a letter addressed by me to the Secretary to the Board of Revenue on the subject, and to request that you will be pleased to forward it for their orders.

ENCLOSURE No. 2.

From V. VENKATACHELLUM, Deputy Collector in charge of Vinukonda and Palnad Talooks in the Kistna District; to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Vinukonda, 26th December 1863, No. 27.

SIR,

1. I respectfully beg leave to enclose copies of the letters noted in the margin, and to represent that I requested the Acting Collector of the Kistna District in my letter of 14th November last, to submit for the orders of the Revenue Board the two questions

1. Yadast from the Acting Collector, Kistna District, dated 27th October 1863.
2. My letter to the Acting Collector, dated 14th November, No. 17.
3. Acting Collector's reply, dated 20th November, No. 289.
4. My letter, dated 3rd December, No. 18.
5. Acting Collector's reply, dated 7th December, No. 315.

First.—Whether a Deputy Collector in an independent charge has or has not the power of appointing his subordinates like the Salt Deputy Collector; and

Second.—Whether with reference to paragraph 4 of the Standing Order No. 25 of the Board, dated 4th March 1863, any person who has not passed Sub-Magistrate's examination may be confirmed a Talook Serishtadar (who is a Sub-Magistrate) between 1st May 1863 and 1864.

Paragraph 3.

2. The Acting Collector in his letter of 20th November was pleased to inform me that the Sub-Collector is the only Subordinate Officer of a District who is allowed to appoint his Subordinates, and that he shall make a reference to the Board regarding the case of Talook Serishtadars, who have not passed as Sub-Magistrates. In his letter of 7th instant he informed me that he sees no necessity for referring to the Board of Revenue (the first question) a matter which he is competent to decide himself.

3. The Board were pleased to declare by paragraph 12 of their Circular Order, 10th May 1859, the authority of a Deputy Collector by ruling that "a Deputy Collector when placed "in an independent charge will have ex-officio "the powers of a Collector on the principle "laid down in Section 3, Regulation VII of 1828." Under this I trust no difference of authority is intended between Assistant Collector and a Deputy Collector when placed in charge of a particular Division.

Clause 1st, Section 3, Regulation VII of 1828, "A Subordi- "nate or Assistant Collector in charge of a particular divi- "sion of a District shall ex-officio have authority to exercise "within the division under his charge all the powers "granted to Collectors by the Regulations now in force."

* * *

Board's Circular, 12th November 1861, No. 6,224.
Government Order, 29th October 1861.
Paragraph 11. The Deputy Collectors in charge of Salt Department should, the Government think, like Assistant Collectors in independent charge have power to fine, suspend, dismiss, and appoint his Subordinates (Superintendents excepted) subject to the Collector's decision on appeal; the Collector of course will have a veto on all appointments. The Deputy Collectors should also have the power of recommending to the grade of Superintendent. * *
13. * * The vesting the Deputy Collector with the power of appointing his Subordinates will serve as the most effectual remedy for this.

4. As paragraph 3 of the Acting Collector's letter of 20th November implies that the Head Assistant Collector and Deputy Collector in an independent charge have no authority to appoint their Subordinates, and as it is my humble opinion that under Government Order, dated 29th October 1861, not only the Sub-Collector but also the Assistant Collector in independent charge and Salt Deputy Collector have such authority, I have taken the liberty of submitting the question for your orders.

5. It is for the Board to decide whether a Deputy Collector in independent charge has not the power of appointing his Subordinates like the Assistant Collector in independent charge and the Salt Deputy Collector.

6. I trust that you will perceive that I have respectfully requested the Acting Collector to refer the point for your orders, and that on his not acceding to my request, I have submitted this reference through him—as it is my humble opinion that his views are not consonant to the Order of Government of 29th October 1861.

ENCLOSURE No. 3.—Yadast.

1. Ordered to be submitted to Government for decision, with reference to their Order, dated 29th October 1861, No. 2,066, Revenue Department, quoted by the Deputy Collector.

2. The Board consider that the Collector should be free to follow his own judgment in *all* appointments in the *principal*, as distinguished from the *sub*-division of a District, and that although he may in such cases consult his Assistants or Deputies in immediate charge of departments, or parts of the principal division, it is necessary, for the proper maintenance of his influence and authority, that he should not be deprived or divest himself of this power.

No. 346. ORDER THEREON, 24th February 1864, No. 335.

