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MADRAS RECORD OFFICE

Government of Madras

Revenue DEPARTMENT

G.O. No.	549	Rev.	Press
B.P. No.			Mis.
Dated	5-3-	1879.	

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

5th March 1879, No. 549.

No. 95. READ THE FOLLOWING PAPER :—

Proceedings of the Board of Revenue, dated 27th October 1874, No. 2,975.

Read the following papers :—

Board's Proceedings, dated 1st May 1872, No. 700.

Also the following replies to the foregoing :—

From the Collector	of Ganjam,	dated	30th Sep.	1873, No.	2,425.
" "	of Vizagapatam,	"	19th Dec.	1872, "	1,551.
" "	of " "	"	28th Aug.	1873, "	1,285.
" "	of Godavari,	"	5th Dec.	1872, "	579.
" "	of " "	"	4th Jan.	1873, "	3.
" "	of Kistna,	"	18th April	"	570.
" "	of Nellore,	"	25th Oct.	1872, "	2,521.
" "	of Bellary,	"	30th May	"	172.
" "	of Cuddapah,	"	9th July	1873, "	102.
" "	of " "	"	9th April	1874, "	83.
" "	of Kurnool,	"	28th May	1872, "	170.
" "	of Chingleput,	"	5th Feb.	1873, "	16.
" "	of North Arcot,	"	23rd Sep.	1872, "	469.
" "	of South Arcot,	"	11th Nov.	"	357.
" "	of Tanjore,	"	28th "	"	437.
" "	of Trichinopoly,	"	11th June	1873, "	110.
" "	of Madura,	"	21st Nov.	1872, "	340.
" "	of Tinnevely,	"	10th Aug.	"	341.
" "	of Coimbatore,	"	23rd Oct.	"	166.
" Commr.	of Nilgiris,	"	27th May	"	67.
" Collector	of Salem,	"	4th Nov.	1873, "	337.
" "	of " "	"	26th March	1874, "	106.
" "	of South Canara,	"	1st June	1872, "	642.
" "	of Malabar,	"	23rd May	"	124.

Board's Proceedings, dated 9th February 1871, No. 623.

Also the following replies to the foregoing :—

From the Collector	of Ganjam,	dated	29th June	1871, No.	811.
" "	of Vizagapatam,	"	5th April	"	325.
" "	of Godavari,	"	3rd "	"	110.
" "	of Kistna,	"	1st May	"	1,294.
" "	of " "	"	30th "	"	1,541.
" "	of Nellore,	"	30th "	"	985.
" "	of Bellary,	"	22nd April	"	146.
" "	of Cuddapah,	"	27th May	"	113.
" "	of Kurnool,	"	28th Feb.	"	52.
" "	of Chingleput,	"	18th March	"	100.
" "	of " "	"	31st "	"	136.
" "	of North Arcot,	"	14th "	"	153.
" "	of South Arcot,	"	11th Sep.	"	300.
" "	of Tanjore,	"	19th May	"	153.
" "	of Trichinopoly,	"	19th Oct.	"	280.
" "	of Madura,	"	22nd April	"	111.
" "	of Tinnevely,	"	14th "	"	151.
" "	of Coimbatore,	"	21st July	"	190.
" Commr.	of Nilgiris,	"	8th June	"	65.
" Collector	of Salem,	"	17th Jan. 1872,	"	10.
" "	of South Canara,	"	8th Mar. 1871,	"	315.
" "	of Malabar,	"	27th Feb.	"	55.

Board's Circular Memorandum, dated 23rd May 1874, No. 651.

Also the following replies to the foregoing.

From the Collector	of Ganjam,	dated	13th Aug. 1874, No.	579.
"	of "	"	29th "	" 1,716.
"	of "	"	27th Oct. "	" 2,089.
"	of Vizagapatam,	"	30th Sep. "	" 1,447.
"	of "	"	12th April 1875.	
"	of Godavari,	"	18th May "	
"	of "	"	14th Oct. 1874, "	363.
"	of Kistna,	"	17th Nov. "	418.
"	of Nellore,	"	3rd July 1875, "	903.
"	of Chingleput,	"	13th Oct. 1874, "	2,352.
"	of North Arcot,	"	19th Sep. "	514.
"	of "	"	1st Aug. "	415.
"	of "	"	24th Sep. "	496.
"	of South Arcot,	"	13th Oct. "	529.
"	of Tanjore,	"	29th June "	323.
"	of Trichinopoly,	"	22nd Aug. "	251.
"	of Madura,	"	29th "	212.
"	of "	"	21st Sep. "	326.
"	of "	"	1st Dec. "	409.
"	of Tinnevely,	"	26th April "	173.
"	of Salem,	"	29th Aug. "	423.
"	of "	"	17th "	293.
"	of "	"	17th Sep. "	347.

THE difficulty experienced in procuring correct and regular returns of vital and other statistics from Zemindari Curnams and the virtual immunity from punishment for misconduct which they enjoy under Regulation XXIX of 1802 having been brought to the notice of Government in the Proceedings marginally noted, the Board were called upon to furnish a Draft Bill for the amendment of the law, after obtaining the opinions of some of the principal and most intelligent Zemindars on the proposed legislative measure, and to procure further information regarding Zemindari Curnams, their number and emoluments, and also as to the number of villages without Curnams. The requisite information was called for in Board's Proceedings, dated 1st May 1872 and Circular Memorandum, dated 23rd May 1874. A file of replies to the former and a general statement prepared with reference to the latter accompany these Proceedings.

2. Connected with the same question is that of the means to be adopted for ensuring the punctual payment of the emoluments of village servants in Zemindaries. A difficulty (which was stated to be due to the non-payment of the village servants) having been experienced in the Kistna District in getting Government work performed in Zemindari villages, and the question of extending the operation of the Village Cess Act (IV of 1864) to Zemindari tracts having been brought forward, the Board called upon all Collectors to report on the expediency of amending the Act so as to make it applicable to Zemindaries and at the same time to suggest any other amendments which they might deem advisable, as the Government in their Order of the 16th June 1870, No. 886, concurred with the Board in considering the Act in its present form inapplicable to Zemindaries. A file of replies to this reference accompanies; and, as this question is closely connected with that of the position of Curnams in permanently-settled estates, they may be conveniently considered together.

3. The statement now prepared gives as full and accurate information as is procurable in regard to the number and emoluments of Curnams in Zemindaries. Considerable delay has arisen from the difficulty experienced in obtaining returns

from the proprietors, and a few have not yet furnished them, returns being still due from the Kistna District and for Shivaganga in Madura. The information given is sufficient to show that the difficulties which have been experienced are not due to a paucity of Curnams. As a rule their number appears sufficient, and the proprietors of the principal estates appear to be perfectly willing to supplement the deficiency and assign suitable remuneration wherever real necessity exists. With the exception of Jeypore, where there are no Curnams, the accounts being prepared by Mazzumdars on the Zemindar's establishment, the instances in which the number is deficient appears to be confined to insignificant villages which are attached to others more important possessing a Curnam, the work being performed by him; to villages in minor estates, such as muttahs, polliems, aghaharams, and shrotriems, where the work is performed by the proprietor himself or by his gumastah; and to small hill villages usually rented out. In some estates, such as Ramnad for instance, the Curnams seem to be unequally distributed, there being sometimes seven or eight villages to one Curnam and sometimes seven or eight Curnams to one village, and it is also reported that the clubbing authorized by Section 2 of Regulation XXIX of 1802 has been carried out to an inconvenient extent. Some Zemindars seem to think that the latter part of that section sanctions the clubbing of any number of villages provided they each pay a revenue of less than 400 pagodas, whilst the Pittapur Zemindar appears to consider that he is precluded by that section from appointing an additional Curnam when required in the case of large villages, and it is suggested that the Board should be vested with power to regulate the number of Curnams to be employed in each estate, any change in the number without the Board's sanction being illegal. It was clearly the intention of the provision of the law quoted that the revenue of the village or group of villages under each Curnam should not exceed 400 pagodas, and the provisions of Sections 2 and 10 of the Regulation seem sufficient to secure that object.

4. The emoluments, consisting sometimes of land and sometimes of ready money or grain fees, vary considerably from between two and three rupees to sums between two and three hundred. The remuneration in the principal estates seems, as a rule, sufficient, and in many cases where the fees are small it seems to be due to the number of sharers being in excess of requirements. Under Section 9 of Regulation XXIX of 1802, the Board have power to authorize a reduction in the number of Curnams. It does not appear, however, that the inadequacy of the emoluments or the paucity of Curnams has been generally assigned as a reason for the difficulties which have been experienced in procuring returns. The real cause is that it is no part of their duty to furnish the information, and that they are exempt from punishment for failure to comply with requisitions from Revenue Officers.

5. In accordance with the instructions of Government, the opinions of the principal Zemindars in regard to the proposed legislative measure have been obtained. They are unanimously of opinion that the independence of the Curnams in their estates should be curtailed, and the only point on which there is a difference of opinion is as to the manner in which the control should be exercised. The majority are desirous of being themselves vested with power to inflict punishment, some asking for absolute control, even to dismissal, others being content with limited powers of awarding fine or suspension, subject to appeal. They urge that the Curnams are their own servants remunerated by them; and that, as Government have complete authority over their own servants, there is no reason why restrictions should be laid on them alone, and they complain that it is derogatory to their position to require them to appear before any tribunal as complainants on equal terms with their own servants. Some suggest that the Government should look to them to furnish such accounts and returns as are required subject to penalty for neglect, but Mrs. Foulkes, Zemindari of Salem and Palamedu, points out that, "with the exception of the general direction contained in Section 11 of Regulation XXV of 1802, that Curnams 'shall obey all legal orders issued by their Zemindars,' the present law does not enable Zemindars to enforce the production

of those accounts when the Curnams refuse or neglect to produce them. Section 12 of Regulation XXIX of 1802 provides that "Curnams shall produce, whenever required by the proprietors, &c., the records and accounts"; but, though a remedy for their non-production when required by Collectors and Courts of Judicature has been provided by Section 16 of that Regulation, no method of enforcing their production has been provided for the Zemindars."

6. Under the existing law the only remedy, in case of refusal on the part of a Curnam to produce accounts required by a proprietor, appears to be by suit in the District Court; and, as this would involve great delay, some more speedy process must be sanctioned if proprietors are to be held responsible for furnishing accounts and statements. The only Collector who appears to be in favor of this suggestion is the Collector of Nellore, although the Acting Collector of Salem sees no objection to the proposal except as regards vital statistics and accounts required for the division of estates, which he would get direct from the Curnams. Mr. VansAgnew is of opinion that any law that is likely to be passed will be a dead letter in practice, the power of the Zemindars over their ryots and village officers being alike supreme, and that it would be far better policy, under existing circumstances, to deprive the Zemindars of the transparent excuse they always make of having no power over their Curnams by giving them by law expressly the complete power over the Curnams which they actually wield. In most other districts the Curnams are represented as being supreme, and there can be little doubt that there will be far greater probability of obtaining returns punctually from the Curnams themselves than through the agency of the proprietors; who are not likely to interest themselves much in the matter even should the Collector be empowered to impose fines for delay. The proposition of the Venkatagiri Rajah that there should be two Curnams for each village or group of villages paying Rs. 5,000, one to attend to the business of Government and the other to that of the estate, is evidently out of the question.

7. Collectors must, therefore, be empowered to call for returns from Curnams direct, to examine their accounts or cause them to be examined by any special agent deputed for the purpose, and to compel them to deliver up their accounts when necessary by searching for and seizing them. As regards investing Zemindars with power to punish their Curnams, although one or two Collectors see no objection to conferring authority to fine within a limited amount subject to appeal to the Collector, the opinion of the majority appears to be that the award of punishment should rest with the Revenue Officers of Government exclusively, and that any extension of the Zemindar's authority would be likely to lead to oppression and defeat the object of the law in placing the Curnam in an independent position for the protection of the ryot's interests. This view appears sound.

8. Moreover the claim put forward by the proprietors of estates to have the Curnams regarded as their private servants is based on what appears to be an erroneous assumption, viz., that the latter are remunerated out of the pockets of the former, whereas it is quite clear that in some districts at any rate, e.g., North and South Arcot, Madura, Tinnevely, Coimbatore and Salem, deductions were made in fixing the peishcush to meet the cost of village establishments, and it is probable that this was more universally the case than appears from the statement (column 4) which is submitted herewith, and that a reference to the accounts prepared for the determination of the peishcush would show that the Curnam's emoluments were not taken into account. From paragraphs 15 and 16 of the instructions issued to Collectors by the Board of Revenue under date 15th October 1799 (p. 317, Appendix to Fifth Report from the Select Committee on the Affairs of the East India Company), it appears clear that the exclusion of village maniams and Curnam's allowances from the assets with reference to which the peishcush was fixed, was contemplated; and wherever this arrangement was carried into effect and the maniam had been assigned by proprietors previously, the Curnams are really paid by Government and the proprietors jointly. It may, however, be argued on the other hand that, as the enjoyment of the maniams carried with it the

obligation to render certain services in connection with the public revenue, the assignees of the revenue are entitled to these services, and should be vested with power to secure the performance of them.

9. There does not appear to be any sufficient reason why Revenue Officers should not possess the same powers of punishment in regard to Curnams in permanently-settled estates as in ryotwari villages. The Manager of the Vizianagram Estate and some of the proprietors consulted consider that the proposed change does not go far enough, and that Collectors should be vested with the power of dismissal. Several Collectors are of the same opinion. The Civil Courts have been rarely, if ever, resorted to in times past, and it is not likely that the Collector will be more ready than the Zemindar to go to Court; he would naturally content himself with punishment within his own jurisdiction, and the remedy by suit would be wholly inoperative as now. It will afford sufficient protection if the power of dismissal is vested in Collectors alone, Divisional Officers being empowered to impose fines up to Rs. 10 and suspend, appeal against all such orders lying to the Board of Revenue, with whom, instead of with the Civil Courts, the control over Revenue Officers in the exercise of purely administrative functions should rest.

10. As regards protection of the ryot's interests, which appears to have been one of the main reasons for considering it advisable to extend to Collectors power to institute proceedings in the Courts, Mrs. Foulkes points out that Section 11 of Regulation XXV of 1802 was apparently overlooked by Government "under farmers, tenants, and ryots having, equally with the Zemindar himself, the right to institute suits against Zemindari Curnams." All that is necessary appears to be to transfer to the Revenue Officers of Government the duty of investigating complaints by declaring Curnams in permanently-settled estates amenable to the provisions of Regulation IX of 1822. Sufficient protection would be afforded if the power of disposing of such cases were reserved to Collectors themselves, though the Board do not consider this restriction necessary.

11. Several Collectors point out that the provisions of Sections 6, 8, and 10 of Regulation XXIX of 1802 have hitherto been a dead letter, and suggest that, although the power of nominating Curnams should rest with the Zemindars as at present, the nomination should be subject to confirmation by the Collector in order to make it incumbent on the former to report the occurrence of vacancies and the mode in which they are filled up. This change would, however, be very distasteful to proprietors, and it does not appear necessary as Section 7 is a sufficient safeguard for the maintenance of the hereditary principle, and no doubt lists of the existing Curnams would be readily furnished if called for. Moreover, by repealing that portion of Section 8 of Regulation VI of 1831, which exempts Curnams in permanently-settled estates from the operation of that enactment, Collectors will be competent to adjudicate on all claims to the possession of, or succession to, such offices which may arise.

12. This extension of Regulation VI of 1831 is also very desirable on another ground, viz., to facilitate the recovery of the emoluments of the office, and this leads to the consideration of the further question whether it is expedient to amend the Village Cess Act so as to make it applicable to Zemindaries. And, first, as to the inapplicability of the Act in its present shape, it is pointed out that Zemindaries are in no way exempted from its operation in express terms; and that, as Regulation VI of 1831, the provisions of which the Act supersedes, was, except in the solitary instance of the office of Curnam, as applicable to Zemindari as to Government villages, the Act is capable of application to the former by the mere exercise of the power conferred by Section 2, and the Deputy Collector of South Arcot points out that in the original draft of the Village Cess Act provision was made for the exemption of Zemindaries from its operation, but that this proviso was struck out by the Select Committee for the express purpose of enabling Government to introduce it wherever desirable. A reference to the papers connected with the passing of the Act shows that such was the case; and, although difficulties may arise in applying its terms to the conditions of Zemindaries which may neces-

sitate recourse to legislation, a simple notification of Government is all that is necessary for its introduction into any estate.

13. As regards the expediency of applying the Act, the majority of the Collectors are decidedly opposed to such a measure, the few who report in favor of it stating that it appears advisable, but not apparently from any practical experience of the necessity and without attempting to deal with the many difficulties which surround the question. The sole argument advanced in favor of the measure is that it will ensure payment of the emoluments of village servants in estates and make it possible to enforce the performance of duties for which they are remunerated; but, from the testimony of the Revenue Officers generally, it does not appear that payment has been withheld to any great extent, and the law already provides a remedy in the case of all village servants except Curnams in permanently-settled estates. It has been repeatedly held that village servants in villages held on inam tenure, such as mokhasas, agra-harams, shrotriems, &c., are not exempt from the provisions of Regulation VI of 1831, and it is, therefore, competent to Collectors to adjudicate on all claims preferred by them; whilst Section 52 of Act II of 1864 was expressly enacted for the recovery of fees due to village officers in districts to which the Cess Act might not be extended. A reference to the debates shows that it was originally proposed to insert the provision in the Village Cess Act and that it was decided to transfer it to Act II of 1864, which was under consideration at the same time. The mere extension of Regulation VI of 1831 to Curnams in permanently-settled estates will suffice to remedy the difficulty wherever it has been experienced. To remove all doubt on these points it may be as well to bring Curnams in Inam villages expressly within the operation of the Act and to define the manner in which decrees under Regulation VI of 1831 shall be executed, especially as difficulty has been experienced in giving effect to awards affecting the possession and enjoyment of emoluments in land owing to the absence of any provision in the Regulation empowering Collectors to enforce their decrees.

14. The arguments adduced against the introduction of the Village Cess Act into estates are briefly—

(1.) That the existing law, as contained in Regulation VI of 1831 and Section 52 of Act II of 1864, is sufficient except as regards Zemindari Curnams.

(2.) That what is required is an alteration of the law to give Revenue Officers greater control over village servants in Zemindaries, and that non-payment of their emoluments is not the cause of the difficulties which have been experienced, complaints of this nature not having been numerous.

(3.) That the extension of the Village Cess Act would be regarded by the ryots as the imposition of a very heavy burden unless measures can be taken to relieve them of the many unauthorized exactions on the part of the Zemindars which have become recognized by custom and are included in the rent demand.

(4.) That remuneration in the shape of land and grain fees is more popular than ready-money payments.

(5.) That under Section 4 of Act VIII of 1865 landholders have, and sometimes exercise, the power to include in a puttah and collect with the rent fees such as those of village servants, payable with it according to established usage; and that, if they do not exercise the powers they at present possess, there is no reason to suppose that they will avail themselves of any fresh powers that Act IV of 1864 would confer.

(6.) That the determination of the assessment on which the cess should be calculated would be a work of great difficulty, inasmuch as it is next to impossible to ascertain the land-revenue demand in the case of ryots in Zemindaries where the renting system often prevails, and there are no statistics showing the holdings of the cultivating ryots. The amendment of the Act so as to make it applicable to the circumstances of proprietary estates would be a difficult matter, and would necessitate a revision of establishments entailing additional cost to Government.

(7.) That the services rendered are chiefly due to the Zemindars and that their wishes should be consulted, but that it does not appear that they have sought for the introduction of the measure.

15. In these views the Board concur. There would undoubtedly be considerable difficulty in determining the amount of the cess and collecting it, whilst its imposition without any compensating advantage in the shape of a revision of assessment would be regarded as a great hardship, nor does the measure seem called for.

DRAFT BILL.

WHEREAS difficulty has been experienced in procuring correct and punctual returns of statistics from Zemindaries and other Proprietary Estates, and it is therefore expedient to amend the law relating to Curnams in such estates and to provide that they shall be more immediately under the authority and control of the Revenue Officers of Government, and shall be bound to produce their accounts whenever required, it is hereby enacted as follows:—

2. The enactments mentioned in the schedule to this Act annexed are hereby repealed to the extent specified in the third column of the said schedule.

3. The term "Landholder" shall include all persons holding under a Sanad-i-Milkeut Istimrar all other Zemindars, Poligars, Shrotriendars, Jaghiredars and Inamdars, and the term Proprietary Estate shall mean the estate of any such Landholder.

4. Curnams in Proprietary estates shall be under the immediate authority and control of the Collector, or Officer exercising the powers of a Collector, to the same extent as Curnams of villages in districts of which the assessment of the revenue is not permanently fixed, and shall be liable to fine, suspension, or dismissal for incapacity, neglect of duty, or other just cause, after formal inquiry, provided that sentence of dismissal shall be subject to confirmation by the Collector of the District.

5. Curnams shall obey all legal orders issued by the Revenue Officers of Government or Landholders, and the Collector, or Officer exercising the powers of a Collector, may of his own motion, or on complaint preferred by a Landholder, his under farmers, tenants, or ryots, institute a summary inquiry regarding any breach of duty brought to notice.

6. The provisions of Regulation IX of 1822, as extended by Regulation VII of 1828 and Act XXXVI of 1837, shall be applicable to all cases in which Curnams in Proprietary estates are accused or suspected of having committed any offences of the 2nd, 3rd, 4th, and 5th Classes specified in Section II., Clause 2 of the enactment first mentioned, relating to the levy of unauthorized cesses, the embezzlement of the collections, or to the making of false entries, and the falsification, destruction, and concealment of the accounts of such estate, and Curnams shall be amenable to the jurisdiction of the Collector, or Officer exercising the powers of a Collector, under those enactments.

7. Curnams shall be bound to keep such accounts and to furnish such returns as may be prescribed by Government or the Board of Revenue from time to time, and for failure or unnecessary delay they shall be liable to such punishment as the Collector may adjudge. Whenever Curnams are not duly maintained in any estate the Landholder shall be held responsible for furnishing the information required, or rendering the returns prescribed, within a date to be fixed by the Collector of the District, and for refusal or failure to comply with such requisition, except on due cause proved to the satisfaction of the Collector, such Landholder shall be liable to fine not exceeding Rupees 50 for each day's delay, which shall be leviable in the same manner as an arrear of Land Revenue.

8. The Collector, or Officer exercising the powers of a Collector, may require the attendance of Curnams whenever their services are required, and demand the production of their accounts for the purpose of ascertaining the correctness of the returns furnished, or of satisfying themselves as to the manner in which the accounts have been kept, or may depute a subordinate to examine them. In case of failure to produce the accounts when called for, the Collector, or other Officer aforesaid, shall be empowered to issue a search warrant for their discovery, in the manner prescribed by Section IX, Regulation IX of 1822.

9. The provisions of Sections XVI, XVII, XVIII, XIX, of Regulation XXIX of 1802 shall be applicable to inquiries before Revenue Officers under this Act, and the Collector, or Officer exercising the powers of a Collector, shall be competent to exercise the powers conferred on a Court of Judicature therein.

10. All claims to the office of Curnam in Proprietary estates, or to the emoluments annexed thereto, shall be adjudicable exclusively by the Revenue Officers of Government under Regulation VI. of 1831. All decrees for the transfer of land under that Regulation shall be exe-

cuted by Collectors in the same manner as decrees of Civil Courts under the Code of Civil Procedure, and all fees and other dues adjudged to be payable shall be recoverable in the same manner as arrears of Land Revenue.

11. From every decision, act, or order of the Collector, or Officer exercising the powers of a Collector, under this Act an appeal shall lie to the Board of Revenue within three months from the date of the decision, act, or order; provided that it shall be competent to the Board of Revenue, whenever they see fit, to admit an appeal after the expiration of such limit.

