M.R.O. 1—38,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2426 Press ~~Mis.~~

278-79
Dated 19 – 9 – No 1868.

Not to be folded or roughly handled

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Proceedings of the Madras Government, Revenue Department,
19th September 1868.

No. 278. Read the following Proceedings of the Madras Government in the Judicial Department :—

Passing orders on letter from Collector of Coimbatore forwarding explanation of the Tahsildar of Suttiamungalum in respect to his alleged neglect in the performance of his duties as Sub-Registrar of Assurances. } (Here enter 3rd September 1868, No. 1,369 A.)

No. 279. ORDER THEREON, 19th September 1868, No. 2,426.

Miscellaneous. Communicated to the Revenue Board.

(True Extract.)

(Signed) H. SEWELL,
Acting Under Secretary to Government.

To the Board of Revenue, with Proceedings Judicial Department, No. 1,369 A.

Exd. S. T. Augustin.

No. 42A. Read the following letter from the Collector of Coimbatore, to the Chief Secretary to Government, Fort Saint George; dated Coonoor, 15th August 1868, No. 69.

With reference to Proceedings of Madras Government, Judicial Department, 23rd April 1868, No. 663, I have the honor to forward the explanation of the Tahsildar of Suttiamungalum, in respect to his alleged neglect in the performance of his duties, reported by Mr. Galton, Acting Head Assistant Collector.

2. A copy of Mr. Galton's letter to me on the same subject is also enclosed.

3. It would appear from the above that the Tahsildar's explanation is incorrect in substance, and that his performance of duty has been unsatisfactory.

Translation of an Urzee from the Tahsildar of Suttiamungalum, under date 27th May 1868, *No.* 88.

I have received your order dated 6th instant, No. 49, informing me that, on a report to the Registrar General by Mr. Galton, to the effect that I did not carry on the registration duties properly, you received an Order of Government, dated 23rd ultimo, No. 663, calling on you to get from me an explanation of the cause of carelessness on my part in the discharge of my duty, and to forward the same to them. I am also directed to furnish you with any explanation that I may have to offer on the subject.

2. I have caused copies to be made of two Memoranda, numbered 23 and 10 respectively (which were sent to me by the District Registrar), containing the remarks made by the Acting Head Assistant Collector, Mr. Galton, when he twice inspected this Sub-Registration Office. My replies also are recorded opposite to each paragraph. These copies of Memoranda I have enclosed for your inspection.

3. I conduct the registration duties, paying attention, as far as possible, to the Acts, Rules, and Circulars. I have not, in ignorance of the Act, accepted for registration any document that should not be admitted by me, nor have I refused any documents which should be accepted.

4. When Mr. Galton inspected the Sub-Registration Office, he had the books in his hand and questioned me regarding certain sections which I could not then remember. As I did not answer them, he reported that I knew nothing. Consequently, I beg to inform you of these circumstances.

(Signed) D. PEDDU,
Tahsildar.

From C. A. GALTON, Esq., Acting Head Assistant Magistrate of Coimbatore, to the Magistrate of Coimbatore; dated Coimbatore, 18th June 1868, No. 28.

In reply to your Official Memorandum of the 10th instant, requesting me to detail the deficiencies shown by the Tahsildar of Suttiamungalum in his capacity as Sub-Registrar, I have the honor to enclose herewith extracts from my reports to the Registrar General, dated 12th October 1867 and 5th February 1868 respectively, as far as they relate to the Suttiamungalum Registration Office.

2. From these extracts you will observe that I reported the Sub-Registrar as inefficient for the following reasons :—

First.—He was grossly ignorant of the Registration and Stamp Acts, Rules, and Circular Orders.

In testing his knowledge, I confined myself to the most general questions, such as requiring him to specify the instruments of which the registration is compulsory and those of which the registration is optional, and to state within what limit of time documents must be brought for registration.

I cannot at this distance of time recollect all the questions which I put to him on the Acts and Rules, but they were of the simplest kind, and the Sub-Registrar is not correct in stating in his explanation forwarded with your Official Memorandum that I propounded difficult questions to him out of a book, which I was obliged to refer to myself for the answer.

At the date of my last inspection, six months later, I found that the Sub-Registrar had made no progress whatever, and could not answer the identical questions which I had put to him on my former visit.