1. The Government are of opinion that an Assistant or Deputy Collector in permanent and independent charge of a distinct division should be entrusted with the minor appointments in his range—the appointments being duly reported to the Collector, and being always subject to his veto. It may be that the privilege will in some cases be misused; but such instances will, it is hoped, be rare, and can be met by suitable punishment in the way of censure or removal from office. The minor offices here alluded to are those under the grade of Serishtadar, and are shown in the margin. The Government would also give the Assistant or Deputy Collector the power of fining, suspending, or dismissing these servants—subject always to the Collector's veto.

Clerks; 20 Rupees and under.
Revenue Inspector, do.
Shroff
Dufterbund
Peons

2. The appointments of Talook Serishtadar, and Deputy Tahsildar, and Sub-Magistrate should be reserved to the Collector. These appointments being important the selection for them should be made from the whole District, and not from the limited range of an Assistant or Deputy Collector—though these Officers may fairly be allowed to bring the claims of their immediate Subordinates to the Collector's notice when vacancies occur in their charges.

3. Under existing Rules* the Collector nominates to the post of Tahsildar, and the Board have a veto on the appointment.

* G. O., 3rd April 1860, No. 514.

Proceedings of the Madras Government, Revenue Department,
24th February 1864.

4. The Treasury Deputy Collector is in the position of a personal Assistant to the Collector, and does not require any independent power over the Hoozoor Establishment, which will therefore remain entirely under the Collector's control.

5. The Board will issue instructions for giving effect to this Order.

(True Extract.)

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

To the Board of Revenue.

Exd. R. H. Lee.

Sec dep

Memorandum.

It seems to me that an Assistant or Deputy Collector in permanent and independent charge of a distant division should be entrusted with the minor appointments in his range. the appointments being duly reported to the Collector, and being always subject to his veto. It may be that the privilege will in some cases be misused- but such instances will, I should hope, be rare, and can be met by suitable punishment in the way of censure or removal from office. The minor offices I allude to are those under the grade of Sheristadar- and are shown in the Margin- I would also give the Assistant

Clerks 20 Rs and under
Peons, Chowkeedars — do —
Sheriff-
Daffterbund
Peons-

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Establishment which will
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under the Collector's control.

Rev Dep.
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№ 335.

Proceedings of the Madras Government
Under date the 21st February 1864

Read the following Progs
of the Board of Revenue.

Submitting for the decision of Government, papers from the Collector of the Tinnevelly District on the questions as to whether a Deputy Collector in independent charge has or has not the power of appointing his Subordinates, and whether any person who has not passed the Sub Magistrate's examination may be confirmed as Taluq Sheristadar, (who is a Sub-Magistrate) between 1st May 1863 & 1864.

(Here enter 3rd Feby/64 № 736)

The Board are of opinion
Government that an Assistant or Deputy Collector in permanent and independent charge of a distinct division should be entrusted with the minor appointments in his range - the appointments being duly reported to the Collector, and being always subject to his veto - & may be

c 13th Feby/64 215

to that the privileges will in some cases be misused - but such instances will, it is hoped be rare, and can be met by suitable punishment in the way of censure or removal from office. The minor offices here alluded to are those under the grade of Sheristadar - and are shown in the margin - The Govt would also give the Assistant or Deputy Collr the power of fining, suspending or dismissing these servants - subject always to the Collectors veto.

2 The appointment of Taloots Sheristadars and Deputy Talookdars and Sub Magistrates should be reserved to the Collector - These appointments being important the selection for them should be made from the whole District and

Class No. 20 Rs and under the Inspector do:
Sheriff
Dufterband
Peons

* G.O. 3 April 50 No 586.

not from the limited range of an Assistant or Deputy Collector, though these officers may fairly be allowed to bring the claims of their immediate Subordinates to the Collectors notice when vacancies occur in their charges.

8 Under existing Rules* the Collector nominates to the post of Talookdar, and the Board have a veto on the appointment.

9. The Treasury Dy. Collector is in the position of a personal Assistant to the Collector, and does not require any independent power over the Huzur Establishment, which will therefore remain entirely under the Collectors control -

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5. The Board will issue ~~directions~~ instructions for giving effect to this order -

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In Bd of Revenue and Enclosure Dept

Pro. 350-351
29-10-1861

Encl. to Secret. of State's
Des. of Govt. for February

No. 335.

Encl. to Lieut. Governor's
Desp. of 24th Feb. 1864.

Pro. Bd. recommended
4th May 1864 No. 1205.

Assistant or Deputy
Collector in permanent and
independant charge of a
distinct division delegated
with power of entertaining,
fining, suspending or dis-
missing servants under
the grade of Sheristadar.

C. No. 345 & 346.