12. This Act shall come into force from such date as the Local Government shall direct by notification in the *Fort St. George Gazette*.

SCHEDULE.

Number of Regulation.	Title of Regulation.	Extent of Repeal.
XXV of 1802 ...	A Regulation for declaring the proprietary right of lands to be vested in individual persons, &c.	Section XI.
XXIX of 1802 ...	A Regulation for establishing the office of Curnam, &c.	Section V. Section VII. The words "before the Judge of the Zillah." Sections XIII and XXIV.
VI of 1831 ...	A Regulation to prevent the misappropriation of the emoluments annexed by the State to hereditary village and other offices, &c.	Section VIII. So much as relates to the office of Curnam established by Regulation XXIX of 1802.

16. It is suggested by some officers that advantage should be taken of this opportunity to consolidate the law relating to the office of Curnam by remodelling the old Regulations, defining their duties and specifying the accounts they are bound to keep and the returns they are required to submit. The consolidation of the law is, however, a task which, if thought desirable, should be entrusted to the law officers of Government; and, as regards the accounts to be kept and returns to be submitted, it will, the Board think, suffice to lay down that Curnams shall, in addition to the accounts specified in Section 11 of Regulation XXIX of 1802, keep such accounts, and furnish such returns, as the Government or Board of Revenue may, from time to time, prescribe, as greater precision might lead to difficulty in case of alterations being deemed requisite subsequently.

17. The Draft Bill is, therefore, confined to repealing such portions of the existing law as restrict the jurisdiction of revenue offices in regard to Curnams in permanently-settled estates; extending the provisions of Regulation VI of 1831 to the adjudication of claim to such offices and the emoluments attached to them so as to facilitate their recovery under Act II of 1864; rendering Zemindari Curnams amenable to Regulation IX of 1822 so as to afford a more speedy remedy in case of unauthorized collections and falsification of accounts; and holding them responsible for such returns as may be prescribed by competent authority.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Acting Sub-Secretary.

No. 96.

MINUTE BY THE HONORABLE MR. CARMICHAEL.

Proposals by the Raja of Pittapur and the Arnee Jagirdar.

These papers relate to two subjects—

- Village Accountants in Zamindaris.
- Other village servants in Zamindaris.

Taking the second, first, it is to be observed that, wherever emoluments have been annexed by the State (private servants of the Zemindars being distinct) these office-holders are already subject to the control of Collectors. But, say the Zamindars, they have two sets of duties, Police and Revenue; and in the latter capacity they should be under the control of the assignees of the public revenue.

2. I consider this request inadmissible; first, because they are State grants; secondly, because the Zamindars are not to be trusted. Many of them would pick a quarrel with a too zealous Police Officer, on the "Revenue" side, and bully and harass him. There should be but one Master to punish. Zamindars of course are entitled to be well served on the "Revenue" side; and, if thought necessary, it may be impressed on all Collectors that they must see that this is done; must listen with attention to the complaints of Zamindars, and punish village servants in Zamindaris just as they would men of the same class in our own villages.

II. Then, as to Karnams, or Village Accountants, in Zamindaris. The policy of the old Regulations was to place them entirely under the protection of the Civil Courts. If a Zamindar or any tenant of a Zamindar has cause of complaint against a Karnam for breach of his duty, he is to sue him in the Civil Court, and the Court has power, besides awarding damages, to punish with deprivation of office, which, on the principle of every *minor* including a *minor*, has been held to include suspension from office. As regards a Zamindar's requisitions, Karnams "shall produce, whenever required, the records and accounts relating to the lands, produce, revenue and charges of their villages respectively;" but as regards Collectors, their requisitions must be limited to accounts regarding escheated lands and the division of the assessment where such becomes necessary by sales for arrears of revenue or by other transfers of the proprietary right. A Collector, making any other requisition may be restrained by an injunction, and fined if he persists.

Very different is the position of non-Zamindari Karnams; they are under the direct control of Collectors and their subordinates, who have full power to require them to furnish any information that may be desired.

Karnams of both kinds, it should be mentioned, are now classed as "public servants" by the Penal Code* (1860) and are punishable for disobedience to any direction of the law respecting their duty, if the act or omission is intended to cause injury to any person; but short of that, such disobedience would not be an offence.

III. Two points are now before us for decision, viz. —
Shall we enact that, besides their present duties towards the Zamindar, the ryots of the Zamindar and the Government there shall be laid on Karnams the duty of collecting and rendering vital and other statistics?

2ndly. Shall the jurisdiction of the Civil Courts be transferred to Collectors?
I am in favor of both proposals being affirmatively answered.

The first, because nobody but the Karnam could do the additional work, and it is no hardship that Karnams should share with other public servants and without extra remuneration the extra work which improved administration entails.

The second, because the present remedy, a regular suit in the Zillah Court, is so cumbrous that it is never resorted to, and as a consequence the whole race of Zamindari Karnams (as I know by long experience) have long ceased to be amenable to discipline; because (2) the Zamindars, with their antagonistic position towards their ryots, obviously cannot be allowed to adjudicate; and (3) because—whatever was the bugbear at the time of the Permanent Settlement—there is now no reason to fear that Collectors will not decide such cases as impartially as the Judges; and they certainly will dispose of them more expeditiously and with greater convenience to parties and witnesses. The wonder is the change was not made long ago, for Sir Thomas Munro recommended it in 1815 in the course of his inquiries on the Special Commission.

20th January 1879.

(Signed) DAVID F. CARMICHAEL.

No. 97.

ORDER THEREON, 5th March 1879, No. 549.

Miscellaneous.

THE Draft Bill submitted for the approval of Government by the Revenue Board with their Proceedings of the 27th October 1875, No. 2,975, will be referred to the Legislative Department in view to steps being taken to introduce it in the Legislative Council.

(Signed) J. H. GARSTIN,
Acting Secretary to Government.

To the Board of Revenue.
„ the Legislative Department, with Note from the Hon. W. Hudleston.

Exd. W. H. French.

Entered copy of Bill
Presented by Mr. [unclear]
1870-1871 Session 1870

Collectors' Returns
February 1871 No. 623

Districts

- Ganjam
- Simanghatgar
- Godavery
- Kistna
- Kellore
- Cuddapah
- Bellary
- Turnool
- Krishna, North
- North Arcot
- South Arcot
- Tanjore
- Trichinopoly
- Madurai
- Tinnevely
- Coimbatore
- Nilgiris
- Salem
- South Canara
- Malabar

17
17

Colt. of (1870) [unclear]

REVENUE.

THE BOARD OF REVENUE,

Secy. Secy. Secy.

Dated March 5th.

Printed 18th.

Recd.

Recd.

G.O., 5th March 1870, No. 519.

No. 95-97.

Curran in Zeminari and other matters.
Referring to the Legislative Department Pro-
ceedings of the Board of Revenue submitting
Draft Bill to amend the law relating to — in view
to steps being taken to introduce it in the Legis-
lative Council.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 9th February 1871.

Read the following letter from W. F. GRAHAME, Esq., Acting Head Assistant Collector, to the Officiating Collector of the Kistna District, dated Nandigama, 6th December 1870, No. 384:—

I HAVE the honour to bring to your notice the great inconvenience experienced in the performance of public business in the village of Ramachendra Apparaopett as reported by the Deputy-Tahsildar of Nuzid division. The village in question is situated on the high road between Bezwadah and Ellore. There is in it a Travellers' Bungalow often used by travellers. It is a small village, containing about 272 inhabitants, most of whom are Banians. There is no cultivation in the village, and no cultivable land available. The village Vettyans and Naikwadi have refused to work, because they get no pay. Hitherto it seems to have been the custom among the Banians of the village to pay so much for every bag of grain or any other article brought into the village. The village Munsiff reports that they now do not pay. It does not seem to be right to ask the inhabitants to pay village servants for services rendered to Government, and I do not know that it is any where done. Ramachendra Apparaopett is a Zemindary village, and is situate close to the jungles between this and the Godavery District. These jungles are the usual lurking place and abode of Yanadies, and much crime is committed in this and the surrounding villages.

2. I beg to take this occasion of once more bringing to your notice the great inconvenience experienced in getting public work done in Zemindary villages. At the same time, I see no present remedy for it, as Government in their Order, dated the 16th June 1870, No. 886, concur with the Board that the Village Cess Act (IV. of 1864) is not applicable to Zemindary villages.

3. From the great mass of work which has to be done in Zemindari villages by Government officials, such as the collection of Quit-rent, Road Fund, Water-tax, the preparation of accounts therewith connected, the submission of Birth and Death Registers, and much miscellaneous work in connection with enfranchised Inams, it seems time to move Government in the Legislative Department to apply the Village Cess Act to Zemindary tracts. The demand of Quit-rent and Road Fund seems to be only a small amount, but the work is tedious, and almost as heavy as in ryotwary villages.

4. Government have the right of appointing and dismissing village servants in Mokhasa and Agraharam villages in Zemindaries. There are several complaints from the village servants that their emoluments are not properly paid. When Government have the right of appointing and dismissing village servants, I think they should have, as a matter of course, the right of enforcing the due payment of emoluments. I beg, therefore, to be informed if the Village Cess Act can be enforced in Mokhasa and Agraharam villages, and if not, in what way the strict payment of the emoluments can be enforced other than by the slow process of a Civil Suit.

No. 67.

SUBMITTED to the Board of Revenue for their consideration.

MASULIPATAM,
6th January 1871.

(Signed) J. A. C. BOSWELL,
Officiating Collector.

To the Acting Secretary to the Board of Revenue.

THE Board resolve to request all Collectors to report on the expediency of amending the Village Cess Act, so as to make it applicable to Zemindaries. They will point out, at the same time, any other amendments in the Act which they may consider desirable.

(A true Copy and Extract.)

(Signed) J. GROSE,
Acting Secretary.

(True Copy.)

(Signed) M. JORDAN,
Second Assistant.

To all Collectors.

Exd. F. R. Bantleman.

From F. C. CARR, Esq., Acting Collector of Ganjam, to the Acting Secretary to the Board of Revenue, dated Chatterpore, 29th June 1871, No. 811.

With reference to the Board's Proceedings, No. 623, of the 9th February last, I have the honour to state that I cannot express any opinion regarding the expediency of amending the Village Cess Act so as to make it applicable to Zemindaries or point out any other amendments, as it is not worked in the Government Talooks of this district.

From A. WEDDERBURN Esq., Collector of Coimbatore, to the Acting Secretary to the Board of Revenue, dated 21st July 1871, No. 190.

With reference to the Proceedings of the Board of Revenue, dated 9th February 1871, No. 623, I have the honour to state my opinion that it would be desirable to provide for the remuneration of the village servants in the Zemindary villages as is done in Circar villages.

2. As regards this district provision was made in the 13 petty Polliputs by a deduction of $7\frac{1}{2}$ per cent. from the peishcush apportioned either in land or money for the remuneration of village servants, who consequently are not dependent on the ryots for official remuneration in the shape of fees.

3. There is no need, therefore, of an enactment as regards this district.

4. As regards Zemindaries in other districts a settlement would require to be made with the Zemindar, and Sections 3 and 4 of Act IV. of 1864 could be amended in the following manner:—

Section 3.—The rate of cess shall be from time to time determined by the local Government, but shall not in any case exceed the rate of one Anna in every Rupee of assessment and water tax payable to Government or Zemindar by each land-holder or tenant. (The rest of this section to remain as before.)

Section 4.—The amount of such cess payable by each holder of land or tenant shall be entered in his Puttah, and shall be realized in the manner provided for the recovery of arrears of land revenue or rent in the Madras Presidency.

From J. W. BREEKS, Esq., Commissioner of the Neilgherries, to the Acting Secretary to the Board of Revenue, dated Ootacamund, 8th June 1871, No. 65.

With reference to Board's Proceedings, No. 623, of the 9th February last, I have the honour to inform you that as I have had no experience of the working of the Village Cess Act I am unable to offer any suggestions in regard to its amendment.

1871.
Board of Revenue,
MADRAS.

PROCEEDINGS, 9TH FEBRUARY 1871, No. 623.

Encl.

Received

FEBRUARY.
No. 623.

Village Cess Act No. IV. of 1864.—Collectors requested to report on expediency of amending, so as to make it applicable to Zemindaries, and to point out any other amendments in Act which they may consider desirable.

From R. J. MELVILLE, Esq., Acting Collector of Vizagapatam, to the Acting Secretary to the Board of Revenue, dated 5th April 1871, No. 325.

I HAVE the honour to reply to Board's Proceedings, No. 623, dated February 9th, 1871.

2. I am not in favour of making the Village Cess Act applicable to Zemindaries.

The Curnums in the lowland parts of this district have Inams attached to their office, and remuneration in that manner is far more popular than a money-payment would be. The bulk of the work referred to in the letter recorded in the above Proceedings falls on the Curnums.

3. I have heard of no complaints of the Village Moonsiffs having neglected to supply travellers, although in some instances there are no Inams attached to that office in this district.

4. The lower village offices have, as a rule, Inams attached to them.

5. None of the above remarks apply to the parts of this district under the Agency where there are no Curnums, nor is there a headman to every village.

6. The great want felt in this district is some means of making the Curnums in Zemindaries attend to their duties less cumbrous than by Civil Suit. The law now in force was perhaps originally made as much for the protection of the Zemindar as the Curnum, but a change as above proposed would be as much a benefit to the Zemindars as to the Revenue authorities.

7. In preparing the Census the Zemindars have afforded us all the assistance in their power, but they are powerless against the passive resistance of a Curnum, who is well aware that they will not incur the expense and delay of a Civil Suit.

From J. FRASER, Esq., Collector of the Godavery District, to the Acting Secretary to the Board of Revenue, dated Ramchendrapur Talook, 3rd April 1871, No. 110.

I CONSIDER it would be a great step in advance, and a good one too, to amend the Village

Cess Act so as to make it applicable to Zemindaries and proprietary estates.

2. If this be done, an account of present emoluments must of course be first taken, and the villages grouped where necessary. Now that the annual Jummahbundy is closed almost everywhere, and the census deferred for the present, to do this at the present time would be advisable i.e., before the close of the current Fusly.

3. I would amend the Village Cess Act so as to make the whole fund collected under it in any estate applicable, not the collections in each village to that village only, but throughout the estate generally.

From R. K. PUCKLE, Esq., Collector of Tinnevely, to the Acting Secretary to the Board of Revenue, dated Pandarakulam, 14th April 1871, No. 151.

In reply to the Board's Proceedings, No. 623, dated 9th February 1871, I have the honour to inform you that the Zemin village servants in this district are paid by Inams confirmed to them by the Inam Commissioner. There is thus no necessity for extending the Village Cess Act to Zemindaries as long as the present system of maintaining village servants in office continues in force.

2. Greater efficiency might be secured if the Collector had direct control over village servants in Zemindaries, but to secure this, Section 5 of Regulation XXV. of 1802 would have to be repealed, and it is an open question whether the advantages gained would not be more than counterbalanced by the additional labour thrown on Revenue Officers. I do not therefore recommend any alteration in existing arrangements.

Exd. T. Cartledge.

From J. A. C. BOSWELL, Esq., Officiating Collector of the Kistna District, to the Acting Secretary to the Board of Revenue, dated Circuit Cutcherry at Dindi, in Repalli Talook, 1st May 1871, No. 1,294.

With reference to the Board's Proceedings, dated 9th February 1871, No. 623, regarding the proposal to extend the Village Cess Act No. IV. of 1864 to Zemindary tracts, I am doubtful whether with reference to Section II. of the Act, this could be done by a Notification of Government in the *Fort Saint George Gazette*. The Zemindars affirm that village servants' fees were included in estimating the assets of the Zemindaries when fixing the peishcush.

2. It is notorious that village officers' fees in Zemindaries are at present very irregularly collected; that many officers and village servants get no fees at all, or but very inadequate remuneration at the pleasure of the villagers. The consequence of this is, that there is great difficulty experienced in collecting quit-rent, road-cess, water-cess, etc., and procuring the Birth and Death Returns in Zemindary villages. In the case of remittances from the villages also, I have received several reports from Deputy-Tahsildars in charge of Zemindary tracts that the village Peons and Vetties refuse to take charge of and carry Government remittances because they say they are not the paid servants of the State. This leads to much inconvenience.

3. I lately requested the Zemindars in this district to furnish me with a list of the officers and servants remunerated by them in the different villages in their estates. They agreed to supply a list of Curnums as required by law, but stated there was no provision of law requiring them to furnish the Collectors with lists of other village officials and servants. The fact is, that in consequence of the absence of any provision for the remuneration of village officials, many of the offices have ceased to exist. The Zemindars collect their shists through the Curnums and their own establishment of Peons.

4. The Board lately laid it down as a principle, that in Zemindaries the Collectors should endeavour to appoint as heads of villages the Pettandars or Monegars appointed by the Zemindars, but in many villages there appears to be no Pettandars enjoying any emoluments, and men are not to be found willing to undertake the honorary duties of heads of villages without any emoluments.

5. The fact appears to be that the Zemindary demands have increased from year to year, and many unauthorized exactions have in course of time become recognized as custom, and are paid without dispute, such as Dharbari fees, Marriage fees, Katnamulu, Nazaranas, contributions to the Zemindar on occasion of any marriage or important events in his family, Temple fees, and fees for village expenses, etc., etc. These seem to be regularly collected as part of their rents, and the burdens have become so heavy that the Zemindary ryots have gradually come to evade with impunity the payment of fees to village servants, and the payments have not been enforced either by the Revenue authorities or the Zemindars. There can be no doubt then that the extension of the Village Service Cess Act to Zemindaries would be regarded as the imposition of a very heavy burden by Zemindary ryots unless measures were simultaneously introduced to relieve them of the illegal exactions of the Zemindars, which however are in most cases included in the rent demand.

6. I am of opinion that the Village Cess Act should also be extended to all Mokhassa and Agraharam villages, in fact to all villages under whatever tenure held.

7. It would be desirable to define whether the Village Service Cess is to be charged on grazing grounds and topes and plantations from which large profits are made.

8. Special provision should also be made for the case of sharing rents and joint rents as in the case of the District Road Cess—Section 5 of Act III. of 1866.

From J. H. MASTER, Esq., Acting Collector of Bellary, to the Acting Secretary to the Board of Revenue, dated 22nd April 1871, No. 146.

With reference to the Proceedings of the Board, No. 623, dated 9th February last, requiring a report on the expediency of amending the Village Cess Act so as to make it applicable to Zemindaries, I have the honour to state that there are no Zemindaries in this district, nor has the Village Cess Act ever been enforced in it.

2. In my opinion, it would not be expedient to make the Act applicable to Zemindaries. The appointment of the village officers does not rest with the Collector, and I do not think that he should be burdened with the duty of seeing them paid.
3. If, however, the Government possess the right of appointing officials in Mokbassa and Agraharam villages in Zemindaries, then the Act should be amended so as to extend to them.
4. I enclose copies of the replies received from the Divisional Officers on the subject.

ENCLOSURE No. 1.

From W. S. FOSTER, Esq., Sub-Collector, to the Acting Collector of Bellary, dated Gooty, 15th March 1871, No. 110.

In reply to your note to the Proceedings of the Board of Revenue, No. 623, dated 9th February 1871, I have the honour to report that there are no Zemindary lands in this division of the district. I have not the Proceedings of Government which to say that the Act (Madras) No. IV. of 1864 does not apply to Zemindary lands; but if it does not apply to these lands, I think there could be no harm in amending the Act, as it is only a permissive Act not compulsory. Moreover, it is possible as the Act now stands, that a Court of law might give a different ruling to that given by Government, a thing most certainly to be avoided.

ENCLOSURE No. 2.

From E. GIBSON, Esq., Head Assistant Collector, to the Acting Collector of Bellary, dated Camp at Pallaram, — March 1871, No. 48.

I HAVE the honour to acknowledge the receipt, on the 3rd instant, of the Board's Proceedings, dated 9th February last, No. 623. With regard to the proposed extension of the provisions of the Village Cess Act to Zemindaries, I have only to observe, that if Collectors are to be burdened with the responsibility of seeing that village servants in such estates are properly paid, they should also have the power of appointing and dismissing them. To this the Zemindars might not be disposed to consent. At present, with the exception of the issue of a Sunnud to the Village Magistrate, the only village official in Zemindaries with whom the Collector has to do, is the Curnum, his connection with whom is defined with precision by Regulation XXIX. of 1802. By this enactment, the interests of the Curnum are very carefully guarded, and the Collector may be fined by the Judge of the Adawlut if, in the opinion of the Court, he has been unnecessarily exacting in requiring to inspect accounts or in summoning the Curnum to attend his Cutcherry without sufficient cause. Occasion might be taken at the time of altering the Village Cess Act to repeal or greatly modify this old Regulation, the necessity for which in its present form is not now apparent.

ENCLOSURE No. 3.

From N. MURUGASAM MOODELLIAR, Acting Deputy-Collector, to the Acting Collector of Bellary, dated Kudligi, 23rd March 1871, No. 79.

With reference to your foot-note to Board's Proceedings, No. 623, of the 9th February last, calling for a report on the expediency of amending the Village Cess Act (Madras No. IV. of 1864,) so as to make it applicable to Zemindaries, I have the honour to observe, that not being in possession of a copy of the Government Order, dated 16th June 1870, No. 886, referred to in paragraph 2 of Mr. Graham's letter recorded in the above Proceedings, I am not in a position to see on what grounds the provisions of the said Act were declared inapplicable to Zemindary tracts.

2. The Village Cess Act, I believe, was intended to be brought into operation in such districts as the local Government think fit to notify the same, whenever a difficulty was felt in the collection of the Service fees as contemplated by Section 11 thereof.

3. The Act was never enforced into this district, since there was no difficulty experienced in the collection of the Village Service Fees; and if there was any at all, the provision of Section 52 of the Madras Act II. of 1864 gave ample powers to a revenue officer for the purpose.

4. The term "landholder" as used in Section 3 of the Cess Act, IV. of 1864, includes, I believe, all persons holding under a Sunnud-i-Milkeut Istimrar, as defined in Section 1 of the Revenue Arrears Recovery Act.

5. In no part of the Cess Act is mentioned its restrictive application to ryotwary districts only, nor is there any, of the special exemption for its operation, of a Zemindary tract.

6. The Government, however, having decided on the inapplicability of the Act to Zemindary tracts, it is useless to gainsay the matter.

7. To declare that the term "land-holder" used in Section 3 of the Village Cess Act, should be taken in the sense defined in the Madras Revenue Arrears Recovery Act, is all the amendment that I would suggest; the mode of recovering the cess being under Section 4 the same as that of recovering land revenue.

(True Copy.)

(Signed) J. H. MASTER,
Acting Collector.

From the Honourable D. ARBUTHNOTT, Collector of Madura, to the Acting Secretary to the Board of Revenue, dated Camp at Shembaganur, 22nd April 1871, No. 111.

With reference to the Board's Proceedings, dated 9th February last, No. 623, I have the honour to state, that I do not think that the Village Cess Act should be made applicable to this district either in the Ayen or Zemindary lands. In the former, all village servants (except Nattamgars in some three or four villages) have Maniems, and in the latter they are paid partly by Maniems and partly by fees in grain which are entered in the ryots' puttahs.

Exd. T. Cartledge.

From L. A. CAMPBELL, Esq., Acting Head Assistant Collector, to the Officiating Collector of the Kistna District, dated Bunder, 18th May 1871, No. 189.

In reply to your docket upon Board's Proceedings, No. 623, dated the 9th February, I have the honour to state, that, as matters stand, I see no object to be gained by making Act IV. of 1864 applicable to Zemindaries.