Secondly :—The Registers were kept in the most slovenly manner: there was scarcely a single page which was not defaced by large blots and erasures; several of the documents were in part almost illegible—in fact, I doubt whether they could be deciphered without great difficulty by any one except the clerk who wrote them.

I pointed out to the Sub-Registrar the necessity for copying the documents into the Registers in a clear and legible hand, and the importance of engaging a clerk capable of writing a good hand. He promised to attend to my suggestion; but, on my second visit, I found the same clerk still employed and the writing quite as bad, though more care seemed to have been taken to keep the Registers free from blots and erasures.

Thirdly.—The Records of the Office were kept in a very untidy and disorderly state; Indexes, Circular Orders, and correspondence were all mixed up together in hopeless confusion.

Fourthly.—The Sub-Registrar paid no attention to the instructions he received on the occasion of my first inspection. I specially pointed out to him that deeds of gift in which the value of the property is not specified, or does not appear on the face of the deed, must bear a stamp of Rupees 50, in accordance with Article 25 of Schedule A of the Stamp Act (X of 1862). Yet, in the interval of six months which elapsed since my first and second visits, he admitted two documents of the nature alluded to on stamped paper of the value of Rupees 8, thereby causing a loss to Government of Rupees 84.

3. That the Sub-Registrar has paid no attention to the Circular Orders is also sufficiently evidenced by the fact that he entered in Book VI a copy of a special Power of Attorney attested by him, on the ground that he thought he ought to keep a copy and did not know where to file it, although the Registrar General has clearly pointed out the difference between attestation and registration.

4. From the number of documents registered in the Suttiamungalum Office, it appears that registration is freely resorted to in that part of the district, and I therefore considered it necessary to point out that the Sub-Registrar was performing his duties in a most inefficient manner.

Extract from report to the Registrar General, dated 12th October 1867.

Suttiamungalum inspected, June 6th.

The provisions of Section 20, and Rules 52, 53, 54, and 55, regarding interlineation, erasures, and alterations, have not been attended to.

The descriptions of parcels are not in accordance with Section 21 and Rules 56, 57, 58, and 59, the undermentioned particulars being omitted:—

A.—The name of the Registration District.

N.—The name of the Registration Sub-District.

K.—The former occupancy.

No blank book kept for recording evidence, in accordance with Rule 124.

9. Any admission of receipt of consideration is recorded in a deposition taken by the Sub-Registrar, and not entered in the endorsement, as prescribed by Section 66.

30. There is no reserve supply of Book I and Book VI.

25. The Current Registers are

(*a*).—Illegibly and badly written.

(*b*).—Full of blots and kept in the most slovenly manner.

There was scarcely a single page which was not defaced by blots.

This was partly owing to the slips in Book I. not having been pasted in advance and allowed to dry; consequently, the endorsements have come in contact with the damp paper.

Proceedings of the Madras Government, Judicial Department,
3rd September 1868.

14 *a* and *b*.—The Sub-Registrar of Perandorai has sent copies of Instruments Nos. 68 and 30 of 1867 to this office, but the breadth of the columns containing the instruments does not correspond with the breadth of the columns in the Register; consequently, they do not fit into the Register, and have been improperly pasted between two papers of the Register.

8. The entries in Index No. I are not made alphabetically. Names of persons claiming under instruments being entered below the names of persons executing them, without regard to the initial letters of the names.

33. Table of fees not exposed to view in English.

34. The general condition of the office is very unsatisfactory.

* * * *

I regret to be obliged to report that all the Sub-Registrars (with the exception of the Sub-Registrar of Pollachy) had acquired but a very imperfect knowledge of the Registration and Stamp Acts, Rules, and Circular Orders. The ignorance of the Sub-Registrars of Suttiamungalum, Collegal, and Mettapolliem was painful.

I confined my examination to the most elementary points, such as asking them to specify the instruments of which the registration is compulsory and those of which the registration is optional; yet not one could answer that question correctly. It was quite clear that the management of the Registration Offices had been confided to the clerks, and that the Sub-Registrars had exercised very little supervision.

Extract from report to the Registrar General, dated 5th February 1868.

Suttiamungalum inspected, December 6th, 1867.

Copy of document No. 84 of 1867, Book I, forwarded by the Sub-Registrar of Bhowany has been improperly prepared upon paper which does not correspond with the register in size.