2. Mr. Graham in his letter quoted in the Proceedings under reference seems to have been of opinion that such introduction would lessen "the inconvenience experienced in getting public work done." To judge from paragraph 4, he attributed this inconvenience to the fact of the village servants not receiving their fees regularly and so being unwilling to work.

3. This may be so, but such inconvenience is felt elsewhere where non-payment cannot be pleaded, and my experience leads me to seek its source in the anomalous position of the Government authorities who have to give orders that they cannot enforce.

4. Let Sections 5, 13, 14 of Regulation XXIX. of 1802 be repealed, and let Curnums and all village servants in Zemindaries be placed with their *confreres* in Government Talooks "under the immediate authority" of the Collector, and I venture to predict the disappearance of the present difficulty.

5. Let the Zemindar have, like a divisional officer, the power of appointing and dismissing all village servants subject to an appeal to the Collector, but let the latter be also enabled to act independently and dismiss on his own motion.

6. This done, and the supremacy of the Collector recognized, the expediency of introducing the Village Cess Act into any given Zemindary will depend on the existence of those circumstances which render advisable its introduction into any given district. This not done, for all the assistance, it will be to us in the collection of the various cesses, let the Act remain inapplicable to Zemindaries.

7. Under Section 4, Act VIII. of 1865, landholders have, and in some cases, I find, exercise, the power to include in a puttah and collect with the rent "fees such as those of the village servants, payable with it according to established usage." If, then, they do not at all times exercise their present powers, what reason have we for supposing they would use any fresh powers that Act IV. of 1864 would give to them?

8. Mr. Grahame seems to have considered that the introduction of the Act into Zemindaries would enable the Government authorities to proceed under it; at all events, in Mokhasa and Agraharam villages. I apprehend otherwise, but however this may be, I would remark that if (as stated by that gentleman) "Government have the right of appointing and dismissing village servants in Mokhasa and Agraharam villages in Zemindaries," there is, to my mind, no doubt but that they have also power under Section 52, Act. II. of 1864, to collect the fees and require no fresh authority.

9. This statement as to Governments' right is, as you are doubtless aware, strongly controverted by the Nuzid Zemindar, who has, it is understood, obtained the opinion of leading Counsel in Madras.

10. In conclusion, I must express my hope that the occasion may not be lost but may be made use of to extend and define, by legislation, the authority of the Revenue officials over all village servants, as without such authority, the additional labour of collecting, in Zemindaries, the new cesses under the Local Funds Acts will be labour indeed.

No. 1,541.

SUBMITTED to the Board of Revenue in continuation of my letter dated 1st May, No. 1,294, in reply to Board's Proceedings, dated 9th February 1871, No. 623.

CAMP DINDI,
30th May 1871.

(Signed) J. A. C. BOSWELL,
Officiating Collector.

From G. VANSAGNEW, Esq., Collector of Nellore, to the Acting Secretary to the Board of Revenue, dated 30th May 1871, No. 985.

I HAVE the honour to acknowledge the receipt of the Board's Proceedings, dated 9th February 1871, No. 623, calling for a report on the expediency of amending the Village Cess Act No. IV. of 1864, so as to make it applicable to Zemindaries.

Sub-Collector's, No. 234, dated 16th May 1871.
Assistant Collector's, No. 25, dated 15th March 1871.
General Deputy-Collector's, No. 95, dated 28th March 1871.

2. Three reports marginally noted are enclosed for the Board's information.

3. The Act in question as it stands is applicable only to ryotwar villages.

4. Section 3 of the Act provides for the cess being collected on the land assessment, including water-tax "payable to Government by each land-holder." It is next to impossible to ascertain the land revenue payable by Zemindary ryots. The determination of the rent value once in three years, for the purposes of the Road Cess Act, has hitherto been attended with many difficulties, notwithstanding such aid as is afforded by Act III. of 1866. As the land revenue demand varies every year the calculation of the village cess, if it had to be made annually, would be a work of very great difficulty.

5. In Zemindary tracts the renting system prevails more or less, and the renters frequently sub-rent their leases to other parties. It does not appear that the Zemindars have statistics showing the holdings of the cultivating ryots, so that if the Act is to be applied to the Zemindary and Inam villages an amendment would be necessary in the first instance as regards the assets on which the cess should be calculated.

6. Section 4 requires that the cess payable by each land-holder should be entered in his puttah. This could not be done where puttahs, if any, are issued by the Zemindars or sub-renters. Besides, under the Rent Recovery Act, it is not obligatory that there should be any exchange of puttahs and engagements, and consequently the provision as regards the entry in the puttah would necessarily remain a dead letter in such cases.

7. Section 5 makes it binding to apply the cess within the limits of the villages in which it is collected. This is another difficulty which it would be impossible to get over.

8. Section 7 of the Act provides for the cess being applied to seven classes of village servants. The Deputy-Collector of Naidupet proposes to apply the cess only to Village Moonsiffs and Village Watchmen. We have concern with the Curnums also. If the Act is to be applied only to some of those seven classes of village servants the ryots would still be liable to pay their old "Kalavasams" or fees to the remaining classes.

9. The foregoing are the main provisions of the Act. It is, therefore, impossible to suggest any amendments so as to adapt this Act to villages held on other than ryotwar tenure.

10. There are some villages like the one referred to by Mr. Grahame which pay no land revenue, and in such villages the difficulty of securing remuneration to the village servants could not possibly be met by any Act framed on anything akin to the same basis as Act IV. of 1864.

11. The village establishments in Zemindary tracts are in a most unsatisfactory condition, and could only be improved by a radical revision, entailing considerable additional cost to Government. The establishment of Deputy Tahsildars in charge of the Zemindary divisions could not attend to the calculation and collection of the cess in question, even if it were possible by any modification of the Act to bring about the legal necessity for so doing.

12. In short it is impossible to amend the Act for the required purpose, or to alter the existing state of things to any useful purpose without revising the establishments; and if Government are prepared to revise the village establishments in Zemindaries they must be prepared not only to bear the heavy additional cost which such revision would entail, but also to increase the staff of the Deputy Tahsildar's establishment at still further considerable expense.

ENCLOSURE No. 1.

From J. C. HUGHESDON, Esq., Officiating Sub-Collector, to the Collector of Nellore, dated Ramapatam, 16th May 1871, No. 234.

With reference to Board's Proceedings, No. 623, dated 9th February, I have the honour to state as follows.

2. It appears that village menial servants in the Zemindaries occasionally complain to the Tahsildars and Deputy Tahsildars of the non-payment to them of their fees by the ryots, who, when they hear of the complaint, usually settle the matter. The Tahsildar of Ongole, however, reports that in 1862 the Sub-Collector issued instructions to his office, to the effect that the Tahsildar had no power to interfere, and that, therefore, he declines to receive complaints.

3. The talook officers seem to be altogether of opinion that Act IV. of 1864 should be made applicable to these cases.

4. That Act would, however, require some modifications. For instance the amount of money or grain payable by the ryot could scarcely be entered in his puttah, for often the ryots have not puttahs, and at all events the puttahs are not issued by us and it would be impossible to have the necessary entries made. The Collector either personally or on reference to the Tahsildar should, I think, have the power of disposing of these matters summarily on complaint, and should issue a warrant for the recovery of the fees determined to be due, together with reasonable compensation for trouble caused to the complainant if the award be made in his favour; also the recovery of cost of executing warrant should be provided for, as Revenue Inspectors would not be available for this purpose and the Zemindary Village Moonsiffs receive no remuneration, while the Curnums could not be expected to undertake additional duty without payment.

5. Complaints should be received free of stamp duty.

(True Copy.)

(Signed) G. VANSAGNEW,
Collector.

ENCLOSURE No. 2.

From S. T. MCCARTHY, Esq., Assistant Collector, to the Collector of Nellore, dated 15th March 1871, No. 25.

With reference to your foot-note on Board's Proceedings, No. 623, of the 9th ultimo, on the subject of the Village Cess Act No. IV. of 1864, I beg to observe that I see no cause why the Act should not be made applicable to Zemindaries as well as to the ryotwar tracts. The difficulties which occur in the collections of grain fees in Government lands, and which led to the passing of the said Act, are equally likely to occur in Zemindary lands.

2. As I read the Village Cess Act it seems to me that it is such as may be made applicable to Zemindary as well as to Government lands, and that no fresh legislature is necessary. I think that nothing more than a Notification by the local Government under Section 11 is necessary to extend its operation to any particular Zemindary or Zemindaries.

3. In order, for the purpose of fixing the village cess payable by ryots in Zemindaries, to ascertain the assessment payable by each ryot it is only necessary to refer to the lists already ordered to be submitted under Section 6 of the Madras District Road Cess Act of 1866.

(True Copy.)

(Signed) G. VANSAGNEW,
Collector.

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ENCLOSURE No. 3.

From C. CUNDASAMY MOODELLIAR, Deputy-Collector of Naidupet, to the Collector of Nellore, dated 28th March 1871, No. 95.

With reference to your endorsement, No. 359, of the 27th ultimo, on the Board's Proceedings, No. 623, of 9th February 1871, I have the honour to report that, in my opinion, it is very desirable that Act IV. of 1864 should be made applicable to Zemindaries, as far as the Village Police Officers and the Moonsiffs are concerned.

2. In my letter, No. 39, of the 2nd ultimo, I laid before you the whole question of Kavalgars' fees as it stands at present in the Venkatagiri Zemindary. I therein stated that the Kavalgars' fees, which form a small percentage on the gross produce of the village, had to be collected from every individual cultivator; that the rate varied in each village; that this rate could not be ascertained without much difficulty; that we had no collecting establishment within the Zemindary that it was, therefore, expedient to leave the collection in the hands of the Rajah's establishment as far as the arrears of one year were concerned, taking it for granted that the village servants' fees fell under Section 4 of Act VIII. of 1865; that the Rajah should be asked to send in a list of fees due to Kavalgars; and that all arrears of more than one year's standing should be collected through our Sub-Magistrates under Act II. of 1864.

3. This course I thought to be the most expedient one under the existing state of circumstances and the law, and this was approved of by you in your Official Memorandum, No. 355, of 27th February 1871. It is, however, much to be doubted whether, if the opinion of the legal advisers is taken on the subject, or the question turns up before a civil tribunal, they would consider that the fee of village servants, which is not an item due to the Zemindar himself, comes within the scope of Section 4, Act VIII. of 1865.

4. At present, if any complaint is received from any Kavalgar that his merahs are not paid to him, we have no means of ascertaining correctly the exact amount due to him. We must only depend upon the account that may be furnished by the Rajah. In some places even the ryots, I fear, are ignorant of the exact quantity of grain or money they should pay, and are at the mercy of petty officials of the Rajah and the Village Curnums.

5. In a place like Naidupet there are no Kavalgars, and on inquiry I was told that none ever existed at this place, although it is a town growing into importance, and there should at least be three or four Kavalgars to assist the local Police. Such wants are, I dare say, felt in many other villages of the Zemindary.

6. Another class of Government Officers in the Zemindary villages whose case is deserving of consideration are the Village Moonsiffs. None of the Moonsiffs in the Zemindary of Venkatagiri get any remuneration. There are no maniams attached to this office in the Zemindary. The Polur Sub-Magistrate personally represented to me on one or two occasions that in some villages he was unable to get candidates for this appointment, as no remuneration is provided for it, although it cannot be denied that in many villages the appointment is sought after for the sake of the position alone, and in some cases on account of the Pound-keeper's pay. Considering, however, the responsible duties required of these officers it is high time that Government should provide some remuneration or other for the Moonsiffs of the Zemindary villages.

7. It is, therefore, very desirable that Act IV. of 1864 should be so amended as to be made applicable to Zemindaries, and that it should be introduced in the Zemindaries and Shrotriems of this district. The system of Kavalgars will then be placed on a more satisfactory basis, and their number regulated according to the requirements of each village, and we can further be able to provide for the remuneration of the Moonsiffs from the proceeds under this Act.

8. A provision should also be introduced in the Act for the collection of these fees. It will certainly be a difficult task for the Government officials to undertake this duty in the Venkatagiri Zemindary. The collection should be made by the Rajah's officials as in the case of the road cess on the rent actually paid by the ryots whether the Rajah direct or to an interven-

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ing renter. This provision should not be restricted for the arrears of one year's standing alone, as in the case of arrears of rent, but should apply to the arrears of longer standing also, as there are Government dues. A small percentage might be allowed for the trouble of collection.

(True Copy.)

(Signed) G. VANAGNEW,
Collector.

From C. G. MASTER, Esq., Collector of Cuddapah, to the Acting Secretary to the Board of Revenue, dated Madanapalli, 27th May 1871, No. 113.

THE Board's Proceedings, dated 9th February 1871, No. 623, call for report on the expediency of amending the Village Cess Act so as to make it applicable to Zemindaries, and also as to the expediency of any other alterations in the Act.

2. Having never had any experience of the working of the Act, I find it difficult to suggest improvements.

3. So many alterations have taken place, however, in the Revenue and General administration of the country since Regulation XXIX. of 1802 was enacted, that it seems very desirable not only to improve the position of Curnums by making the collection of their fees an easier matter than it is at present, but also to place it in the power of the Revenue officers of Government to enforce the greater efficiency of this class of village officer. Many public duties are now required of them which were never dreamt of in those days, and the greatest difficulty is experienced in collecting statistics in Zemindary tracts, because the Curnums are not under the control of any Government officer.

4. The cumbrous procedure prescribed by Section 11, Regulation XXV. of 1802, puts it almost out of the question to dismiss Curnums in settled estates unless in extreme cases. They are practically uncontrolled.

5. But while the Curnums are thus fenced in and protected, there does not appear to be any legislative enactment excluding the jurisdiction of Revenue officers in regard to the other classes of village servants described in Section 7, Act IV. of 1864. In fact, the provisions of Regulation VI. of 1831 would seem applicable to them, as it is expressly stated that only Curnums under Regulation XXIX. of 1802 are excepted.

6. Some of these officials are useful to the land-holder of Zemindar and only to him. Others, e.g., the Moonsiffs, Vetties, and Taliaries, have duties to perform in the Magisterial and Police Departments, and it is very desirable that they should be more under the control of the Government Officials. If their emoluments from fees, etc., were commuted in the manner provided by the Village Cess Act, and payments made to them under the authority and superintendence of the Collector, a very great improvement would be effected in the general administration.

7. Though village servants in Zemindary Tracts are remunerated by land, money-payments and fees as a general rule, it often happens that no Inam whatever is attached to the office of Moonsiff or Reddy, and this makes it all the more desirable that some means of allowing a fixed payment should be adopted.

8. If greater control is to be exercised over village servants in Zemindaries, it would be desirable that a fixed system of filling up vacancies should be observed. So far as Curnums are concerned, the existing law is distinct. If I am right in supposing that the other classes of village servants are nominally under the control of the Revenue Department, I am at the same time convinced that practically very little attention is paid to succession to these offices, possibly because the matter is never brought to notice. In the case of Village Magistrates perhaps, the Revenue officer occasionally intervenes, but he seldom hears of vacancies in other grades. The practice however in this respect may vary in different districts.

9. These remarks may appear rather wide of the point adverted to in the Proceedings under reply, but it seems to me that if any change is to be made which will render the emoluments of these officers more easily available, advantage should be taken of the opportunity to improve their position as regards the Government, and to obtain over them such control as is necessary for State purposes.

10. These arrangements can, I believe, be made without any change of the law in every case but that of the Curnum. In respect to this officer who is the most useful of the lot, I would strongly recommend that if the present incumbent cannot be legally compelled to do our work, provision should be made for the appointment, on behalf of Government, of another person who should be authorized to obtain and submit any information required for Government purposes.

From G. LEE-MORRIS, Esq., Collector of Tanjore, to the Acting Secretary to the Board of Revenue, dated Tritapundi Talook, 19th May 1871, No. 153.

With reference to the Board's Proceedings, dated 9th February 1871, No. 623, I have the honour to report that the Village Cess Act
* Vide Board's Proceedings, dated 28th July 1864, (No. 4 of 1864) has been declared* to be inapplicable to this district.

2. There are, as the Board are aware, thirteen small Polliputs in this district in which the collection of quit-rent, road-cess, and other miscellaneous duties are managed without much difficulty by the Curnums of the adjoining ryotwary villages. In the collection of vital statistics, however, some difficulty is felt, but I do not consider this of sufficient importance to warrant the Village Cess Act being made applicable in this district to these Polliputs.

From T. A. N. CHASE, Esq., Collector of Kurnool, to the Acting Secretary to the Board of Revenue, dated 28th February 1871, No. 52.

In reply to Proceedings of Board, dated 9th February 1871, No. 623, I have the honour to inform you that there are no Zemindaries in this district, but I consider that it is necessary that the Village Cess Act should be put into operation in Agrahams, where, from there being no Service Inams, it is very difficult to get the Local Fund Road Tax; and lately I have been much troubled about not receiving within the prescribed date the Census returns from such Agrahams.

From A. McC. WEBSTER, Esq., Acting Collector of South Canara, to the Acting Secretary to the Board of Revenue, dated Baindur, 8th March 1871, No. 315.

With reference to the Board's Proceedings, dated 9th February 1871, No. 623, I have the honour to state that there are no Zemindaries in this Collectorate, and that I have no remarks to offer regarding the amendment of the Village Cess Act IV. of 1864, which is not in force in this district.

From W. LOGAN, Esq., Acting Collector of Malabar, to the Acting Secretary to the Board of Revenue, dated Tambercherry, 2. th February 1871, No. 55.

With reference to Board's Proceedings, No. 623, dated 9th February 1871, I have the honour to observe that the Village Cess Act is not in force in this district.

From W. T. BLAIR, Esq., Acting Collector of Chingleput, to the Acting Secretary to the Board of Revenue, dated Sydapet, 18th March 1871, No. 100.

I HAVE the honour to acknowledge the receipt of the Proceedings of the Board of Revenue, dated the 9th ultimo, No. 623.

2. I do not consider that it is expedient to extend the Village Cess Act to Zemindaries, and even if the Act were so extended, I do not see what improvement would thereby be caused in the position of the servants in villages like those mentioned by Mr. Grahame in which there are no lands cultivated or cultivable upon which fees could be collected under the Act.

3. Zemindars are responsible for the revenue administration of their estates, and the services rendered by the village establishments are chiefly of a revenue nature and due to the Zemindars. If therefore the Village Cess Act is to be introduced into Zemindaries, its introduction should take place mainly for the convenience of the Zemindars and at their special request. It does not, however, appear that the Zemindars have sought for its extension to their estates.

4. The Curnums' Regulation 29 of 1802 directs that Collectors shall not demand from Curnums in Zemindaries any record or information for any purpose other than that of sub-dividing estates or managing escheated lands, from which it would appear that the collection of quit-rent, road-cess, water-tax, the preparation of accounts connected therewith, the submission of registers of births and deaths, etc., are duties which the Government have no right to impose upon the Village Officers in Zemindaries. These duties have all been recently created by us in consequence of changes in our system of administration, and I think that the proper and fair way of securing their performance is by entering into an arrangement with the Zemindars or by granting additional remuneration to the Village Officers from Government funds.

5. The introduction of the Act will undoubtedly have the distasteful effect of reviving fees that have long ceased to be collected, and will be regarded as a contrivance on the part of Government for raising additional taxation for the purpose of securing the performance of newly imposed duties without extra remuneration.

6. Moreover, if the Act is introduced, it will be necessary to employ additional establishments for the collection of the Cess and its payment to the Village Officers.

7. There are hardly any village servants in Zemindaries who perform exclusively Police services, and where such servants existed, their Inam lands have been enfranchised, though the enfranchisement has not yet been carried out. It is true that there are some servants, such as the Monegar, Curnum, and Vetti who perform some Police in addition to their Revenue duties, but these are so few in comparison with the heavy revenue duties they have to discharge, and which occupy the greater part of their time and attention, that I am disposed to doubt whether the extension of the Act can be considered necessary on this account.

8. I think that the powers vested in Collectors under Regulation 6 of 1831 are sufficient for enforcing the payment of fees sanctioned by usage where they are improperly withheld, except in the case of the Village Curnum, whose dues are seldom kept back. The payment of fees in money would certainly not be preferred to payment in kind either by those who make the payments or those who receive them.

9. Inam villages are to all intents and purposes in the same position as Zemindaries with the advantageous difference that the Curnum in Inam villages falls under the jurisdiction of the Collector under Regulation 6 of 1831, while the Curnum in Zemindary villages does not. There is, therefore, even less reason for extending the Village Cess Act to Inam than to Zemindary villages.

From W. T. BLAIR, Esq., Acting Collector of Chingleput, to the Acting Secretary to the Board of Revenue, dated Sydapet, 31st March 1871, No. 136.

IN continuation of my letter of the 18th instant, No. 100, I have the honour to forward copy of a letter from the Acting Sub-Collector, reporting on the expediency of extending the Village Cess Act to Zemindaries.

ENCLOSURE No. 1.

From C. S. CROLE, Esq., Acting Sub-Collector, to the Acting Collector of Chingleput, dated Mamundur, 29th March 1871, No. 192.

IN reply to your docket on Board's Proceedings, No. 623 of the 9th ultimo, I have the honour to state, that I consider it beyond dispute necessary to make the Village Cess Act applica-

ble to Zemindaries and Muttahs, and that this course would be attended with equal advantages to the Government and the people, while it would tend, by producing contentment and satisfaction, to increase the usefulness of the servants affected.

2. As I have no experience of the working of the Act, I leave the suggestion of amendments to others who have.

(True Copy.)

(Signed) W. T. BLAIR,
Acting Collector.

From W. S. WHITESIDE, Esq., Acting Collector of North Arcot, to the Acting Secretary to the Board of Revenue, dated Chittoor, 14th March 1871, No. 153.

With reference to the Proceedings of the Board of Revenue, dated 9th ultimo, No. 623, I have the honour to report as follows:—

2. The Board are aware that the Village Cess Act is not in operation in this district, and I have heard of no complaints from the Village Officers in the Zemindari tracts bringing to notice the difficulties experienced by them in collecting their fees; and even should there exist any difficulty, I think it may be overcome by enforcing the provisions of Section 52 of Act II. of 1864, which apparently does not draw any distinction between the fees of Village Officers in the Government and the Zemindari tracts; and I am therefore of opinion that its provisions are applicable to all Village Officers, except Curnums in permanently settled estates.

3. I do not consider it at all expedient either to amend the Village Cess Act, or to apply its provisions to the Zemindaries. During the Jummahbundy of the Chittoor Talook, which is now in progress, several Village Officers complained to me of the fact of their fees having been reduced by the transfer of some Government land in their villages to Devastanams, in lieu of ready money allowances granted to them. On this subject, I propose addressing the Board separately.

4. Copy of the Sub-Collector's report is enclosed.

ENCLOSURE No. 1.

From W. WILSON, Esq., Acting Sub-Collector, to the Acting Collector of North Arcot, dated Vellore, 7th March 1871, No. 153.

With reference to your endorsement, dated 27th February last, on Board's Proceedings, No. 623, dated 9th idem, I have the honour to observe that it is not in my opinion necessary in any way to amend the Village Cess Act "so as to make it applicable to Zemindaries." Zemindaries are in no way exempted by the express words of the Act, and as Regulation VI. of 1831, the provisions of which the Act supersedes, was except in the solitary case of the office of Curnum in a settled estate, as applicable to Zemindaries as to Government villages, it follows that the Act in its present form is capable of application to Zemindaries by the mere exercise of the power conferred by Section 11, whereby it may be applied to "any part of a district" by Notification of Government in the *Fort Saint George Gazette*.

2. The expediency of applying the Act is another matter; provision would have to be made for the mode of collection and distribution: its amount could not as in Road and Water Cesses be compounded for and added to the peishcush of the Zemindars. The full amount realized is payable to the village servants, so that if added to the peishcush we should have to give him (out of no available funds) an allowance usually calculated at 10 per cent. for the trouble of collecting it.

As Section 52, Act II. of 1864, provides a remedy for arrears of "fees or other dues payable" by any person to or on behalf of the village servants employed in revenue or police duties, without reference to the *locale* of the service, I do not think it advisable considering the practical difficulties that must attend its working that the Act should ever be made applicable to Zemindaries.

(True Copy.)

(Signed) W. S. WHITESIDE,
Acting Collector.

From J. H. GARSTIN, Esq., Collector of South Arcot, to the Acting Secretary to the Board of Revenue, dated Cuddalore, 11th September 1871, No. 300.

With reference to the Board's Proceedings, No. 623, dated 9th February 1871, I have the honour to state that in my opinion it is expedient to amend the Village Cess Act, so as to make it applicable to Zemindaries and Shrotriem villages.

2. Copies of letters from my Head-Assistant and General Duties Deputy-Collector on the subject are enclosed.

ENCLOSURE No. 1.

From A. L. LISTER, Esq., Head-Assistant Collector, to the Collector of South Arcot, dated Tindevanem, 22nd June 1871, No. 178.

In reply to your Official Memorandum of the 20th instant, I have the honour to submit my opinion that it is expedient to amend the Village Cess Act so as to make it applicable to Zemindaries.

ENCLOSURE No. 2.

From C. SREE BALIAH, Deputy-Collector, General Duties, to the Collector of South Arcot, dated Tricalore, 24th June 1871, No. 229.

I HAVE the honour to acknowledge receipt of Board's Proceedings, No. 623, dated 9th February 1871, and your Official Memorandum, dated 20th instant. The Board desire to be informed, 1st., of the expediency of amending the Village Cess Act so as to make it applicable to Zemindaries, and, 2nd., whether any other amendments are desirable in the Act.

2. I will premise that a subject closely allied to this, viz., the revision of village establishments in this district is now under consideration and that materials for the same are being collected. In the scheme originally submitted, it was not intended that the village servants in permanently Settled Estates should be touched, and in forwarding the scheme to Government, the Honorable Mr. Pelly was of the same opinion.

3. We have 88 villages of that class as in the margin, and the value of Meras, Inams, etc., attached to village servants in these was only

	No. of Villages.	
Shrotriems.....	63	Rupees 6,654-1-10 a year, as ascertained by the
Surra Inams.....	7	Collector in 1862. The enfranchisement of the
Mootahs.....	17	Inams at 5ths the Taram assessment would
Easy Rent.....	1	reduce the sum to Rupees 5,441-11-1, which
Total....	88	

will be quite insufficient for the village servants if the establishment is revised.

The officers in these villages do little or no work for Government, and I am, therefore, respectfully of opinion that the Village Cess Act need not be introduced in these few villages.

So far, as I am aware, the inconvenience adverted to in Mr. Graham's letter has not been felt in this district. It would, however, be advisable to improve the position of these servants, should the means at our disposal admit of it.

4. When the Village Cess Act was first drafted, provision was made in the Bill that the Act should not apply to Zemindaries, but this part was struck out by the Select Committee in the view as expressed by themselves that the Government, acting under Section XI. of the Act, may not be debarred from applying the Act to Zemindaries if they find they can do so.

I am thus of opinion with regard to the first query of the Board that the Act requires no further provision to make it applicable, i.e., to extend it to Zemindari tracts. But when the Act is so extended, the only provision in Section 3 in regard to Inam land would probably be found insufficient for Zemindari lands, and I would suggest that provisions similar to those in Local Funds Act IV. of 1871 in regard to the collection of Road Cess (Sections 38 to 50, Section 48 excepted) be introduced into the Village Cess Act, and that a composition of the cess be also provided for, as in the late Road Cess Act (III. of 1866.)

5. SECOND QUERY.—Regarding the further amendments I would submit that Section 5 may be expunged, and similar provision is contained in Section 2.

Section 4 also is unnecessary in my opinion. The realization of the cess can be enforced under Section 52 of Act II. of 1864.

I would recommend that the last portion of Section 2 commencing from "within the village, etc.," be omitted and words "in the district or part of the district in which such cess is imposed" be substituted. The section as it stands means to me that the entire amount of the cess should be paid to the servants in the particular village in which it is collected. We will not be able to regulate the pay of the servants in relation to the amount of the cess, and the village servants will have to be remunerated according to a scale to be fixed and the scale cannot possibly provide for several grades.

(True Copy.)

(Signed) J. H. GARSTIN,
Collector.

Ed. G. A. Turtan.

From W. S. WHITESIDE, Esq., Acting Collector of Trichinopoly, to the Acting Secretary to the Board of Revenue, dated 19th October 1871, No. 280.

ADVERTING to the Proceedings of the Board, No. 623, dated the 9th February last, I have the honour to state that we have virtually no control over the Village establishments of the Zemindaries, yet their services are in constant requisition by us in the disposal of the heavy work which has of late been thrown on this department in connection with the collection of quit-rent and water tax, etc., the preparation of the accounts therewith connected, the submission of Birth and Mortuary Registers, and the performance of other miscellaneous duties.

2. No unwillingness has hitherto been evinced by these village servants, but still we are powerless to check its occurrence, and they can in the present state of the law refuse to work with impunity.

3. With the exception of the Zemindaries of Marangapuri and Kadavur, where these servants have Inam lands assigned to them, the Village establishments of the other Zemindaries in the district are ill-paid, at the rate of a few Annas for each cawny cultivated in the village; the collection is precarious, and is attended with much difficulty, and the villages are rarely settled by the landlords with any degree of regularity, and not oftener than once in two or three years. The land-owners are frequently led and deceived by idle parasites, and I learn that instances are not wanting where these persons have positively refused to have any personal interview with their tenants. The system, as it at present stands, is anything but satisfactory, and to expect, therefore, regular payments of the village servants is altogether out of question.

4. I have, therefore, been induced to form a different opinion from that which I expressed while acting as Collector of North Arcot, and I think under the circumstances that the Village Cess Act should be so amended as to make it applicable to Zemindaries, at any rate in this district.

5. The proposed amendments should vest in Collectors the power of approving or rejecting the nomination made by the landlords of their village officials, and of fining, suspending or dismissing them from their offices; appeals against such procedure resting of course with the Board and Government as in the case of Ryotwary villages. This amendment will do away with the control now vested in Zillah Courts under Regulations XXV. and XXIX. of 1802, but which is very rarely exercised owing to the course laid down therein for the parties to obtain redress being both tedious and expensive.

6. The Village Cess Act should be further altered to provide for the realization of village cess from the proprietors on the annual rental payable to them by their tenants in the manner prescribed for the recovery of Road Cess.

7. The proposals above made will, while securing strict performance of the duties required of the Zemindary village officials for the administrative purposes of Government, provide also for their better remuneration. The relative position of these officials and of their landlords will be the same as hitherto, but the power vested in the Zillah Judge as respects Curnums will devolve on Collectors.

CIRCULAR MEMORANDUM.

With reference to paragraph 9, G. O., dated 12th April 1872, No. 595, embodied in Board's Proceedings, dated 1st May 1872, No. 700, the Collectors of the marginally noted districts are requested to submit the information called for by Government as to the number and emoluments of Zemindari Curnams in the following Tabular form as far as the several particulars undermentioned are ascertainable.

2. It is particularly requested that the replies to this reference may be sent in within two months from this date.

Name of permanently settled Estate.	Number of villages in each.	Amount of Peishcush paid to Government.	Amount of deduction made to meet cost of village establishments when fixing the amount of peishcush.	Number of Curnams in each Estate.	Curnams' emoluments.	Whether in land, money, or grain fees.	Number of villages without Curnams.
1	2	3	4	5	6	7	8

REVENUE BOARD OFFICE,
Madras,
23rd May 1874.

(By Order.)

(Signed) C. A. GALTON,
Acting Sub-Secretary.

(True Copy.)

(Signed) J. T. MAYNE,
First Assistant.

To the Collector of Ganjam.

" " of Vizagapatam.
" " of the Godavery District.
" " of the Kistna District.
" " of Nellore.
" " of Chingleput.
" " of North Arcot.
" " of South Arcot.
" " of Tanjore.
" " of Trichinopoly.
" " of Madura.
" " of Tinnevelly.
" " of Salem.

Copy to all other Collectors.

Exd. G. A. Turton.

From C. T. LONGLEY, Esq., Collector of Salem, to the Secretary to the Board of Revenue, dated 17th January 1872, No. 10.

In reference to the Proceedings of the Board, dated 9th February last, No. 623, calling for a report as to the advisability of introducing the Village Cess Act into Zemindaries, I have the honour to state, that I see no necessity for its introduction into the Mutas of this district.

2. There are certain evils in the present system of the village service in Mutas, which occasions inconvenience to the public service; but these can, I think, be remedied by other measures than the introduction of the Village Cess. The evils I complain of are,

(1.) The want of control over a Curnam in a Muta when any Returns or Accounts are required by Government.

(2.) The inefficient state of the toty service (village police) in Mutas.

3. At the permanent settlement, deductions were made from the revenue for the payment of the following servants:—

- | | |
|-----------------|------------------|
| (1) Monigar. | (4) Tandolkaran. |
| (2) Curnam. | (5) Toty. |
| (3) Nottagarou. | (6) Nirkotti. |

Of the above 6 classes, only the toty can be said to render great service to Government, and this he does in the Police Department; and it is difficult to understand why, such being the case, the payment of this class of servants should have been left in the hands of the Muttadar. I would recommend, therefore, that the deductions made from the Peishcush for the toties, should be at once added to it and thus make this most useful and important class of servants free of the Muttadar. These deductions, now to be added to the Peishcush, will be added to the village service funds, and an efficient and regularly paid toty establishment for Police service kept up in Muta villages.

4. The second evil to be remedied is the present independent position of the Muta Curnams as regards the Revenue Officers of the District. As the law now stands (Section 16, Regulation XXIX. of 1802) a Collector is powerless to compel a Curnam to produce accounts, but must move the Adawlut Court to punish him; a process so tedious that it is very seldom resorted to. The Curnam is no doubt, far more the servant of the Muttadar than of the Government; but, in order to enforce punctual submission of the Death and Birth Registration Returns and Returns under Section 11. XXIV. of 1802, the Collector ought, I am sure, to be empowered with the primitive powers granted under Section 16 (of the Regulation above quoted) to the Adawlut.

5. The system of payment to village servants in Zemindaries in the Kistna District, appears to be very different from that prevailing in Salem. Here, as before remarked, such servants were at the permanent settlement, allowed a ready money payment by deductions from the Peishcush; whereas in Kistna apparently, the servants look to the ryots and merchants for meerahs, as their remuneration; and, under such circumstances, which do not exist in Salem, it may be necessary to introduce the Act as a means of computing the recognised meerahs into ready money payments.

Exd. G. A. Turton.

1874.
Board of Revenue,
MADRAS.

Per 4329/5

CIRCULAR MEMORANDUM.

Dated 23rd May 1874.

Received

Encl.

M A Y.
No. 651.

Zemindari Curnams.—Form in which information called for by Government as to number and emoluments of—should be submitted by certain Collectors, prescribed.

Collectors and Zemindars' Replies

G. O. 12th April 1872 No. 595

Districts.	Names of the Zemindars.	Page.
Coimbatore	Kallikote	5
	Chimayamudy	6
	Chelavady	"
	Marla	"
	Sata Sechali	"
	Salagam & Kundigam	"
	Urlam	7
Vizagapatnam		84/13
	Vizianagaram	9
	Sangamvala	10
	Ankapally	11
Godavery		137/14
	Pittapur	13
Mistna		14
	Devaracota	15
	Muzid	17
	Chavandra	19
Mellore		21
	Venkatajiri	22
	Kalastry	23
Bellary		26
Cuddapah		26
Kurnool		26
Chingleput		26
North Arcot		27
South Arcot		28

No 4329/1

Districts	Names of the Zemindars.	Page
Tyre		28632
Trichinopoly		32
Madura		34646
Immerelly		46
Coimbatore		47
Milgiris		48
Salem		48459

Muttas of		
Salem & Palamudu		53
Sothavally		55
Mulagherri		55
Chenna Kunthole		56
Kanthanaipatty		57
Kontharapully		57
Commanalore		58
Mettaputty		58
South Canara		59
Malabar		59

PROCEEDINGS OF THE BOARD OF REVENUE, dated 1st May 1872.

Read the following Proceedings of the Madras Government, dated 12th April 1872, No. 595, Revenue Department, on Proceedings of the Board of Revenue, dated 6th October 1869, No. 7,424, and 15th June 1870, No. 4,149.

ORDER THEREON, 12th April 1872, No. 595.

Miscellaneous.

In the first Proceedings recorded above, the Board of Revenue reported that, owing to certain difficulties which

had occurred in the collection of statistics from Zemindars, they addressed the Collectors of districts, calling for their opinion on the practical working of the existing system under which the jurisdiction over Curnams in permanently settled estates is vested solely in the Civil Courts. They submitted with the same Proceedings the replies of these officers, and, advertng to the generally unsatisfactory nature of the state of matters disclosed, they recommended that Regulation XXIX. of 1802 should be modified, and that Zemindari Curnams should be rendered summarily responsible to Revenue officers for acts of misconduct injurious to ryots, and for neglect to render statistical returns called for by the Board and Government.

2. Previous to the receipt of these Proceedings, the difficulty which was felt in the collection of statistical returns in Zemindari estates had been brought to the notice of Government in the Board's Proceedings, under date 30th August 1869, and in the Order thereon, dated 5th October 1869, No. 2,725; the Board's attention had been drawn to the Order of 14th June 1865, No. 1,310, with the remark that, if the proposals of the Board, which were sanctioned in paragraph 2 of that order, in regard to the recognition of a Government officer in villages belonging to permanently settled properties, had been carried out, the collection of statistical information should have been greatly facilitated. The disposal of the first paper above recorded was accordingly deferred until the receipt of the Board's reply to the Order of Government dated 5th October 1869, No. 2,725.

3. In the Board's second Proceedings above recorded, they replied to this order, and submitted reports from the Collectors of districts, stating that, as a matter of fact, no opposition had been manifested either by proprietors or heads of villages to the collection of statistics, and that the difficulties in obtaining them had diminished considerably.

4. They expressed their belief that by due encouragement and considerate treatment much might be done to improve the position of the heads of villages in Zemindaris and to make it a post of honour, and that the ground already gained during the last few years in the matter of collecting vital and other statistics in Zemindaris should be maintained.

5. The Government observe that there are two questions involved in this matter:—

The first is the difficulty experienced in procuring correct and regular returns of vital and other statistics from Zemindari Curnams. It is no part of the legal

2

duty of these Curnams to render such returns, and the law practically protects them from all punishment. The Government understand that, through the co-operation of the Zemindars, this difficulty is somewhat lessened now, and further improvement may be anticipated; and they are, therefore, not in favour of any change in the law at present, though doubtless the returns are not all that can be desired. In the course of another year or two, when the ignorance of the people regarding the purposes for which vital statistics are required is dispelled, and their suspicions and prejudices removed, it will probably be necessary to provide by law for the collection of these statistics all over the country, to make it the duty, under penalty, of those in whose households births and deaths occur to report them within a stated period to some public officer, and to make it the duty similarly of that officer to register such events, and to render returns of them in manner prescribed. When such a law is enacted, it will be for consideration on what officer, Munsif, Curnam or other, the duty of registration should be imposed; what remuneration, if any, should be assigned for the work, etc., etc.

The other question is the virtual immunity which Zemindari Curnams enjoy for misconduct under Regulation XXIX. of 1802. Under this Statute a Curnam cannot be punished otherwise than by dismissal, and this only by sentence of a civil tribunal, at the instance of the Zemindar alone. It is obvious that there are numberless cases of neglect of duty, disobedience of orders, and other petty misfeasances, for which a fine or temporary suspension would be sufficient punishment, but for which dismissal would be far too severe, and which a Zemindar would rather pass without notice than incur the expense and trouble of bringing before a Court of Justice. Again, the inconvenience which this cumbersome process entails may, it is to be apprehended, lead not only to matters which ought to entail punishment passing unpunished, but to Zemindars resorting to the irregular means which they undoubtedly possess, of coercing their Curnams. The virtual denial of an easily obtained legal remedy naturally induces resort to irregular methods of redress. It is a fact that the Zemindars do not have recourse to the Courts for the punishment of Curnams, and as it cannot be supposed that these officers are universally immaculate, the natural inference is that offences go unpunished owing to this peculiar provision of the law.

6. The circumstance that by law the Zemindar is the only person who can institute proceedings in the Courts for a Curnam's dismissal may also operate injuriously in another way. The Curnam is intended to be a protection to the ryots against the Zemindar; his books and accounts are the record of their rights, etc. But as the Zemindar is the only person who can cause his dismissal, the Curnam is naturally led to ingratiate himself with the Zemindar, who, of course, must also find it to his advantage and convenience to be on good terms with the Curnam. The law thus itself provides no means of ascertaining whether a Curnam really performs the duties assigned to him by law; in fact, imposes obstacles in the way of any such investigations, and affords no remedy whatever to ryots whose interests may be affected by a Curnam's delinquencies.

7. The Government are, therefore, of opinion that a change in the law is required, which shall afford a Curnam all due protection without conferring practical immunity from punishment for misconduct, and which shall admit of due performance of his duties being ensured.

8. They are disposed to think that Collectors might be vested with power to inflict fines on Curnams within a certain limit, or to suspend them for stated periods after formal inquiry for breach of duty coming within their own cognizance, or brought forward by Zemindars or ryots, an appeal lying to the Board of Revenue within six months.

9. Dismissal might be left to the Courts, power to prosecute being extended to the Collector, which arrangement would afford ample protection; and pending the decision in the suit, a temporary Curnam might be appointed by the Zemindar. The Collector of his own motion, or at the instance of Zemindar, should have power to examine Curnam's accounts, or to do either by a special agent, so as to ensure the Curnam doing his work properly. The Government request the Board to prepare a Draft Bill according to the above sketch, and desire that they will obtain fuller information regarding Zemindari Curnams, their number and emoluments, and also as to the number of villages which are without Curnams, etc. The Board will, as proposed by them, obtain and submit the opinions of some of the principal and most intelligent Zemindars on the proposed legislative measure.

(True Extract.)

(Signed) W. HUDLESTON,
Officiating Chief Secretary.

COMMUNICATED to all Collectors, who will call upon the Zemindars in their Districts to state what number of villages in their estates are without Curnams, and whether they are prepared to supply the deficiency by nominating fit persons and assigning land as an endowment for the office or other suitable remuneration.

2. Collectors will at the same time endeavour to ascertain the feeling of the principal and most intelligent Zemindars as directed in paragraph 9, and submit them with their own opinions at an early date.

(True Extracts.)

(Signed) J. B. PENNINGTON,
Sub-Secretary.

(True Copy.)

(Signed) M. JORDAN,
Second Assistant.

To all Collectors.

Exd. T. Cartledge.

From C. G. MASTER, Esq., Collector of Ganjam, to the Secretary to the Board of Revenue,
dated Chatterpore, 30th September 1873, No. 2,425.

I HAVE the honor to reply to the Board's Proceedings, dated 1st May 1872, No. 700, on the subject of the Curnams in the permanently settled estates.

2. The number of Zemindari and Proprietary villages which are without Curnams in this District is seventy-one, as follows:—

Peddakimedy Zemindari	19
Chinnakimedy do. .. .	11
Bodagada do. .. .	31
Dharakota do. .. .	2
Humma do. .. .	2
Talagam and Nandigam—Proprietary Estates .. .	6
Total ..	71

3. The Zemindars of Peddakimedy, Humma, and Surangi have not replied to the call made on them; and the information relating to their Zemindaries had therefore to be gathered from the accounts in my office obtained some time ago.

4. As to appointing Curnams to villages which have none at present the Zemindar of Chinnakimedy says that those in his estate are too insignificant to have a Curnam. He, however, seems prepared to grant some land if required to do so. The Zemindar of Bodagada says that those in his estate have no houses or inhabitants, the lands being tilled by the ryots of the adjacent villages, and that he does not therefore consider it necessary to appoint Curnams to them. The other Zemindars have not given any reply to the inquiry on the subject.

5. As to the proposition to change the existing law so as to vest the Collector with power to fine and suspend Curnams in the Zemindari and Proprietary estates, the views of the Zemindars of Kallioote, Chinnakimedy, Chikati and Tarla, as well as of the proprietors of Teekali and Urlam, have been obtained, and they are all in favor of the measure. I do not consider the opinions* expressed by the Zemindars of much value; but I am inclined to think that their feelings are not generally against the proposed measure.

* An abstract of the opinions is herein enclosed.
(Enclosure A.)

6. I think that the proposed alteration of the law is very desirable if not indispensable. Regulation XXIX. of 1802 provides for the keeping of several registers, but this enactment is ignored. No one except the Civil Court has got power to enforce anything on these Curnams, and they defy every attempt of ours to get anything out of them. The sooner the proposed change is carried out the better.

7. At the same time I think that the Zemindars and Proprietors should themselves have more powers over their Curnams than they now have. According to law the Zemindar is to support the Curnam, i. e., remunerate him out of his property, and it is therefore awkward that he should be deprived of any control over the Curnam whom he is made to pay. I think that the Zemindar should have power to fine, suspend, and also dismiss his Curnams, leaving it open to the party aggrieved to prefer an appeal which should lie to the Collector. It is a fact that the Curnams to a great extent disregard the orders of their Zemindars and Proprietors and care little for them. We have ample proof of this in the estates under the management of the Court of Wards, where much difficulty is often experienced in getting any information.

8. Another difficulty now experienced in regard to these Curnams is in having one Curnam for a large number of villages, sometimes 30. Section 2 of Regulation XXIX. of 1802, which provides for the appointment of a Curnam for every village paying a revenue of 400 Pagodas or Rupees 1,400, is ignored, and the clubbing of several villages paying less than 400 Pagodas

1872.

Board of Revenue,
MADRAS.

PROCEEDINGS, 1ST MAY 1872, No. 700.

Encl.

Received

MAY.
No. 700.

Estates—Permanently settled—Curnams in.—Proceedings of Government requesting Board to prepare a Draft Bill vesting Collectors with power over Zemindari Curnams guilty of neglect of duty, etc., and to obtain fuller information regarding number, emoluments, etc., of Curnams, and opinions of some of the Zemindars on the proposed legislative measure, forwarded to all Collectors for enquiry and report.

under one Curnam, an arrangement which the latter part of the said section sanctions, has been carried out to a very inconvenient extent. The existing law seems sufficient to remedy such defects; and with the Board's permission I purpose calling upon the Zemindars and Proprietors to appoint a Curnam (giving him emoluments) for every village or group of villages, the revenue of which amounts to Rupees 1,400, doing away with the present system of having one Curnam for a large number of villages, whatever their aggregate revenue may amount to. I would insist that where one Curnam is appointed for more than one village his charge should in no case be more than Rupees 1,400 per annum. I take the spirit of the law above quoted to be this, though the letter of it may admit of a more liberal interpretation in favor of having one Curnam for several villages, each yielding less than 400 Pagodas without reference to their aggregate revenue.

9. I append a statement showing the number of villages, the number of Curnams, and the number of villages having no Curnams in each estate.

ENCLOSURE No. 1.

Opinions of Zemindars.

1. *Kallicote*.—The lands which the Curnams hold in the Hautghur estate are not those permanently settled, and are also not inserted in accounts for Faslies 1226 and 1241. They are the lands subsequently given to the Curnams in lieu of their pay. It is advisable that the Zemindars should have some control over those who are enjoying lands in the estate. It is most inconvenient for them to render information called for by the authorities, as many of the Curnams have been holding their appointments for more than two villages. It is further advisable that the Curnams should only be appointed for one or two villages but not more.