The Sub-Registrar has entered in Book VI a copy of a special Power of Attorney attested by him on the 5th August, on the ground that he thought he ought to keep a copy, and did not know where to file it. No registration fee was collected. The Registrar has paid no attention whatever to the instructions issued to him at the last inspection (June 6th, 1867). The name of the Registration District and Sub-District is omitted in every single document throughout Book I. In document No. 115 of Book VI, Andy Chetty has been indexed under short A &. In document No. 108, Book I, specially registered, the agreement has not been recorded at the foot of the certificate, but before it.

Document No. 130 of Book I is a deed of gift, by which a father conveys to his son certain landed property, the value of which is not expressed. It has been admitted on a stamp of Rupees 8. The stamp should have been Rupees 50. The Sub-Registrar was asked this very question at the last inspection, and was told the proper stamp in such cases, but has evidently paid no attention. Document No. 146, Book I, is a Kararnamah, by which a female transfers the whole of her property, moveable and immoveable, to another person, on condition that the latter feeds and clothes her during her lifetime, possession to be absolute after her death. This document has been admitted on a stamp of Rupees 8.

It appears that this document should have been stamped according to Article 25 of Schedule A, in which case the proper stamp would be Rupees 50.

The current Registers are illegibly and badly written.

No reserve supply of Book VI.

General condition of the office tolerable.

No almirah has been supplied.

The Sub-Registrar is grossly ignorant of the Registration and Stamp Acts, Rules, and Circular Orders.

(Signed) C. A GALTON,
Ag. Head Assistant Collector.

Proceedings of the Madras Government, Judicial Department, 3rd September 1868.

No. 42B. ORDER THEREON, 3rd September 1868, No. 1369A.

In Order dated the 23rd April last, No. 663, the Collector of Coimbatore was requested to call on the Tahsildar of the Suttiamungalum Taluq for any explanation he might have to offer in respect of the alleged neglect of the performance of his duties as Sub-Registrar of Assurances. The Tahsildar's explanation and a further report from the Inspecting Officer, Mr. Galton, are now submitted by the Collector.

2. The Governor in Council concurs with the Collector that the Tahsildar's explanation is very unsatisfactory, and that it is clearly shown that, both from ignorance of the Stamp and Registration Acts and carelessness, he has failed to perform the duties of the office of Sub-Registrar satisfactorily. The Governor in Council directs, therefore, that the Tahsildar of Suttiamungalum, D. Peddu, be relieved of these duties.

3. The Acting Registrar General of Assurances will submit the name of a competent person for the appointment of Sub-Registrar of Suttiamungalum.

(True Extract).

Chief Secretary.

To the Collector of Coimbatore, with three enclosures returned.
" Acting Registrar General of Assurances.
" Revenue Department.

Ed. J. H. Burns

Proceedings of the Madras Government, Judicial Department, 3rd September 1868.

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Chief Secretary.

To the Collector of Coimbatore, with three enclosures returned.
" Acting Registrar General of Assurances.
" Revenue Department.

Ed. J. H. Burns

Govt. of {1868} Madras.

JUDICIAL.

To

THE COLLECTOR OF COIMBATORE.

&c., &c., &c.

D. September, 3rd. *No.* 1369A.

R. *Encl.*

O. I., 3rd September 1868, *No.* 1369A.

SEPTEMBER.
Nos. 42A-42B.

Registration of Assurances.—The Tahsildar of Suttiamungalum, D. Peddu, relieved of his duties as Sub-Registrar of Assurances.

S. 2626

Comm.r to the Revenue Board.

17th Sept.r 68.

Dft

Ltr

5 Copies to the Bd of Rev.e with Ors JD No. 1369 & Dest.d 17.

(18) Decree 1868. Oct 24.
Rec of Grant for Sept Cumber
Pp. 2983.

Proceedings of the
Grand Jury
Oct 1868.

Ordered 30. Oct 1868
Recd Dec 3 1868

Pp. 1869 a.

With Order
Ordered 19 Feb 69
Passing Grand Jury
Letter from Police Jury
Committee favorable
explanation of the
Tax of Cullen among those
who refer to their
alleged neglect in the
performance of his
duties as Sub Registrar
of Assurances

A. 278 & 279
2