2. *Chinnakimedy*.—The power of dismissing Zemindari Curnams should lie with the Revenue authorities, and when such power has been so delegated to them the power of disposing of appeals against the dismissals of Curnams should lie direct to the Civil Court.

3. *Chikati*.—As the power of dismissing the Zemindari Curnams is vested in the Civil Courts, and as it is most inconvenient for the Zemindars to go to Civil Courts to prefer complaints against Curnams for their misconduct, the Zemindars generally incur unnecessary risks of failure of justice. It is advisable that the Revenue authorities should have the sole control over the Curnams. The Curnams are not in the habit of keeping registers or accounts which are absolutely required. When any information is called for it is difficult to ascertain from the Curnams without referring to records. In cases where records are not kept it is much more difficult to ascertain. The Curnams are not acquainted with arithmetic. In the whole Zemindari there is no assessment in money but in kind. When the paddy is heaped in threshing-floors the Curnams are in the habit of going to the threshing-floors with four or five cadjan leaves and an iron pen to collect their rusumis from the ryots and demanding fees (emoluments) higher than they are entitled to receive. The regulation in question facilitates this. It is therefore desirable to confer upon Revenue authorities the power of appointing and dismissing the Zemindari Curnams.

4. *Tarla*.—There would be no harm if the proposals alluded to in the Board's Proceedings are brought into effect.

5. *Pata Teckali*.—The proposals of Government may be carried into effect.

6. *Talagam and Nandigam* agrees with the opinion of Government of empowering Collectors to fine Curnams in consideration of their emoluments, or to suspend them for six months, or to award both punishments for their neglect, misconduct, or other slight faults. The power of dismissing them may be left to Civil Courts. The power of seeing and appointing Curnams should be left to landlords but not to Collectors, because they will be empowered to fine and suspend them for slight faults. Offences requiring higher punishments than the above will not be committed in the performance of duties. In such cases they will be tried criminally

and will make themselves unfit for further duty. The power of appointing Curnams temporarily, pending the decision of the Courts, should be vested in the Zemindars. The power of inspecting accounts of Curnams should be left to Collectors.

7. *Utlam*.—Collectors should be empowered to fine and suspend Zemindari Curnams. The power of dismissing them should be left to Civil Courts. The power of appointing Curnams temporarily, pending the execution of the Court's decree, and of fining them for slight faults, should be vested in the Zemindars and Proprietors. Every Curnam should be required to reside in his Karnikam villages. The other proposals may be brought into effect.

CHETTERPORE,
30th September 1873.

(Signed) C. G. MASTER,
Collector of Ganjam.

ENCLOSURE No. 2.

Name of the Estate.	Number of Villages in the Estate.	Number of Curnams in the Estate.	Number of Villages having no Curnams.	Remarks.
Jalantra	83	9	...	Under Court of Wards.
Mandasa	138	14	...	Six villages are Beehirak.
Budarsinghi	21	17	...	
Barwa	62	1	...	Under Court of Wards.
Peta	4	17	...	There are 13 hamlets besides; 1 village and 3 hamlets are Beehirak.
Tarla	45	17	...	
Pata Teckali and Raghema-thapore.	75	32	...	
Nandigam and Talagam ...	67	28	6	There are 18 hamlets besides; 5 villages having Curnams and 5 having no Curnams are Beehirak. The proprietrix does not say whether she is willing to appoint Curnams to villages having none at present.
Purlakimedy	500	122	...	Under Court of Wards.
Danta	7	7	...	
Gopaulpore	6	6	...	
Akkayavalsa	2	2	...	
Chittivalsa	16	16	...	
Beddam	2	1	...	This is an agharam, and the Bhukta or the head of the village does the Curnam's duties.
Pedda Tungam	1	1	...	
Chinna Tungam	1	1	...	
Jarjangi and Yelamanchili...	5	3	...	There are hamlets in Yelamanchili.
Soudam	3	2	...	
Tilaru	7	6	...	This does not seem to include agharams.
Kallikota	198	178	...	
Athagada	224	133	...	
Biridy	82	23	...	
Palur	15	13	...	
Humma	7	4	2	* Besides these there are 7 hamlets. The Zemindar has not furnished the information. The figures are inserted with reference to an account of Fasli 1266 in the Huzur.
Aska	10	6	...	
Devabhumi	9	9	...	
Kurla	8	8	...	

Name of the Estate.	Number of Villages in the Estate.	Number of Curnams in the Estate.	Number of Villages having no Curnams.	Remarks.
Bodagada	117	30	* 31	* Nine of the villages having Curnams are Beehirak or deserted, i.e., there are no houses and inhabitants. With regard to villages having no Curnams the Zemindar says that they yield a trifling revenue and are too insignificant to have a Curnam.
Dharacota	134	102	2	Under Court of Wards. The Zemindar says that the villages having no Curnams are too insignificant to have a Curnam yielding a trifling revenue; 40 of the villages having Curnams are Beehirak. The Zemindar has not furnished the information called for. The figures are entered with reference to the returns received in the Birth and Death Registration Department.
Serugada	30	19	...	
Chinnakimedy	169	69	11	
Peddakimedy	184	106	19	The Zemindar has not furnished the information asked for. The figures are inserted with reference to the returns received in the Birth and Death Registration Department. It is not known whether there are any villages which have no Curnams. There is a hamlet.
Chikati	118	67	...	
Jarada	27	8	...	
Surangi	22	13	...	
Belarnara Palavalsa	1	1	...	
Konusula Kottur	1	1	...	Three villages are Beehirak.
Jonnapada	1	1	...	
Susuram, Rajapuram, and Siddibehera Kottur.	4	2	...	
Tallavalsa	1	1	...	
Urlam	7	11	...	
Talasamudram	1	2	...	
Santalakshmipuram	2	1	...	
Gottipilli	19	13	...	
Karakavalsa and Munagavalsa.	77	29	...	
Total ...	2,513	1,115	71	

CHETTERPORE,
30th September 1873.

(Signed) C. G. MASTER,
Collector.

From R. J. MELVILLE, Esq., Acting Collector of Vizagapatam, to the Secretary to the Board of Revenue, dated Gajapatinagram, 19th December 1872, No. 1,551.

REFERRING to the Board's Proceedings, dated 1st May 1872, No. 700, I have the honor to forward herewith translations of letters received from the Zemindars noted in the margin, to whom I applied for their opinion, expressing their feeling on the subject of vesting Collectors with power over Zemindari Curnams, together with a statement showing the number of villages in each

estate that are without Curnams, and whether the Zemindar or Proprietor is prepared to supply the deficiency by nominating persons and assigning land or money allowance as an endowment for the office.

2. The statement is not complete, as the Zemindars noted in the margin have not as yet replied though often reminded. A supplemental statement will be submitted as soon as they have all been received.

3. From the enclosures it will be seen that the Zemindars from whom replies have been received are entirely in favor of the change in the law proposed by Government. I have no doubt from what I know of them that the opinions held by other Zemindars are similar.

4. From the communication received from the Manager of the Vizianagram estate it appears that, in his opinion, the proposed change does not go far enough, and he recommends that the power of dismissal from office should be given to the Collector. In this I entirely agree with him. It is difficult to see why Curnams in a permanently settled estate should be differently treated to those in Ryotwary villages, or why they require any special protection. Under the present system the Zemindars with the best will in the world are powerless to assist the Revenue authorities in obtaining from the Curnams the ever-increasing details and statistics required by the Board and Government.

5. The present seems a fitting occasion to revise the emoluments of the Curnam's office and to define their duties. Up to the present time it has been the practice, as a matter of course, to demand from the Curnams any new statistical returns by whatsoever department required. In this way they have been burdened with the duties of preparing Sanitary, Vital, and other Returns. The number of returns of the sort required is more likely to increase than diminish, and it must be remembered that the Curnam's emoluments were fixed at a time when his sole duty was to prepare two or three simple revenue accounts. If the work thrown on his office is to be increased at the present rate the office will soon cease to have any value, and it will be difficult to find candidates for it. Indeed in this district I have noticed indications that the limit of the endurance of the Curnam has been about reached. In future it would be but reasonable that the department requiring statistics should provide the means to remunerate those employed to collect them. The knowledge that it would be necessary to do so would afford a wholesome check, at present altogether wanting, to the demand for unnecessary statistics which are collected at the expense of much time and trouble and are useless, and in fact worse than useless inasmuch as they are incorrect and misleading when collected.

ENCLOSURE No. 1.

From P. JAGANNADHARAZ, Superintendent and Head Manager, to the Acting Collector of Vizagapatam, dated Vizianagram, 26th October 1872.

With reference to your letter of the 3rd instant I beg to submit my opinion in answer to your No. 573, of 7th June last, on the subject of Curnams.

1. Under Clauses 3 and 4, Section 7, of Regulation II. of 1806, and Sections 3, 4, 5, 6, and 7 of Regulation VI. of 1831, Collectors and the Board of Revenue have in Government estates all the powers which Civil Courts have in respect to Curnams. The duties in such estates are consequently transacted with fear and loyalty.

2. In respect to Curnams in Zemindari estates Sections 2, 6, and 7, of Regulation XXIX. of 1802, vest landlords with an insignificant power to dismiss them in conformity with Civil Court's decisions in cases of fraud, incapability of performing duty, neglect of duty and the like grave crimes, and to appoint new persons in their places. The appointments are intimated to the Collector. Owing to this trifling power the Zemindars are always obliged to get any particular business performed by the Curnams with difficulty and artfully.

3. It is the Zemindars that have always many things to be done by Curnams in Zemindari estates. If we are to intimate every trifling offence to the Collector and get it punished it will greatly increase our present work, and our having to wait for the result of the investigation to nominate other persons will delay many things to be performed by them. It would therefore be better to empower the Zemindars, in cases of neglect of duty, non-presentation of accounts and other offences committed by the Curnams, to recommend to the Collector to suspend or fine them, investing the original jurisdiction in the Collector and the Appellate in the Board of Revenue. This will tend to justice and prevent increase of work.

4. If Collectors and the Board of Revenue have power to impose punishments on the said Curnams for offences committed by them in connection with things to be performed for Government their (Government's) work will be done well. If Collectors are to prosecute suits against Village Curnams in Courts for their dismissal, either at the instance of the Zemindars or on account of things in which Collectors are concerned, not only the Collectors and the Board of Revenue will have much work, but the correspondence with the Zemindars will augment. I therefore see no objection to the Civil Court's power, which Collectors have in respect to Curnams in Government estates under their own management, being extended to the case of Curnams in Zemindari estates.

5. I therefore beg to state from experience that the offices of Curnam will be performed more properly and obediently than at present in case the Collector and Board of Revenue are invested with the same powers which the Civil Courts have in respect to the dismissal of Zemindari Curnams also, and provision is made for the Zemindars to be plaintiffs.

6. There are about 2,000 Curnams for the Jerayati, Agraharam, Mokhassa, and Talabdivani villages in Sri Vizianagaram Raj, all of whom have service lands. The Taluq Amins are making

• By the Vakeel,

inquiries about and preparing statements of their incomes. I beg to send* herewith the

statements of Chodavaram and Govindapuram Tanahs, which have been finished for the present. The other statements will be forwarded as soon as received. Only twenty small hill villages bearing a dowlie of small sums, such as Rupees 100, 50, 25 and 10, are destitute of Curnams and Curnicam lands. The revenue duties connected with these hamlets are up to now being performed by the Revenue Gumastahs of the taluq. In the event of Government nominating Curnams hereafter for the performance of their work also I shall agree to pay in ready money adequate remuneration for the performance of the revenue duties.

(True Translation.)

(Signed) D. PURUSHOTTAMAYA,
Deputy Collector.

ENCLOSURE No. 2.

From M. NISSENKULU, Zemindar of Sangamvalsa, to the Collector of Vizagapatam, dated Mrutyanjayanagram, 18th June 1872.

I HAVE fully understood the contents of your letter of the 7th June, No. 574, stating that some Zemindars are concealing petty offences committed by Zemindari Curnams in the discharge of their duties, as it would entail on them much expense in taking steps in the Civil Court in regard to such offences, and that in consequence the Government contemplate regulating this matter by amending certain portions of Regulation XXIX. of 1802 for the trial of Curnams for not having prepared and produced important accounts before Collectors, not having obeyed notices issued to them in connection with current business, and the like offences, by placing such offences within the cognizance of Collectors, and by vesting them with the power of imposing adequate punishments for them, and have issued orders to the Board of Revenue on the subject ;

and requesting my opinion in detail whether the valuable contemplation of Government, if brought into effect, would facilitate their business. In reply I beg to state as follows :—

1. To take steps in the Civil Court regarding every trifling offence committed by Curnams is, as stated by you, causing not only much trouble to the Court, but a great deal of expense to the Zemindars, though the punishment inflicted is as insignificant as the offence itself. Although the offence is petty yet the Court has to proceed in full in all respects in pursuance of the rules of the Court.

2. The Right Honorable the Governor's empowering the District Collector to check Curnams in the discharge of their duties, and to inflict punishments for certain offences, is conducive to welfare of the country, and causes, among several other advantages, the Curnams to keep the revenue accounts and other records in such proper order as to give you and our Zemindars full information regarding the villages in our transacting business, and to prepare such accounts as may be required completely and without doubts.

3. Owing to the non-adoption of these measures, and want of contemplation on the part of the authorities touching the matter until now, the Curnams have been discharging their duties as they liked, omitting to qualify themselves for their offices and neglecting to keep the accounts and other village records in proper order.

4. Whenever I have business with village accounts, or whenever I am requested by the authorities to furnish information regarding any accounts, I am causing all the Curnams to attend my office and prepare the accounts correctly with reference to the office records, and in so doing I am instructing the somewhat intelligent Curnams as far as possible in the way of preparing accounts, etc. ; but they are acting negligently and fearlessly in the discharge of their duties. Moreover, the Curnams in some places are, in contradiction to Curnam Service Rules, dividing their duties with their brothers as in the case of their properties, and the brothers are affixing their signatures with the words "with the consent of such a man" prefixed to them.

5. Every village in my Zemindari has a Curnam performing the duties of Curnam. In the event of any Curnamship becoming vacant I will appoint a new man to fill it and intimate the same to the District Collector in accordance with the Governor's Agent's letter, No. 122, of 25th April 1862, accompanied by a printed statement. As requested in your letter I beg to submit herewith for your perusal a statement of Curnams and the assessment of lands enjoyed by them in lieu of pay as apparent from the accounts.

I beg that you will submit to the Board of Revenue with your noble conclusion the circumstances I have expressed above, much applauding the contemplation of the Honorable Government and agreeing in their opinion, and that you will cause them early to come into operation.

(True Translation.)

(Signed) D. PURUSHOTTAMAYA,
Deputy Collector.

ENCLOSURE No. 3.

From A. JANAKIRAMUDU, Muktyar, to the Acting Collector of Vizagapatam, dated 10th October 1872.

Azri addressed by Sri Gudivada Lakshmi Narsingarau Garu, Proprietor of Ankapally and other Hundas.

2. I beg to acknowledge receipt of your letter of 7th July last, and offer my thanks for the Government having now taken into consideration the conduct of the Village Curnams and the inconvenience they are giving to the people and Zemindars, and for having contemplated to amend their conduct as stated therein.

3. It is very necessary and very beneficial to carry out early the contemplation of Government in this matter.

4. I beg to herein enclose, as requested in your letter under reply, a statement showing the names of Curnams of the villages in my estate, and the particulars of incomes at present derived from their Merassi lands.

5. I request that you will be pleased to suggest that provision be made in the Act, that the Curnam of each village should perform his duties living in that village, and that such Curnams as do not live accordingly be removed. This thing has been written in accordance to the sentiments of many people.

(True Translation.)

(Signed) D. PURUSHOTTAMAYA,
Deputy Collector.

ENCLOSURE No. 4.

REPLIES OF ZEMINDARS TO PARAGRAPH 1.

Statement showing the number of villages in each Estate that are without Curnams, and whether the Zemindar or Proprietor is prepared to supply the deficiency by nominating persons and assigning land or money allowance as an endowment for the office.

No.	Zemindari or Proprietary Estates.	Number of Villages without Curnams.	Whether the Zemindar or Proprietor is prepared to supply the deficiency by nominating persons and assigning land as an endowment for the office or other suitable remuneration.
1	Vizianagram	20	These are small hill villages paying small sums. If Curnams be appointed for the performance of Government duties also the Zemindar is prepared to pay his share in ready money remuneration adequate for the discharge of revenue duties.
2	Bobbily	...	" " "
3	Madagole	...	" " "
4	Kurapaum	19	If Curnams be appointed the Zemindar thinks it proper to fix certain rissums (allowances) for them.
5	Ankapilly	...	" " "
6	Sherrhamudpuram	...	" " "
7	Wooratla	...	" " "
8	Sangamvalsa	...	" " "
9	Waltair	...	" " "
10	Koorada Kondayavalsa	...	" " "
11	Idulupaka Bonangi	...	" " "
12	Appikondah	...	" " "
13	Cheepurpilly	...	" " "
14	Pedagumalur	...	" " "
15	Sidheswaram	...	" " "
16	Karrialsa	...	" " "
17	Chemudu	3	The Zemindar is not prepared to appoint Curnams for these villages as their dowle being very small, the work connected therewith is performed by the Curnam of another village (Lambara.)
18	Mamidivada	...	" " "
19	Wungaradah	...	" " "
20	Cheedikada Jaganadhapuram	...	" " "

VIZAGAPATAM,
19th December 1872.

(Signed) D. PURUSHOTTAMAYA,
Deputy Collector.

From J. R. DANIEL, Esq., Acting Collector of Vizagapatam, to the Acting Secretary to the Board of Revenue, dated 28th August 1873, No. 1,285.

REFERRING to paragraph 2 of this office letter, No. 1,551, dated 19th December last, I have the honor to inform you that the proprietors therein referred to state that there are no villages in their estates which are without Curnams.

2. The Zemindar of Jeypoor informs me that there are at present no Curnams in his Zemindari, and that he would secure the services of these officers when competent men are available.

3. His accounts are prepared by Mazzumdars from his own establishment.

4. That he at present cannot find suitable men for the office of Curnam, but will try to secure them.

From W. S. FOSTER, Esq., Acting Collector of the Godavery District, to the Secretary to the Board of Revenue, dated Cocanada, 5th December 1872, No. 379.

WITH reference to the Board's Proceedings of the 1st May last, No. 700, relative to the change of law regarding the Zemindari Curnams, I have the honor to report that there is no Zemindari village in this district which has not a Curnam, except in the Tangellamudi estate, from which no information has as yet been received. There are, however, many villages which are under the same Curnam, as contemplated by the latter part of Section 2, Regulation XXIX. of 1802. The information regarding Tangellamudi will be sent as soon as it is received from the Zemindarni.

2. I have obtained the opinions of some of the Zemindars in this district in regard to the proposed change in the law, and I beg to enclose translation of a letter from the Zemindar of Pittapur making two suggestions, which Mr. Stuart thinks are judicious. Some other Zemindars and Proprietors entertain the views adopted by the Pittapur Zemindar. He suggests that the Zemindar should be vested with power to fine a Curnam subject to an appeal to the Collector, and with power to appoint an additional Curnam when he considers it necessary. Mr. Stuart supports these proposals, and I agree with him. The Zemindarnis of Nidadavole object to the Collectors being authorized to sue in the Courts for the Curnam's dismissal, but I do not see that their objection has any fair grounds. For myself I consider that the proposals contained in the Proceedings of Government on the subject are sufficient to ensure the proper performance of Curnams' work, with the additions proposed by the Pittapur Zemindar.

3. Mr. Stuart proposes that some Government officer should have power to examine the Curnam's accounts, and if neglect of duty is disclosed to punish him, or remove him, leaving the right of nominating a successor to the Zemindar. I do not think it desirable to vest the Government officers with power to remove a Curnam, as it practically places the Curnam of the Zemindari village more under Government than under the Zemindar himself.

ENCLOSURE No. 1.

Arzi from the Pittapur Zemindar.

HAVING received your Inayitnama of the 17th ultimo, on the subject of vesting the Collectors with powers over Zemindari Curnams, I submit my views as follows:—

1. As it is provided in Regulation XXIX. of 1802, that land-holders should apply to the Civil Courts for the dismissal of their Curnams for every trivial fault, as well as for great offences, Curnams often commit trivial faults, but land-holders do not come forward to get them punished for fear both of the heavy expenses of prosecuting in the Courts, and also because they are obliged to neglect other important business while engaged in such prosecutions.

2. As there is no rule in existence to punish Curnams for small faults they often behave very carelessly, and thereby their duties to the land-holders and to the Government suffer much. It is right, as now proposed, to punish them for neglect of Government duty, and also for neglecting their duties to land-holders. It will be very convenient to land-holders, and will enable them to get on easily with them, if they are vested with same power over their Curnams. As it is, when

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they are directed to attend the offices of land-holders for land-holders' purposes, or for purposes of Government for which information is required through the land-holders, they do not attend properly, and if they attend they delay much and do not give correct information in proper time. In all such cases it will take time (though not so much time as in prosecuting in Civil Courts) to apply to Collectors and to obtain their orders, and the time for sending in the information required will be over. Loss of money also occurs through such neglect. It is therefore necessary that there should be a rule authorizing the land-holders to fine the Curnams with reference to the nature of faults, and Collectors to issue final orders upon an appeal from the Curnams. I request you will, after mature consideration, bring this to the notice of the higher authorities.

3. No villages in my Zemindari are without Curnams. There is therefore no necessity for appointing fresh Curnams, and for providing them with suitable emoluments. But additional Curnams are required in villages in which there is only one Curnam, because it is difficult for him to perform the duties required by the land-owner and those required by Government if they happen to be required simultaneously. But as in Section 2, Regulation XXIX. of 1802, it is stated that a village cannot have more Curnams than one, it is impossible to appoint additional Curnams as long as that section is in existence. I think it is better to insert a section, allowing land-holders, if they deem it necessary, to appoint additional Curnams. I request you will also take this into your consideration and bring it to the notice of the authorities.

(True Translation.)

(Signed) W. S. FOSTER,
Acting Collector.

(True Copy.)

(Signed) W. S. FOSTER,
Acting Collector.

From W. S. FOSTER, Esq., Acting Collector of the Godavery District, to the Secretary to the Board of Revenue, dated Cocanada, 4th January 1873, No. 3.

Referring to my letter of the 5th ultimo, No. 379, I have the honor to inform you that the Zemindari of Tangellamudi states that there are no villages in her estate without Curnams.

From G. D. LEMAN, Esq., Acting Collector of the Kistna District, to the Secretary to the Board of Revenue, dated Masulipatam, 18th April 1873, No. 570.

With reference to Board's Proceedings, No. 700, dated 1st May 1872, I have the honor to inform you that I am told by the different Zemindars that all the villages in the Zemindari estates have Curnams, who are in the receipt of suitable remuneration. I have called for lists showing their emoluments, which, if necessary, I will submit hereafter to the Board.

2. I do not for a moment think that all that is collected as Curnam's fees reaches them.

3. I called upon the Zemindars of Devaracota, Muktyala, and Nuzid to give their opinions regarding the proposed powers to be given to Collectors. Translations of their replies are forwarded for the information of the Board.

4. Two of them wish to reserve to themselves the exclusive power to suspend, dismiss, and fine their Curnams; while the Nuzid Zemindar would wish for authority to fine and suspend them, subject to an appeal to the Collector. The reasons assigned for asking for such powers over them are that the Curnams are their own servants, and paid out of the resources of their own estates.

5. Sections 6 to 8* of Regulation XXIX. of 1802 are not carefully observed by the Zemindars, * On the filling up of vacancies. The furnishing lists of and the Government officials have no opportunity to examine whether the Curnams do or do not properly and completely keep the registers of lands, etc., specified in Section 2.

6. Since the introduction of the Death and Birth Registers, and the extension of anicut irrigation, the Government officials have found out how difficult it is to obtain true and accurate information from them.

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7. I think it would be well that Collectors should have the same power over Zemindari Curnams that they have over Curnams of Government villages, and that they should be empowered to move in the matter of a Curnam's misconduct either of their own motion or on that of the Zemindar; I would allow the same appeal to the Board.

8. The Collector should also, I think, have power to compel the production of the accounts before him.

9. I would not advocate any increase in the powers of the Zemindars over their Curnams. It would be very apt to lead to oppression in this district at least.

ENCLOSURE No. 1.

Memorandum by the Zemindar of Devaracota regarding the Zemindari Curnams.

In his Inayatnama, dated 4th June 1872, the Collector referred to the provisions of the new law proposed by the Government in regard to the appointment and dismissal of the Zemindari Curnams, and directed me among other things to intimate to him the expediency or otherwise of the same.

2. Regulation XXIX. of 1802 bearing on this subject having presented several difficulties in the way of easy management of the affairs of the Zemindars, I had already been disposed to bring them to the notice of Government and to have it modified.

3. While the law now proposed by Government leaves to the Court its powers in *s'atu quo* it appears to extend to the Collector a portion of the new powers by which Zemindars have to resort to two tribunals to institute their suits. Save and except this difficulty the proposed law seems to afford to the Zemindars neither advantage nor facility in the management of their affairs.

4. It is provided that the Zemindar may appoint a temporary Curnam pending suit in the Court. Even this would seem to be done conditionally on the approval of the Collector of the institution of suit in the Court. The offence should in the first instance be proved before the Collector. If the Collector approve the Curnam should be prosecuted before the Court. This causes much delay, but affords no advantage to the affairs of the Zemindars.

5. The Revenue officers are empowered to dismiss the Government Curnams for offences committed by them, and even to prohibit their heirs from being employed in their posts if their offences are of a serious nature. No restrictions are laid down for the Revenue authorities, such as resorting to the Court for prosecuting their Curnams. Their management is therefore being properly carried on.

6. The revenue business is the same everywhere without any difference whatever. If the Zemindars are made to complain to the Court and to the Collector for offences committed by the Zemindari Curnams without having any power either to suspend or to dismiss them, the chief point for consideration would be, how is the management of their affairs to be carried on and how great a restriction it is that is laid on them, and why such a restriction should be laid down for them alone.

7. The principal revenue duties of Curnams are as follow:—

They are to hold out proper encouragement to the ryots, augment the sists, collect and remit the revenue regularly to the Zemindars, tender correct accounts to Government and Zemindars when required, and protect the ryots in the village from oppression. Honest and upright Curnams behave themselves as above stated, while those of a bad disposition plot with the ryots, tamper with them, and ruin the village, reducing the assessment. They misappropriate by any trick the assessment they collect, preparing such spurious accounts as may help them with accounts showing that excessive collections have been made from them and cause them to prefer summary suits. It is natural for them to give false evidence in their favor. They oppress the ryots by demanding bribes from them; in connection with the false reports, etc., they make to the Police. Thus they impoverish the ryots. They consider that their legitimate duty is to commit such misdeeds to which they are often accustomed.

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8. I have instituted a suit in the Civil Court against a Curnam of the village of Kaja appertaining to my estate for disobedience and resistance to me, praying the Court to dismiss him from his office. This suit has been pending four or five years since. Meanwhile, the District Munsif's Court suspended the Curnam for one year. The case is now in appeal. There are many cases of forgeries committed by this Curnam. Moreover, the fact of the Village Curnam of Strikakulam having forged and filed certain documents was proved in the summary inquiry of the Collector. Further, the Curnams of Kokkiligada and other villages have misappropriated the revenue collections, prepared false accounts, and committed several improper acts for which they are to be legally prosecuted. I know of these circumstances from personal experience. They, as far as possible, exert themselves to have thefts and other offences disproved. Though the Magistrate do not think the offences to have been committed, and though the Courts acquit the offenders, yet they who are fully convinced of the fact of the offence, and who personally suffer from its effect, cannot say the offenders are innocent, and that they did not commit the offence. How can the Zemindars trust such people in regard to the revenue and its collection, and how can they make them do their duties, retaining them in their service, and how can the revenue affairs which are always to be performed be transacted by them.

9. It is absolutely necessary and is reasonable that the Zemindars should be empowered to dismiss, suspend, and fine their Curnams for offences committed by them; otherwise the Zemindars would not be able to compel the Curnams to perform their duties, nor the latter perform them attentively. One master gets services from his servant; if that servant is found guilty of offence in such service and another master punishes him the servant cannot have the least regard or attention towards his own master, nor will he behave himself properly in his duties. This is a notorious fact. Nothing can be worse than the enactment which provides that Government should inflict punishment of dismissal, etc., on the Curnams for offences committed by them in the Zemindar's service, while in fact the Curnams are appointed and paid by the Zemindars themselves whom the Curnams are to serve. The Curnams are to the Zemindars like their other private servants whom they can dismiss or suspend for offences which they commit; consequently it is just that the Zemindars should be empowered to dismiss the Curnams in the same manner.

10. Should it be considered that the Curnams are also to perform the duties connected with Government it may be ruled that the Zemindars should be held responsible for compelling the Curnams to perform regularly the Government duties. This rule has hitherto been in force. It is not necessary for Government to repose greater trust in the Curnams who are mean persons than in the Zemindars who, possessed as they are of much respectability and dignity, always look to the favor and grace of Government; neither is there any reason for it, nor will they be worthy of such trust being reposed in them.

11. If the power of dismissing Curnams is not vested in the Zemindars there will be loss in many ways and prejudice their affairs. By investing the Zemindars with that power Government cannot in the least have any loss or any defect in the management of their affairs. This point also should be particularly taken into consideration.

12. On the post of a Curnam becoming vacant either by death or by resignation of its incumbent or by any other reason, the power of appointing another Curnam in that post has already been vested in the Zemindars. This power, it is inferred, will continue to be possessed in future by them. The Government have agreed to get their work also performed by a new Curnam whom the Zemindar may appoint to a vacant post. There is therefore no hindrance to cause the Government duties to be performed by the new Curnam entertained in lieu of the permanent incumbent, whom the Zemindar may dismiss for any offence. Such trust may be reposed in him. Moreover, there is no reason for Government for not permitting the Zemindar to dismiss a guilty Curnam when they have agreed to cause the Government duties also to be performed by the one appointed by the Zemindar; neither is there any reasonable ground for it. On the other hand it only inconveniences the Zemindars by divesting them of that power. In any way considered there is no hindrance or loss in the management of the Government affairs.

13. If perhaps any Curnam be found guilty of any offence in the Government duties the Zemindars may be written to on the subject (if the Government deem it proper), and after getting information from them the Government may punish the guilty Curnam through them (Zemindars). The Zemindars pay implicit obedience to the orders of Government, and it is clear that there is no impediment whatever in the way of any one's business. Moreover, in cases of grave offences the Government, who is the paramount authority, can punish the Zemindari Curnams according to law as in the case of others. The Zemindars do not hope to possess such powers.

14. If the Curnamships be, perhaps, considered as Merassi are not the Government Curnams Merassidars? Why should they be dismissed without any hesitation? The maintenance allowed by Zemindars in days of yore has been divided and enjoyed by even the females of the family. It was probably then considered to be a Merassi, but there is no ground to consider the maintenance as a Merassi now-a-days in which the service-rendering Curnams alone are enjoying it. There is no doubt to say that they are merely a class of servants; they are therefore dealt with accordingly in the service of Government. Instead of laying down the restriction (to disgrace the Zemindars) that the Zemindars who exercise authority over the Curnams should apply either to the Court or to the Collector in order to dismiss them (Curnams) for the offence they commit, it would be just to allow the guilty Curnam, who considers himself aggrieved by his being dismissed, suspended, or fined by the Zemindars, the option of complaining either to the Board of Revenue or the Court against his Zemindar, and of redressing himself in the same manner as appeals have hitherto been made by the Curnams to the Board of Revenue against their dismissals made by the Collector or other officers in the estates under attachment. This course affords greater convenience to the Curnam than his office deserves. I therefore propose that at least the course above indicated be adopted and the Zemindars be delivered from the restrictions laid down in Regulation XXIX. of 1802, by enacting the law so that it may justly enable them to carry on their revenue affairs without impediment.

15. My Zemindari is composed of two Kattubady aghahams, viz., Inampudy, Tehumally and sixty-five Seri villages. There is no village without a Curnam. In all the villages Curnams have already been appointed. They are provided with maintenance both in the sharing and renting system by granting them allowance in kind as well as cash. I have been properly supporting them. It is therefore unnecessary for me to submit a separate return showing the particulars of the villages which have and which have not Curnams.

Please to consider this.

3rd July 1872.

(Signed)

STRIMANLU RAJAH ANKINID BAHADAR.

(True Translation.)

(Signed)

G. D. LEMAN,

Acting Collector.

ENCLOSURE No. 2.

Translation of an Arzi from RAJAH NARIA APPAROW BAHADUR, Zemindar of Nuzid Taluq, Circar Mustaffanagarba, Ellore, etc.

Your Inayetnama, No. 1,768, dated 4th, has reached me on the 11th instant.

2. You have informed me that the Government have in contemplation to modify the provisions of Regulation XXIX. of 1802 regarding the Zemindari Curnams, and required me to state my opinion on the subject.

3. I beg to state that it is absolutely necessary to rid the Zemindars of the inconvenience that arises by the aforesaid Regulation in the way of properly getting their accounts prepared, and to request your honor will be pleased to bring the following circumstances to the notice of Government:—

(1.) There is no objection to investing the Courts with the authority of dismissing the Curnams, and the Collector with the power of prosecuting the Curnams before the Court for their dismissal for any offence they may commit.

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8. I have instituted a suit in the Civil Court against a Curnam of the village of Kaja appertaining to my estate for disobedience and resistance to me, praying the Court to dismiss him from his office. This suit has been pending four or five years since. Meanwhile, the District Munsif's Court suspended the Curnam for one year. The case is now in appeal. There are many cases of forgeries committed by this Curnam. Moreover, the fact of the Village Curnam of Strika-kulam having forged and filed certain documents was proved in the summary inquiry of the Collector. Further, the Curnams of Kokkiligada and other villages have misappropriated the revenue collections, prepared false accounts, and committed several improper acts for which they are to be legally prosecuted. I know of these circumstances from personal experience. They, as far as possible, exert themselves to have thefts and other offences disproved. Though the Magistrate do not think the offences to have been committed, and though the Courts acquit the offenders, yet they who are fully convinced of the fact of the offence, and who personally suffer from its effect, cannot say the offenders are innocent, and that they did not commit the offence. How can the Zemindars trust such people in regard to the revenue and its collection, and how can they make them do their duties, retaining them in their service, and how can the revenue affairs which are always to be performed be transacted by them.

9. It is absolutely necessary and is reasonable that the Zemindars should be empowered to dismiss, suspend, and fine their Curnams for offences committed by them; otherwise the Zemindars would not be able to compel the Curnams to perform their duties, nor the latter perform them attentively. One master gets services from his servant; if that servant is found guilty of offence in such service and another master punishes him the servant cannot have the least regard or attention towards his own master, nor will he behave himself properly in his duties. This is a notorious fact. Nothing can be worse than the enactment which provides that Government should inflict punishment of dismissal, etc., on the Curnams for offences committed by them in the Zemindar's service, while in fact the Curnams are appointed and paid by the Zemindars themselves whom the Curnams are to serve. The Curnams are to the Zemindars like their other private servants whom they can dismiss or suspend for offences which they commit; consequently it is just that the Zemindars should be empowered to dismiss the Curnams in the same manner.

10. Should it be considered that the Curnams are also to perform the duties connected with Government it may be ruled that the Zemindars should be held responsible for compelling the Curnams to perform regularly the Government duties. This rule has hitherto been in force. It is not necessary for Government to repose greater trust in the Curnams who are mean persons than in the Zemindars who, possessed as they are of much respectability and dignity, always look to the favor and grace of Government; neither is there any reason for it, nor will they be worthy of such trust being reposed in them.

11. If the power of dismissing Curnams is not vested in the Zemindars there will be loss in many ways and prejudice their affairs. By investing the Zemindars with that power Government cannot in the least have any loss or any defect in the management of their affairs. This point also should be particularly taken into consideration.

12. On the post of a Curnam becoming vacant either by death or by resignation of its incumbent or by any other reason, the power of appointing another Curnam in that post has already been vested in the Zemindars. This power, it is inferred, will continue to be possessed in future by them. The Government have agreed to get their work also performed by a new Curnam whom the Zemindar may appoint to a vacant post. There is therefore no hindrance to cause the Government duties to be performed by the new Curnam entertained in lieu of the permanent incumbent, whom the Zemindar may dismiss for any offence. Such trust may be reposed in him. Moreover, there is no reason for Government for not permitting the Zemindar to dismiss a guilty Curnam when they have agreed to cause the Government duties also to be performed by the one appointed by the Zemindar; neither is there any reasonable ground for it. On the other hand it only inconveniences the Zemindars by divesting them of that power. In any way considered there is no hindrance or loss in the management of the Government affairs.

13. If perhaps any Curnam be found guilty of any offence in the Government duties the Zemindars may be written to on the subject (if the Government deem it proper), and after getting information from them the Government may punish the guilty Curnam through them (Zemindars). The Zemindars pay implicit obedience to the orders of Government, and it is clear that there is no impediment whatever in the way of any one's business. Moreover, in cases of grave offences the Government, who is the paramount authority, can punish the Zemindari Curnams according to law as in the case of others. The Zemindars do not hope to possess such powers.

14. If the Curnamships be, perhaps, considered as Merassi are not the Government Curnams Merassidars? Why should they be dismissed without any hesitation? The maintenance allowed by Zemindars in days of yore has been divided and enjoyed by even the females of the family. It was probably then considered to be a Merassi, but there is no ground to consider the maintenance as a Merassi now-a-days in which the service-rendering Curnams alone are enjoying it. There is no doubt to say that they are merely a class of servants; they are therefore dealt with accordingly in the service of Government. Instead of laying down the restriction (to disgrace the Zemindars) that the Zemindars who exercise authority over the Curnams should apply either to the Court or to the Collector in order to dismiss them (Curnams) for the offence they commit, it would be just to allow the guilty Curnam, who considers himself aggrieved by his being dismissed, suspended, or fined by the Zemindars, the option of complaining either to the Board of Revenue or the Court against his Zemindar, and of redressing himself in the same manner as appeals have hitherto been made by the Curnams to the Board of Revenue against their dismissals made by the Collector or other officers in the estates under attachment. This course affords greater convenience to the Curnam than his office deserves. I therefore propose that at least the course above indicated be adopted and the Zemindars be delivered from the restrictions laid down in Regulation XXIX. of 1802, by enacting the law so that it may justly enable them to carry on their revenue affairs without impediment.

15. My Zemindari is composed of two Kattubady aghahams, viz., Inampudy, Tehumally and sixty-five Seri villages. There is no village without a Curnam. In all the villages Curnams have already been appointed. They are provided with maintenance both in the sharing and renting system by granting them allowance in kind as well as cash. I have been properly supporting them. It is therefore unnecessary for me to submit a separate return showing the particulars of the villages which have and which have not Curnams.

Please to consider this.

3rd July 1872.

(Signed)

STRIMANLU RAJAH ANKINID BAHADAR.

(True Translation.)

(Signed)

G. D. LEMAN,

Acting Collector.

ENCLOSURE No. 2.

Translation of an Arzi from RAJAH NARIA APPAROW BAHADUR, Zemindar of Nuzid Taluq, Circar Mustaffanagarba, Ellore, etc.

Your Inayetnama, No. 1,768, dated 4th, has reached me on the 11th instant.

2. You have informed me that the Government have in contemplation to modify the provisions of Regulation XXIX. of 1802 regarding the Zemindari Curnams, and required me to state my opinion on the subject.

3. I beg to state that it is absolutely necessary to rid the Zemindars of the inconvenience that arises by the aforesaid Regulation in the way of properly getting their accounts prepared, and to request your honor will be pleased to bring the following circumstances to the notice of Government:—

(1.) There is no objection to investing the Courts with the authority of dismissing the Curnams, and the Collector with the power of prosecuting the Curnams before the Court for their dismissal for any offence they may commit.

8. I have instituted a suit in the Civil Court against a Curnam of the village of Raja appertaining to my estate for disobedience and resistance to me, praying the Court to dismiss him from his office. This suit has been pending four or five years since. Meanwhile, the District Munsif's Court suspended the Curnam for one year. The case is now in appeal. There are many cases of forgeries committed by this Curnam. Moreover, the fact of the Village Curnam of Strikakulam having forged and filed certain documents was proved in the summary inquiry of the Collector. Further, the Curnams of Kokkiligada and other villages have misappropriated the revenue collections, prepared false accounts, and committed several improper acts for which they are to be legally prosecuted. I know of these circumstances from personal experience. They, as far as possible, exert themselves to have thefts and other offences disproved. Though the Magistrate do not think the offences to have been committed, and though the Courts acquit the offenders, yet they who are fully convinced of the fact of the offence, and who personally suffer from its effect, cannot say the offenders are innocent, and that they did not commit the offence. How can the Zemindars trust such people in regard to the revenue and its collection, and how can they make them do their duties, retaining them in their service, and how can the revenue affairs which are always to be performed be transacted by them.

9. It is absolutely necessary and is reasonable that the Zemindars should be empowered to dismiss, suspend, and fine their Curnams for offences committed by them; otherwise the Zemindars would not be able to compel the Curnams to perform their duties, nor the latter perform them attentively. One master gets services from his servant; if that servant is found guilty of offence in such service and another master punishes him the servant cannot have the least regard or attention towards his own master, nor will he behave himself properly in his duties. This is a notorious fact. Nothing can be worse than the enactment which provides that Government should inflict punishment of dismissal, etc., on the Curnams for offences committed by them in the Zemindar's service, while in fact the Curnams are appointed and paid by the Zemindars themselves whom the Curnams are to serve. The Curnams are to the Zemindars like their other private servants whom they can dismiss or suspend for offences which they commit; consequently it is just that the Zemindars should be empowered to dismiss the Curnams in the same manner.

10. Should it be considered that the Curnams are also to perform the duties connected with Government it may be ruled that the Zemindars should be held responsible for compelling the Curnams to perform regularly the Government duties. This rule has hitherto been in force. It is not necessary for Government to repose greater trust in the Curnams who are mean persons than in the Zemindars who, possessed as they are of much respectability and dignity, always look to the favor and grace of Government; neither is there any reason for it, nor will they be worthy of such trust being reposed in them.

11. If the power of dismissing Curnams is not vested in the Zemindars there will be loss in many ways and prejudice their affairs. By investing the Zemindars with that power Government cannot in the least have any loss or any defect in the management of their affairs. This point also should be particularly taken into consideration.

12. On the post of a Curnam becoming vacant either by death or by resignation of its incumbent or by any other reason, the power of appointing another Curnam in that post has already been vested in the Zemindars. This power, it is inferred, will continue to be possessed in future by them. The Government have agreed to get their work also performed by a new Curnam whom the Zemindar may appoint to a vacant post. There is therefore no hindrance to cause the Government duties to be performed by the new Curnam entertained in lieu of the permanent incumbent, whom the Zemindar may dismiss for any offence. Such trust may be reposed in him. Moreover, there is no reason for Government for not permitting the Zemindar to dismiss a guilty Curnam when they have agreed to cause the Government duties also to be performed by the one appointed by the Zemindar; neither is there any reasonable ground for it. On the other hand it only inconveniences the Zemindars by divesting them of that power. In any way considered there is no hindrance or loss in the management of the Government affairs.

13. If perhaps any Curnam be found guilty of any offence in the Government duties the Zemindars may be written to on the subject (if the Government deem it proper), and after getting information from them the Government may punish the guilty Curnam through them (Zemindars). The Zemindars pay implicit obedience to the orders of Government, and it is clear that there is no impediment whatever in the way of any one's business. Moreover, in cases of grave offences the Government, who is the paramount authority, can punish the Zemindari Curnams according to law as in the case of others. The Zemindars do not hope to possess such powers.

14. If the Curnamships be, perhaps, considered as Merassi are not the Government Curnams Merassidars? Why should they be dismissed without any hesitation? The maintenance allowed by Zemindars in days of yore has been divided and enjoyed by even the females of the family. It was probably then considered to be a Merassi, but there is no ground to consider the maintenance as a Merassi now-a-days in which the service-rendering Curnams alone are enjoying it. There is no doubt to say that they are merely a class of servants; they are therefore dealt with accordingly in the service of Government. Instead of laying down the restriction (to disgrace the Zemindars) that the Zemindars who exercise authority over the Curnams should apply either to the Court or to the Collector in order to dismiss them (Curnams) for the offence they commit, it would be just to allow the guilty Curnam, who considers himself aggrieved by his being dismissed, suspended, or fined by the Zemindars, the option of complaining either to the Board of Revenue or the Court against his Zemindar, and of redressing himself in the same manner as appeals have hitherto been made by the Curnams to the Board of Revenue against their dismissals made by the Collector or other officers in the estates under attachment. This course affords greater convenience to the Curnam than his office deserves. I therefore propose that at least the course above indicated be adopted and the Zemindars be delivered from the restrictions laid down in Regulation XXIX. of 1802, by enacting the law so that it may justly enable them to carry on their revenue affairs without impediment.

15. My Zemindari is composed of two Kattubady aghahams, viz., Inampudy, Tehumally and sixty-five Seri villages. There is no village without a Curnam. In all the villages Curnams have already been appointed. They are provided with maintenance both in the sharing and renting system by granting them allowance in kind as well as cash. I have been properly supporting them. It is therefore unnecessary for me to submit a separate return showing the particulars of the villages which have and which have not Curnams.

Please to consider this.
3rd July 1872.

(Signed) STRIMANLU RAJAH ANKINID BAHADAR.
(True Translation.)

(Signed) G. D. LEMAN,
Acting Collector.

ENCLOSURE No. 2.

Translation of an Arzi from RAJAH NARIA APPAROW BAHADUR, Zemindar of Nuzid Taluq, Circar Mustaffanagarba, Ellore, etc.

Your Inayetnama, No. 1,768, dated 4th, has reached me on the 11th instant.

2. You have informed me that the Government have in contemplation to modify the provisions of Regulation XXIX. of 1802 regarding the Zemindari Curnams, and required me to state my opinion on the subject.

3. I beg to state that it is absolutely necessary to rid the Zemindars of the inconvenience that arises by the aforesaid Regulation in the way of properly getting their accounts prepared, and to request your honor will be pleased to bring the following circumstances to the notice of Government:—

(1.) There is no objection to investing the Courts with the authority of dismissing the Curnams, and the Collector with the power of prosecuting the Curnams before the Court for their dismissal for any offence they may commit.

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(2.) There is also no objection to the Zemindar appointing temporarily a Curnam to the post pending the suit in the Court.

4. I request you to take the following circumstances also into your consideration regarding the Collector being invested with the power of examining the Curnam's accounts, at his own motion or at the instance of the Zemindar, either by himself or by a special agent; as also regarding the Collector being invested with the power of inflicting fines on Curnams within a certain limit, or to suspend them for a certain period, after formal inquiry for breaches of duty of Zemindari Curnams coming before them (Collectors) or brought forward by Zemindars:—

The power of the Collector to call for and examine the accounts of the Zemindari Curnams should be restricted only to purposes provided in Regulation XXIX. of 1802, or in any other enactments, but should not extend to other matters. If there be no difference irregularities and unnecessary troubles will occur. All the duties prescribed for the Curnams are connected with land revenue. The Curnams have to keep various accounts regarding the same. In settled districts the entire land revenue belongs to the Zemindars, upon whom rests the responsibility of appointing and compelling the Curnams to keep the accounts prescribed in the aforesaid Regulation, but in consequence of Zemindars not being invested with the authority of inflicting any punishment on the Curnams for breaches of their duty they cannot give proper effect to their obligation, and the Curnams do not keep their accounts, etc., regularly. If the Collectors are invested with the power of examining the accounts (when it is necessary to do so for certain reasons) and of punishing the Curnams for defects therein found without allowing to the Zemindars (who cause the accounts, etc., to be prepared in the first instance, and to whom those accounts are useful from the beginning) the means of getting those accounts properly prepared, the accounts will not be generally prepared with accuracy. The Curnams can be punished only when inaccuracies are found, and they can by any means avoid punishment consequent on the defects in the accounts, or any slight punishment, which may sometimes be inflicted, will be ineffectual. This will not be a sufficient modification. No provision having been made in the Regulation XXIX. of 1802 regarding the emoluments of the Curnams their perquisites are received in many ways. The emoluments, as well as Inams granted to the Curnams, have been enjoyed by many sharers other than the working Curnam, who is therefore obliged to resort to illicit gain owing to want of subsistence. As there are several Curnams for one and the same village some irregularities are committed. It is therefore absolutely necessary to provide that the amount at a certain rate per Rupee of the assessment on account of the Curnams' emolument should be fixed, the rate being regularly collected and paid only to the working Curnam, and that no more Curnams than two for a village be appointed, however large the village may be.

All the accounts will then be properly prepared in the first instance if a rule is prescribed to the effect that the Curnams should attend when summoned either by the Zemindar or his Tahsildar and keep regularly all the accounts prescribed in the aforesaid Regulation. If they fail to do so the Zemindars should be authorized to fine such Curnams not exceeding a certain sum, or to suspend for a certain period, an appeal thereon being allowed within a month either to the Collector or the Court. It would be well if a rule were prescribed to the effect that if the Collector find any inaccuracies in the Curnam's accounts in cases coming before him, or if the Zemindar bring them to his notice, the Collector should fine or suspend the Curnam in a sum and for a period exceeding the jurisdiction of the Zemindar, an appeal thereon being allowed to the Board of Revenue within six months.

I beg to state that in all the Seri and Mokhassa villages of my Zemindari Curnams have already been appointed.

Please to consider this.

(True Translation.)

(Signed) G. D. LEMAN,
Acting Collector.

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To

The Members of the Legislative Council,
Madras.

The humble memorial of APPAROW BAHADER Zemindar Sirkar
Mustufanuggurva Ellore, etc., of the Estate of
Chavendra, etc., in Kistna District.

HUMBLY SHEWETH,

WITH profound respect your memorialist begs leave to state that he has been given to understand from the letters or "Enoyetnamas" written by the Revenue Authorities of Kistna and Godavery Districts to the several Zemindars, including himself, that your Council resolved to enact an Act empowering the Revenue Collectors to inquire, when necessary, into the accounts in possession of the Village Curnams of the Zemindari Estates; to impose a fine on them when they refuse their (Collector's) orders; and to prosecute them in the Civil Court for their dismissal; and that the several Zemindars should submit their opinion on the subject.

2. Your memorialist now begs to lay the following few suggestions relative to the inconveniences and troubles which have befallen on the Zemindars from the insubordination of Village Curnams in their Estates, in order that on a view of them, it may occur to your Council to afford such relief as, in your judgment, it may be deemed proper—

3. That formerly prior to the year 1802, the Curnams of the Zemindari Estates had been in the habit of conducting the revenue business of their respective villages; of preparing and producing before the Zemindars the Village Returns when demanded; of attending on the Zemindars when called; and of, in return to their services, enjoying their emoluments (viz., Inam lands; the grain of a certain measure called "Salagamutti;" and some ready money) granted from the property of the Zemindars, and the Revenue Collectors and Zemindars were accustomed to suspend; to dismiss the Curnams, to impose a fine on them, and to attach their profits when they were guilty, and also to substitute for them some other persons. By this the Curnams had behaved well and performed their duties with much fear and attention; and in obedience to the orders of the Zemindars. But subsequently the Honourable Government passed a Regulation No. XXIX. of 1802, wherein it is directed that the Zemindars and the Revenue tribunals should be prohibited to dismiss or to impose a fine on Curnams, and to sequester their emoluments; but that, when they are guilty, they should be ousted from their service on the Zemindars having obtained a decree from a Civil Court to that effect.

4. Knowing the same, gradually the Curnams of the Zemindari Estates are entirely out of the power of the Zemindars, and are in the habit of enjoying their emoluments at their own discretion without previously obtaining the permission of the Zemindars, and of failing to attend and to present the Returns to the Zemindars when called. They did not regard the Zemindars as the owners of the estate. The inconveniences with which the Zemindars met in this case are inexpressible.

5. The Curnams are the servants of trifling rank, who are worthy to attend on the Zemindars, and to obey their orders in preparing every account of their (Curnam's) villages respectively. When they are guilty of slight faults, the Zemindars had no power at all to interfere with their emoluments. If the Zemindars wish to go to Civil Court, for the dismissal of Curnams, they both (the Zemindar and Curnam) will have to stand as equal parties. In that case, your Council can observe that it is derogatory to the honors of the Zemindars. Would it not be beneath their honor to say that the Curnams (who are their servants) will not obey to their orders? The contempt treated by the Curnams towards the Zemindars having been augmented greatly from year to year from the time of the above regulation; and in consequence of the Government not passing any rule cancelling the said regulation, the Zemindars were exposed to still greater trouble and inconveniences. In strictly speaking your memorialist can say that it would be quite just and

proper for your Council to grant the Zemindars a certain extent of power to punish the Curnams when they neglect in discharging their (Zemindar's) business in such a manner as the Collectors may be authorized. It would be competent for the Zemindars to go to Civil Court when the Curnams commit a crime (i. e., neglect of duty, etc.). Unless the Zemindars are empowered to punish the Curnams with some penalty in like cases, they shall not be careful in their duty, and the Zemindars cannot manage their affairs easily. But your Council can make a further provision that the Collectors should receive and dispose of the appeals against the proceedings of the Zemindars. Your memorialist begs to leave it to your Council to judge how would it be possible for the Zemindars to administer the revenue management connected with their Estates, while they had no power at all even to fine the Curnams or to sequester their emoluments.

6. Under these circumstances, your memorialist most humbly and respectfully solicit your Council will be pleased to take into your just consideration the reasons detailed above, and enact a provision that the Zemindars should be empowered to inflict the Curnams by imposing a fine on them, and by attaching their profits, when they are negligent in discharging the business of the Zemindars, in such a manner as the Collectors may be authorized to do when the Curnams commit similar faults in conducting the Government business, or that in any way as your Council's Judgment may think proper for the due performance of the affairs of the Zemindars without any prevention whatever. By so conferring all the inconveniences and troubles which the Zemindars have all long experienced from the insubordination of Curnams will be remedied, and they (the Zemindars) will be also enabled to enjoy comfort without prejudice to the management of their estate.

7. Your memorialist further begs to say that he made many petitions to the authorities on the subject, but he is very sorry that they took no notice of them, and he now takes this opportunity to bring his proposals to your notice, trusting your council will consider them.

8. For which act of justice, your memorialist will ever remain, as in duty bound

(Ever Pray.)

SANIVARPETTAH NEAR ELLORE,
28th August 1872.

(Signed)

राजा वेंकटद्री अपारो
बहादुर जमिंदार गारु

(Signed)

RAJAH VENKATADRY APPAROW,
Bahader Zemindar Garu.

TRANSFERRED to the Revenue Department, with reference to the Proceedings of Government in that Department, dated 12th April 1872, No. 595.

(True Copy.)

9th September 1872.

(Signed)

W. HUDLESTON,
Secretary to Government,
for Chief Secretary.

REFERRED to the Board of Revenue.

(True Copy.)

13th September 1872.

(Signed)

W. HUDLESTON,
Revenue Secretary to Government.

From G. VANSAGNEW, Esq., Collector of Nellore, to the Secretary to the Board of Revenue; dated Kavali, 25th October 1872, No. 2521.

ADVERTING to Proceedings of the Board, dated 1st May 1872, No. 700, I have the honor to submit translations of communications received from the Rajah of Venkatagiri and the Zemindar of Kalastry, and copy of a letter, dated 28th ultimo, No. 276, from the Deputy Collector in charge of Zemindari tracts. I think it also worth while to forward copy of a previous letter from the Deputy Collector, dated 4th April last, No. 102, which is very instructive of the real relations existing between these big Zemindars and their Village Officers.

2. It will be observed that the Rajah of Venkatagiri says there is no lack of Curnams, too many in fact in his estate, and that they are in every village provided for either by fees or maniams in land. He would have two Curnams for each village, or group of villages paying Rupees 5,000; one to attend to the Government business, and the other to that of the estate; the Collector to have full power over the former, subject to appeal to the Board of Revenue, and the Zemindar to have the same power over the latter, subject to a summary suit in the Civil Court. All appointments to be vested in "the local authority," by which term, I presume, the Collector is virtually intended. The fees to be made leviable by law.

3. The Zemindar of Kalastry is very brief. He says that all, except some inam villages, have Curnams, who are in receipt of "the usual emoluments." Details of which could only be collected with delay. In the inam villages referred to, the Inamdars themselves perform the duties. The Zemindar would not alter the law further than to give the Collector power to fine and suspend, and to allow any injured party to file a suit in the Court for the Curnam's dismissal. He particularly stipulates for the retention of his power of appointment.

4. My own opinion is that, although it might be well to wipe out of the statute book the now patent absurdity of the Civil Court's interference, no law that is likely to be passed would be otherwise than a dead letter in practice.

5. The power of these Zemindars over their ryots and village officers alike is supreme. Any ryot, who might venture to resort to the Collector instead of to the Zemindar to complain against a village officer, would be made a signal example of; and as to the Zemindar directly calling in the Collector's assistance to punish a chattel of his own, it is about the last thing he would condescend to think of doing.

6. The indirect means of ruining any of his subjects furnished to a Zemindar by our elaborate, and, to ordinary people, incomprehensible Civil and Revenue Procedure are so ample and so effective as to leave him complete master of the situation. The smallest resistance or obstruction to the Zemindar's will on the part of a subject is too well known to mean absolute ruin to be often ventured. Nor is it a pleasant reflection that it is our laws and our forms that are the safe and unerring instruments whereby every spark of independence is crushed out in the Zemindari.

7. Of course, when we consult the Zemindars they feel bound in decorum to discuss a little with us, but they are only laughing in their sleeve. They know they have got all the power they want, and they mean to keep it. As long as unsuitable laws surrender the poor and weak an easy prey to the rich and strong, it is useless and absurd our attempting to exercise any influence over any one in a Zemindari except over the Zemindar himself; and it would be the far better policy in my opinion, under existing circumstances, to deprive the Zemindars of the transparent excuse they always make, when any thing is wanted from them in the shape of returns, of having no power over the Curnams by legally giving them nominally the complete power over the Curnams which they actually wield, and will continue to wield in spite of us whatever law on the subject we may be pleased to pass. Let us then look to the Zemindar himself for what we want. Matters cannot possibly be worse than they are, and we should at least be spared the trouble and inconvenience of solemnly conducting a perpetual farce.

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ENCLOSURE No. 1.

Letter from the Rajah of Venkatagiri, No. 6, 1850, dated 15th August 1872.

REPLY to Telugu letter, No. 640,* dated 6th instant, stating that the revision of Regulation XXIX. of 1802 is now under contemplation by the Legislative Council, and requesting to suggest any improvement touching the points noticed by Government.

By this Regulation the power of dismissing Curnams is vested in the Civil Court, and consequently they are not performing their duties assiduously.

It could be affirmed that not a single Curnam is acting in accordance with the rules prescribed in the said Regulation. To bring suits against them for every thing would only cause vexation, expense, and delay. Besides, it would affect the Revenue work.

The Curnams of the Zemindari villages have been obliged to attend the Government officials for several months, to perform the duties connected with Census, Road Fund, School Fund, and Wells, &c., during which time the legitimate duties devolving upon the Curnams were altogether neglected. The inconvenience then suffered was inexpressible. For example, all the Curnams were summoned for the purposes of Section 6 of Act III. of 1866, and during their absence the Rajah was called upon to produce the accounts, &c., connected with the Road Fund; and what could he do at such a crisis? Letters Nos. 33, 11, and 14 of 1865 were written regarding the Curnams, and particularly copy of letter† No. 36 of 1863 is again enclosed for perusal.

As stated in the Regulation its object is by the better securing of the accounts to ensure the happiness of the people. Therefore if this object is to be gained, that portion of the Regulation which vests the power of Curnam's dismissal by the Civil Court should be cancelled.

At present there are four or five Curnams for each village, and in future it will be advisable to nominate two Curnams for every village which pays an assessment of 5,000 Rupees, or for every two or three villages whose total beriz amounts to that sum. One Curnam is to attend to Government work, and the other to the duties of the estate; but provision should be made to the effect that the Government Curnam should be held responsible for the Government Returns, such as, Registers of Births and Deaths, &c., and should assist the other Curnam in the preparation of the accounts of the estate; whereas the Zemindari Curnam should have nothing to do with the Government Returns. The power of fining or dismissing the Government Curnam should be vested in the Collector of the district. An appeal should also lie on the orders of the Collector to the Board of Revenue, and the decision of the Board on such appeal should be final. In the same way the power of dismissing the Zemindari Curnam should be vested in the Zemindar, subject to a summary suit in the Civil Court, and the decision of such Court should be final.

Under the present system, in some villages fees in kind alone are enjoyed by the Curnam, whereas in some other villages the Curnams enjoy a maniem in addition to fees. This should not be allowed in future. The two Curnams to be appointed under the new enactment should enjoy all the profits derived from their village or villages in equal shares.

Whenever a vacancy occurs by death or dismissal, such vacancy ought to be filled up by the local authority under whose jurisdiction the village or villages will be for the time being. The selection should, at all events, be made from the heirs of the deceased.

Now, if Curnams be allowed to collect the fees due to them from the ryots, there will be occasion for incessant quarrels as experience proves, and it would therefore be advisable to collect the fees in money from the ryots with the assessment, as the amount thus collected could be paid to the person or persons entitled, taking a receipt for the same.

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In conclusion, it is to be observed that there is no village without Curnam in the whole Zemindari, and there will be no occasion for the appointment of new Curnams. There will also be no necessity for giving new maniem in addition to those already enjoyed by them.

(True Translation.)

(Signed) G. MACKENZIE,
Asst. Collector, for Collector.

ENCLOSURE No. 2.

Letter from the Zemindar of Kalastty, dated 16th September 1872, No. 14-2083.

In reply to Collector's letter, No. 64, dated 6th August 1872, asking his opinion as to the expediency of framing an enactment for the better supervision over the Curnams in the Zemindari estates, states that he is of opinion that the Collector should have power to inflict a fine or suspend the Curnam for misconduct, and this will facilitate the business of the estate. It is advisable that instead of the Collector the affected party may bring a suit to get a Curnam dismissed. The Zemindars must have the power (as they have already) to appoint new Curnams, or fill up vacancies caused by suspension or dismissal. If the Zemindars be not invested with this power their administration will be much affected.

With reference to paragraph 4, he states that all the villages (except inam villages) have Curnams, and they are in the receipt of the usual emoluments. Some of the inam villages have no Curnams and the duty is performed by the Inamdars themselves. No details are available for their emoluments, and they can only be submitted with delay.

(True Translation.)

(Signed) G. MACKENZIE,
Asst. Collector, for Collector.

ENCLOSURE No. 3.

From C. CUNDASAWMY MOODELIAR, Deputy Collector of Naidupett, to the Collector of Nellore; dated Naidupett, 28th September 1872, No. 276.

With reference to your endorsement, No. 1836, of the 5th ultimo, on the Board's Proceedings, No. 700, of 1st May 1872, I have the honor to submit my remarks on the proposal made for the better supervision of Curnams in Proprietary Estates.

2. It is universally admitted that the law regarding the constitution of these Curnams as contained in Regulations XXV. and XXIX. of 1802 requires modification, and that effective measures should be adopted to enable the Revenue authorities to take cognizance of neglect of duty, disobedience of orders, and other petty misfeasances on the part of these Curnams who are now virtually protected from every kind of punishment. And the question now is, how far these modifications are to be effected. I have once communicated my opinion on the subject in my letter, No. 21, of 18th February 1869.

3. The Government are disposed to think that the Collectors might be vested with power to inflict small fines on these Curnams, or to suspend them after a formal inquiry for breach of duty, allowing them an appeal to the Board. They would leave the dismissal of these Curnams to the Civil Courts, power to prosecute them being extended to the Collectors.

4. There does not seem to be any good in reserving this one function to the Civil Court. The provision would be a dead letter as it at present is, and in large estates where the land-holder's position is very high, dismissals will, as is now the case, continue to be made by the land-holder's agents, and the injured party will never think of taking any legal measures against his mighty land-lord.

5. While applications are scarcely ever made to the Civil Courts for punishing the Curnam under the existing law under which the power of inflicting any, the least, punishment is vested in the Civil Judge alone, what chance would there be of representations being made to the Judge

when all other powers of punishing them, except dismissal, is delegated to a district authority? I am therefore of opinion that it is advisable to vest the power of punishing the Curnams *unreservedly* in the Collector who is generally more intimately acquainted with the proprietary estates of his district than the Civil Judge. The dismissed party will of course possess the right of appeal to the Board, and in the interests of the Zemindari, a provision may also be made in the new law reserving to the land-holder the right of appealing to the Board against an unjust dismissal of any of his Curnams.

6. Among others the law for the constitution of the Curnams contains the following provisions:—

1st.—That vacancies by death or dismissal shall be reported to the Collector by the land-holder, and that he shall within thirty days nominate a proper person and intimate his name to the Collector (Section 6 of Regulation XXIX. and 11 of XXV. of 1802.)

2nd.—That the proprietors shall deposit in the Collector's office, in the Civil Court and in their own Courts, authentic list of the names of Curnams in their estates (Section 8, Regulation XXIX. of 1802.)

7. These are very wholesome provisions of the existing law, but speaking from my experience of the Venkatagiri Zemindari, I can safely assert that these provisions are set at naught, and no reports made to this or your office of vacancies occurring or nominations to them. Nor has there any list been, as far as I am aware of the names of the existing Curnams, furnished to this or your office.

8. I beg to invite your attention to paragraphs 2 to 6 of my letter No. 102 of 4th April last, in which I prominently brought the above point to your notice, and request that an authentic list of the existing Curnams may be obtained at an *early* date, and a copy furnished to this office; and that further the Rajah may be requested to conform to the provisions of Section 6 of Regulation XXIX. of 1802, and to give due intimation to this office of every vacancy and nomination within my division.

9. In their Proceedings No. 1598 of the 15th ultimo, the Board state that, pending the receipt of the replies to their Proceedings under reference, the question of the expediency of the general extension of Act IV. of 1864 to Zemindaries is delayed. The *merahs* to village servants are not now properly paid. In almost every village complaints are made by the hard-worked village servants of non-payment of their *merahs*, and all that is collected on this account does not reach the village servants, it is therefore very desirable that the Village Cess Act should be introduced into the Zemindaries as well as in Government villages of this district at an early date.

(True Copy.)

(Signed)

G. MACKENZIE,

Asst. Collector, for Collector.

ENCLOSURE No. 4.

From C. CUNDASAWMY MOODELIAR, Deputy Collector of Naidupett, to the Collector of Nellore; dated Naidupett, 4th April 1872, No. 102.

I HAVE the honor to submit the report called for by your endorsement of the 9th ultimo on the Rajah's letter* to you, dated 3rd idem, No. 10-485.

* Herewith returned.

2. Vacancies in the Curnam's offices in the Zemindari have never been filled up by me. The *merahs* have been filled up by the Rajah himself. No notice of these vacancies has ever been given to this office, although Section 6, Regulation XXIX. of 1802, expressly enjoins that "where vacancies may occur in the office of Curnam either by death or dismissal, the land-lord concerned shall report to the Collector, and shall, within thirty days, nominate a proper person to fill the vacancy, acquainting the Collector with the name of such person." This provision is a dead letter as far as this Zemindari is concerned, for, I presume, that no notice is given to your office also.

3. The Rajah states in his letter that as the power of dismissing the Curnams is not vested in him, they have no regard whatever for him or for his orders. It is true that Section 3 of the Regulation above quoted vests the power of dismissing the Curnams in Civil Courts; but this exists only on paper. Curnams are often dismissed by the Rajah's authorities in spite of this Legislative enactment, and they never think of appealing, for the consequences are too much feared, and they therefore prefer waiting at the Cutcherry of their Revenue authorities, and often do get their appointments back.

4. There are, I believe, several instances of new Curnams having been appointed by the Rajah's authorities, and they are known by the name of "*Racha Curnams*." All the accounts are written by these Curnams, and the authorities of the Zemindari have immense power over them. It is the *District Revenue Officers* and not the Rajah that have no control over the Zemindari Curnams. The statement that the Curnams have no regard for the Rajah's orders, I beg to submit, widely differs from the actual state of things. They are not even bold enough to complain of their personal grievances. In your private conversation, they freely tell you that the *maniams* once attached to their service have been resumed and incorporated with the estate, and they consequently get no adequate remuneration for the heavy work they perform, but they fear to make any complaint. They, however, make amends for it with pilfering the *ryots* under the *Amany* system that prevails in the Zemindari.

5. You will thus observe that notwithstanding the provision in the law that the Curnams cannot be dismissed except by the Civil Court, they believe that their destinies are in the hands of the Zemindari authorities, and pay implicit obedience to their orders.

6. Section 8 of the above-mentioned Regulation requires that the proprietors of land should deposit in the Collector's office an authenticated list of the names of Curnams on their estates. I presume that no such list has ever been furnished for this Zemindari. Mr. Dykes called for one long ago, but no regard has been paid to it. Unless you insist upon the submission of this list, we have no means of knowing whether the provisions of the Regulation are adhered to or not.

7. In respect to the appointment of Munsifs, I have to state that when a vacancy occurs the Sub-Magistrate reports it to this office and names the existing heir, or, in the absence of a competent heir, any other person that may be found, and he is appointed. The Rajah has never been consulted. The Munsif of a Zemindari village has in fact very little authority over the villagers. The Curnam and the *Parpatti* (Revenue Inspector) are the principal men.

8. I remember that in only one instance after I joined this district was the claim of a *Peddakapoo* ever brought to my notice, and in that case, I believe, I preferred the claim of the deceased Munsif's heir to that of the *Peddakapoo*. In villages in which there is a *Peddakapoo*, I see no objection to his claim being considered, provided the Munsif, when death occurs, leaves no competent heir. Any valid objection that the Rajah might take to any particular nomination might also be considered. It is, however, desirable that there should be at least one independent village officer in every village of the Zemindari.

9. I do not know whether you are aware of the Munsifs in the Zemindari having no emoluments whatever attached to their office. The consequence is that in several villages the appointment goes a begging, and in some it is only wished for on account of the pound-keeper's pay attached to it. Whether they enjoyed any *maniams* formerly, I am not able to state. That they do not now enjoy any inam, or get any *merah*, is a fact. The appointment may therefore be incorporated, wherever possible, with that of the *Peddakapoo*, as it appears that in some villages, or perhaps in all, enjoy *maniams*. If you agree with me in this view, you may call upon the Rajah to furnish you with a *villagewar* list of the *Peddakapoos* and the particulars of the emoluments attached to them in the shape of *maniams* and *merahs*.

(True Copy.)

(Signed)

G. MACKENZIE,

Asst. Collector, for Collector.

H. MASTER, Esq., Acting Collector of Bellary, to the Secretary to the Board of Revenue, dated 30th May 1872, No. 172.

reply to the Proceedings of the Board of Revenue, No. 700, dated 1st May 1872, I have to state that there are no permanently settled estates in this district. I am therefore to submit a report on the subject of Zemindari Curnams.

W. D. HORSLEY, Esq., Collector of Cuddapah, to the Secretary to the Board of Revenue, dated 9th July 1873, No. 102.

With reference to Board's Proceedings, dated 1st May 1872, No. 700, I have the honor to state that there are no Zemindaries of any kind in this district.

W. D. HORSLEY, Esq., Collector of Cuddapah, to the Secretary to the Board of Revenue, dated Cuddapah, 9th April 1874, No. 83.

With reference to Board's Official Memorandum, No. 445, dated 31st March 1874, I have the honor to refer you to my letter, dated 9th July 1873, No. 102, reporting that there are no Zemindaries (or permanently settled estates) in this district.

T. A. N. CHASE, Esq., Collector of Kurnool, to the Secretary to the Board of Revenue, dated Kurnool, 28th May 1872, No. 170.

reply to Board's Proceedings, No. 700, dated 1st May 1872, I have the honor to inform you that there are no Zemindaries in this district.

R. W. BARLOW, Esq., Acting Collector of the Chingleput District, to the Secretary to the Board of Revenue, dated Chevillimedu, 5th February 1873, No. 16:—

With reference to the Board's Proceedings, dated the 1st May last, No. 700, I have the honor to report that there are no Zemindari villages in this district without Curnams, and all of them receive emoluments. A statement, showing their number and the amount of these emoluments is appended, which is incomplete, however, as regards Sydapet Taluq, but I will not delay in sending this reference longer on this account.

As directed at paragraph 2, I have consulted some of the more intelligent Zemindars, but they have only sent replies, and these not much to the point, and evidently given without careful consideration. This class, as the Board are aware, are in this district comparatively only petty holders. Their views are not worth giving separately in detail, but their opinions generally support the power of dismissal and suspension in the case of Zemindari Curnams should vest in the Collector. A few of them, under a total misconception of Regulation XXIX. of 1802, and that it is necessary for the protection of their ryots, suggest that the power of suspension and dismissal should vest in themselves.

The present status of the Zemindari Curnams is unsatisfactory, and that they do not act as a check intended is undeniable, and legislation is, I suppose, the only remedy. I would suggest:—

1) That the nomination of Curnams should rest with the Zemindar, subject, however, to the sanction of the Collector.

2) That the power of suspension and dismissal, on complaint by either Zemindar or tenant, should rest with the Collector, subject to an appeal to the Board of Revenue, or to the Civil Court, as may be deemed advisable.

3) That the forms for the accounts the Curnams are bound to keep, should be defined and a schedule, and provision made, that copies of the more important ones be filed in the Collector's office annually.

(4.) Non-production of such accounts, when required, to be made punishable by the Collector.

4. Under the existing state of the law, the Civil Courts are seldom referred to, the Curnam is either the creature of the Zemindar, or intrigues with the ryots against him, and in some cases is altogether ignored, and the accounts (such as they are) kept by some private Gumastah of the Zemindar.

5. Copy of the Acting Sub-Collector's letter on the subject is herewith forwarded. STATEMENT showing the number of Zemindari villages and the emoluments enjoyed by the Curnams.

Taluq.	No. of Zemin- dari vil- lages.	EMOLUMENTS.						Total.	Remarks.
		In land.			In fees.				
		RS.	A.	P.	RS.	A.	P.		
Sydapet	5	167	8	6	301	7	5	468 15 11	The Return of this taluqis incomplete, in as much as it does not give the emoluments of 32 out of 37 villages.
Trivellore	35	1,007	2	9	2,314	13	2	3,321 15 11	
Ponnery	53	900	0	0	2,679	6	0	3,579 6 0	
Chingleput	74	1,254	11	10	1,819	11	4	3,074 7 2	
Mudurantakum ...	24	696	15	6	634	8	9	1,331 8 3	
Conjeveram	38	500	3	0	1,916	12	4	2,416 15 4	
Total...		4,526	9	7	9,666	11	0	14,193 4 7	

CHEVILIMEDU,
5th February 1873.

(Signed) R. W. BARLOW,
Acting Collector.

ENCLOSURE No. 1.

From C. S. CROLE, Esq., Acting Sub-Collector, to the Acting Collector, of Chingleput, dated Pudoopatnum, 30th September 1872, No. 595.

With reference to the Revenue Board's Proceedings under date the 1st May last, No. 700, I have the honor to report that none of the Zemindari villages in this Sub-Division are without Curnams.

2. I have further the honor to state that nearly all the Zemindars who have favored the Tahsildars with their opinions are well disposed to the proposals of Government contained in paragraphs 8 and 9 of G. O., dated 12th April, No. 595. Two of them, however, object to the scrutiny of accounts by Collectors and their subordinates. The key to this curious objection is that Zemindars often employ their own Gumastahs to write the accounts in supersession of the recognized Curnams—an arrangement which, however, convenient to the land-holder, can hardly be expected to satisfy the tenant, or to be a check on fraud.

3. I am quite of opinion that an Act, based on paragraphs 8 and 9 of the G. O. above quoted, is required, and would tend equally to prevent fraud and promote punctuality and efficiency.

(True Copy.)

(Signed) R. W. BARLOW,
Acting Collector.

From W. S. WHITESIDE, Esq., Acting Collector of North Arcot, to the Secretary to the Board of Revenue, dated Chittoor, 23rd September 1872, No. 469.

ADVERTING to the Proceedings of the Board, dated 1st May 1872, No. 700, I have the honor to state that from the reports received from the several Zemindars and Managers of minor estates, etc., in this district, I find that there are some villages without separate Curnams, but such villages

form a portion of the charge of the Curnams of the adjoining villages, so that practically there are no villages without Curnams. The information has not yet been received from the zemindars of Kalastri and Karvetnuggur, but I believe that in their estates also there are no villages without Curnams.

2. I have therefore to reply chiefly to the last paragraph of the Board's Proceedings. All the Zemindars are fully alive to the defective state of control exercised over their Curnams, and are most anxious to have the change proposed by the Government; the only exception being the Zemindar of Karvetnuggur, who is evidently laboring under a misapprehension of his powers of control over his Curnams. He thinks by his sanad the power of appointing and dismissing and otherwise punishing the Curnams is entirely in his hands, and that the transfer of jurisdiction over the Zemindari Curnams advocated by the Government would impede his administration of the estate.

He then goes on to remark upon the inconvenience resulting from the present system by which the Sub-Magistrates are in the habit of summoning the Curnams to their head quarters for the preparation of statistics occasionally called for by Government, and says that it would be better to obtain the information through himself.

3. This is a plea to which the Karvetnuggur Zemindar has often resorted of late, and has more than once put it forward as an excuse for delay in paying his peishush, although in point of fact the difficulty and delay in the payment of his dues is chiefly owing to his own mismanagement and embarrassed circumstances. His objection on this ground deserves little attention.

4. Much difficulty is experienced by all the Zemindars of the district in getting from the Curnams information required for calculating the road-cess upon their estates, and it is not until the Sub-Magistrates are called upon to exercise their influence in securing the attendance of the Curnams that any information is received, and up to this moment the Karvetnuggur Zemindar has not sent in his statement.

5. I think that, with the authority which it is now proposed to give to the Collector over the Curnams in proprietary estates, the power of dismissing them may be safely entrusted to him instead of the jurisdiction over these Curnams being divided between the Collector and the Civil Court.

6. I am decidedly in favor of the change proposed, as I feel certain that it will result in good to the Zemindar and his Ryots, and at the same time enable the Revenue officers to obtain what information they require from these Curnams, who, as at present constituted, are virtually independent of all control.

7. The Poligar of Pulicherla has not replied to my call in this matter, and his opinion, ignorant as he is, will be of little use, so I do not delay my letter on that account.

From H. E. SULLIVAN, Esq., Acting Collector of South Arcot, to the Secretary to the Board of Revenue, dated Cuddalore, 11th November 1872, No. 357.

ADVERTING to the Board's Proceedings, dated 1st May last, No. 700, I have the honor to state that there is but one Zemindari in this district, namely Vattavalum, and that the Zemindar has already appointed fit persons as Curnams in the villages of his estate, and it is further reported that these persons have been actually doing the work for several years and receiving their wages at the same percentage of the beriz as the Curnams in Government villages, and the Zemindar is disposed to continue their services on the same terms.

From W. M. CADELL, Esq., Officiating Collector of Tanjore, to the Secretary to the Board of Revenue, dated Vallam, 28th November 1872, No. 437.

With reference to the Board's Proceedings, dated 1st May last, No. 700, I have the honor to submit, herewith, copy of a report* from the Deputy Collector in charge of the Tanjore Division, in which are comprised all the eight Zemindaries and five unsettled Poliyams in this district,

* Dated 8th November 1872, No. 201.

regarding the number and emoluments of the Curnams in those estates. I enclose also copy of a further letter* which contains certain further information which I found it necessary to call

* Dated 20th idem, No. 216.

for. The Deputy Collector's reports are so full that I have very little to add to them.

2. It will be seen that of the 251 villages which make up these estates, 227 grouped into seventy-two vattams or small circles in the same manner as Government villages in this district are, have Curnams one for each vattam; and that of the remaining twenty-four villages, for one in the Sendangudi Zemindari the Zemindar is prepared to provide a Curnam, one in Neduvassal Poliyam is a small village without any habitation, for which the Poligar is not prepared to provide one, and the remaining twenty-two are Shrotriems for which the Zemindars are not prepared to appoint Curnams, it being, they assert, the duty of the Shrotriems to do so.

3. The form of remuneration varies in the different estates: in some it is paid by the Zemindar in money by monthly salaries, while in others it consists of payments in kind at various rates or percentages, being collected in some cases by the Curnams themselves from the ryots, and in others by the Zemindars who pay the Curnams. In only one instance the Curnam's emoluments consists partly of land held exempt from one half of the assessment.

4. The Deputy Collector has consulted three Zemindars, viz., those of the Gandrakottai, Papanad, and Madukkur, on the proposed legislative measure, and all these three consider the remedy contemplated insufficient, and urge that the power of dismissing as well as fining and suspending the Curnams should be vested in themselves, (the Zemindars.)

5. For my own part I agree with Strinivasa Row in thinking that the Collector should have the power of dismissing the Curnams. To prosecute a Curnam successfully before the Courts, producing such conclusive proof of malpractices as alone would be accepted by tribunals governed by strict technical rules, would be no easy task; it will only add to the Collector's duties already too onerous, and would often prove labor lost, as it cannot always be possible to calculate upon the possible uncertainties and miscarriages of litigation. Practically, therefore, the Curnam's present immunity for neglect of duty and misconduct, and with it the very undesirable state of things so fully and circumstantially described in the Deputy Collector's letter, must continue in a great measure unaffected, with, perhaps, the undesirable scene in addition of the Curnam returning from Court triumphant over both the Zemindar and the Collector after an unsuccessful prosecution by the latter.

6. I am really unable to see why the Zemindari Curnam should enjoy any more than others the special privilege of not being liable to be turned out of office for misconduct except by decree of the Civil Court; and it appears to me that a formal inquiry before the Collector at the prosecution of the employer, the Zemindar, with a right of appeal from the former's decision to the highest Revenue authority, the Board of Revenue, is all that is necessary to secure an effectual as well as reasonable protection to the Curnam.

ENCLOSURE No. 1.

From A. STRINIVASA ROW, Deputy Collector of Tanjore, to the Officiating Collector of Tanjore; dated 8th November 1872, No. 201.

As directed in your letter No. 742 of the 25th May last, I have the honor to submit two statements received from the Tahsildars of Tanjore and Pattucottah, giving all information in detail regarding Zemindari Curnams, together with the reports made by the Tahsildars on the subject.

2. There are eight Zemindaries and five Poliyams in this Division.

GANDRAKOTTAI ZEMINDARI.—This Zemindari is composed of fifty-three villages, which are grouped into twelve vattams,† of which there are thirteen Curnams. There is no village without a Curnam in this Zemindari. The Zemindar allows them Rupees 4-8-0 each per mensem.

† A small group or circle of villages.

KONUR ZEMINDARI.—This Zemindari consists of two villages, for which there is a single Curnam who gets Rupees 30 per annum, at Rupees 15 per each village. With the permission of the Zemindar, the Curnam collects his remuneration direct from the ryots.

SENDANGUDI ZEMINDARI.—This Zemindari consists of nine villages, for eight of which there are eight Curnams. There is no Curnam for one village. The Zemindar is prepared to appoint a competent person for the post. The Zemindar collects Curnams' remuneration from the

* This is $\frac{1}{10}$ or about 1 per cent, 12 markals being equal to 1 kallam.

ryots at $\frac{1}{10}$ th* of a markal per kallam of the gross produce, and allows the Curnams their remuneration partly in kind and partly in money.

KALLAKOTTAI ZEMINDARI.—This Zemindari consists of seventeen villages, which are grouped into five vattams, for each of which there is a Curnam. Under the Amani system $\frac{1}{10}$ th of a markal for each kallam in the gross produce is allowed to the Curnams, and under the Izara system four markals per veli are allowed to the Curnam in thirteen villages, while eight annas and four annas a veli are allowed for irrigated and manavari lands respectively.

PAPPANAD ZEMINDARI.—This Zemindari consists of thirty-six villages, viz., twenty taraf and sixteen shrotriem. These shrotriems are hamlets of taraf villages. For these thirty-six villages, there are five Curnams, who are paid in kind by the Zemindar.

† Same as Ryotwari.

MADUKKUR ZEMINDARI.—This Zemindari consists of four taraf villages and eight shrotriem villages. For the former there are five Curnams who are paid in kind by the Zemindar, and for the latter there are no Curnams. The Zemindar is not prepared to supply the deficiency. He states that the Shrotriemdars themselves have all along been in the habit of rendering returns to the Government, and that they should be held responsible for maintaining the office of Curnams in the shrotriem villages.

PALAYAVANAM ZEMINDARI.—This Zemindari is composed of twenty-seven taraf and twenty-five shrotriem villages, the latter being the hamlets of the former, making in all fifty-two villages which are grouped into eleven vattams, for each of which there is a Curnam. The emoluments of the Curnams are paid in kind by the Zemindar.

SELLATTUR ZEMINDARI.—This Zemindari consists of six taraf and four shrotriem villages. For these ten villages there are seven Curnams who are paid partly in kind and partly in money.

ATTIVETTI POLIYAM.—This Poliyan consists of eleven villages, viz., four taraf and seven shrotriem. For the four taraf villages there are three Curnams who are paid by the ryots from their kudivaram at $\frac{1}{10}$ th of a markal per kallam of the gross produce. For the seven shrotriem villages, there are no Curnams. The Zemindar is not prepared to supply the deficiency. He asserts that the Shrotriemdars should be held responsible for maintaining the office of Curnam in the shrotriem villages.

PONAVASSEL POLIYAM.—Only one village forms this Poliyan, for which there is a Curnam who is paid in kind at $\frac{1}{10}$ th of a markal per kallam of the gross produce.

SINGAVANAM POLIYAM.—This Poliyan consists of twenty-six villages, viz., nineteen taraf and seven shrotriems. The nineteen taraf villages are grouped into four vattams, for each of which there is a Curnam who is paid in kind. For the seven shrotriem villages there are no Curnams. The Poligar is not prepared to supply the deficiency by nominating persons to the post. He asserts that it has not been customary with him to appoint Curnams for the shrotriem villages, and that the Mahajanams of shrotriem villages should be held responsible for maintaining the office in their shrotriem villages.

PADARANGOTTA POLIYAM.—This Poliyan consists of seven villages, for which there are four Curnams who are paid at $\frac{1}{10}$ th of a markal per kallam of the kudivaram by the ryots.

NEDUVASSAL POLIYAM.—This poliyan consists of fifteen villages; for fourteen of which there are six Curnams whose emoluments consist of two velis of Ardhamaniam* lands and 184 kalams of wet and dry grains in addition to a

* Charged with a half of the regular assessment. One veli is equal to 6 $\frac{1}{10}$ acres.

ready-money payment of 60 Rupees per annum. There is no Curnam for the remaining village. The Poligar states that there is no nattam or habitation in this village; that thirty years ago the Kudikarnam of the shrotriem village of Ambalsamudram was performing the duty of Curnam in the village in question. The Zemindar is not prepared to appoint a fit person and maintain the office.

3. In regard to the proposed legislative measure, I beg to state that I have consulted with the Zemindars of Gandrakottai, Pappanad, and Madukkur, through the Tahsildars. The first-mentioned Zemindar alone has put in a written statement giving his opinion on the subject, which is herewith submitted. He is of opinion that a change in the law is required; but he is opposed to the legislative measure proposed in the Government Order, dated 12th April last. He urges, as well as the Zemindars of Pappanad and Madukkur, that they should have the powers of fining, suspending, and dismissing Curnams.

4. The position of these Zemindari Curnams is wholly unsatisfactory and anomalous. Under the Regulation XXIX. of 1802, the Zemindars have the power of nominating fit persons for the post of Curnam, while they have no power whatever to punish them for neglect of duty, disobedience of orders, and other petty misfeasances by a fine or temporary suspension. The law is silent on the subject. This is strange. The Curnams in general, and in particular the Zemindari Curnams, are the most mischievous set of officials in the country. The peculiar position of the Zemindari Curnams throws additional temptations in their way, and affords ample opportunities of committing malpractices. I have had for a long period to deal largely with these Curnams in connection with Revenue suits under Act VIII. of 1865. They feel they are under no control. This is perfectly true. They are neither under the control of the Zemindars nor of the Collector. They generally set up illiterate and ignorant ryots against the Zemindars and persuade them to withhold payment of rent due to them, and drive the Zemindars to have recourse to law for the recovery of rent, and thus put them to inconvenience, annoyance, and unnecessary expense. If a Zemindar ingratiates himself with his Curnams by the adoption of bonus system, they take the side of the Zemindar and oppress the ryots. In either case, they keep no accounts or registers regularly; they unhesitatingly get up accounts to support the cause they may embrace for the time being. They scarcely respond to the calls of the Tahsildars for statistical returns, &c., the demand for which is on the increase. The Tahsildars generally send memoranda to the Zemindars to direct their Curnams to furnish the required information; most of the Zemindars pay no attention to these requirements. The Tahsildars in vain await a reply from the Zemindars for months. They then send orders to the Curnams direct to appear before them and furnish the information, but the Curnams treat these orders with contempt, as well as the orders of the Zemindars. Neither the Tahsildars nor the Zemindars have power to fine or suspend these Curnams for neglect of duty or disobedience of orders. If any information is at all given by these Curnams, it is generally found to be either incomplete or untrustworthy. It may be asserted that the Zemindars may have recourse to Civil Courts for obtaining the dismissal of Curnams. This is easy to say. The Zemindars, first of all, deem it beneath their dignity to go to law for obtaining the dismissal of their Curnams; not to speak of the annoyance and expense to which they are put. This theoretical remedy is no remedy in practice. The Curnams therefore commit malpractices with perfect immunity. I consider therefore that a change in the law is very much required.

Then the next and the most important question is what modifications are necessary in the existing law. I think that the whole Regulation XXIX. of 1802 should be recast and modified. I am disposed to think that Collectors should be invested with powers to inflict fines on Curnams,

or to suspend or dismiss them after formal inquiry for neglect of duty and other malpractices coming within their cognizance or brought forward by Zemindars or ryots, an appeal lying to the Civil Court within one month, and that it should be clearly laid down that the Curnams should keep accounts connected with the Zemindari, and prepare and render statistical and other returns that may be required by Government from time to time. The Collector of his own motion, or at the instance of the Zemindars, should have power to examine Curnams' accounts periodically through his Divisional Officer.

(True Copy.)

(Signed) W. M. CADELL,
Officiating Collector.

ENCLOSURE No. 2.

From A. STRINIVASA ROW, Deputy Collector, to the Officiating Collector of Tanjore, dated 20th November 1872, No. 216.

In reply to your letter No. 1406 of the 13th instant, I have the honor to report that with the exception of the Neduvassal Poliyam in which six Curnams hold two velis of land on Ardhamaniam tenure, no Curnams in the other Poliyams or Zemindaries hold emoluments in land as a remuneration for their office.

2. It appears from the report of the Tahsildar of Tanjore that the office of Curnam in the Zemindari of Gandrakottai is not held to be hereditary, as well as in the Poliyams and Zemindaries in the taluq of Pattucottah, as reported by the Tahsildar of that taluq. It is held only so far as not to pass over the heir of the deceased's incumbent when he is not incapacitated for the office, and not further.

3. The records received with your letter under reply are herewith retransmitted, together with the Tahsildars' reports now received.

(True Copy.)

(Signed) W. M. CADELL,
Officiating Collector.

From J. B. PENNINGTON, Esq., Acting Collector of Trichinopoly, to the Secretary to the Board of Revenue, dated Trichinopoly, 11th June 1873, No. 110.

With reference to Board's Proceedings, dated 1st May 1872, No. 700, I have the honor to submit the following report.

2. There are five Zemindaries in this district, viz., Ariyalur, Udaiyarpalayam, Turaiyur, Kadavur, and Marungapuri, and the marginal entry shows the number of villages in each.

Zemindaries.	No. of Villages.
Turaiyur	17
Ariyalur	57
Udaiyarpalayam	65
Marungapuri	100
Kadavur	16
Total	255

3. All the Zemindars have reported that none of their villages is without a Curnam. The Udaiyarpalayam Zemindar states that his villages should be newly grouped and the number of Curnams reduced. None of the

Zemindars appear to be willing to increase the number of Curnams.

4. The Marungapuri Zemindar complains of the irregularities of the Curnams in the discharge of their duties, and suggests that they should be placed on the same footing as the Curnams of Government villages, and that they should be made to appeal to the Court if they consider themselves aggrieved.

5. The Udaiyarpalayam Zemindar is of opinion that the Curnams enjoy a perfect immunity for all the mischief they commit, because of the difficulty there is under the present law in the way of bringing them to justice. He proposes that the Zemindar should be empowered to fine and suspend the Curnams when they misbehave themselves.

6. The Ariyalur Zemindar, (the whole of whose estate has been sold by the Civil Court for the benefit of his creditors), suggests that the Collector should be vested with powers to fine and suspend the Curnams.

7. The Kadavur Zemindar alone says that the law may be permitted to remain as it is, and that the Curnams in his estate (a wild and barbarous part of the country), work satisfactorily.

8. The general feeling of the Zemindars, as far as I have been able to gather, is that they are not at all satisfied with the present state of the law regarding Curnams, and that it must be altered so as to give them power over the Curnams to enable them to enforce regularity and system in the keeping of the accounts.

9. The provisions of Regulation XXIX. of 1802 have become a dead letter in this district, except so far as they concern the right of inheriting offices of deceased Curnams.

10. These sections* do not appear to have been acted up to at all. No Zemindar ever informed the Collector of a vacancy in his Zemindari, or acquainted him with the name of his

* Sections 6, 8, and 10.

nominee. The records in the office were searched in vain for the list of the Curnams. There is not an instance in which a Curnam has been sued in the Civil Court under Section 5. No Zemindar was ever fined by the Civil Court for not appointing a successor to a deceased Curnam. In fact, no provision of the law was ever enforced—a state of things which clearly shows how useless the law has proved. Indeed, it may be said with simple truth, that the only object attained by the law in this district has been to put the Zemindars entirely in the hands of their own Curnams, who, knowing that the Zemindars are practically powerless to correct them, have grown more and more powerful and now swindle both the Zemindars and the ryots almost with impunity, because neither the Zemindar nor the ryot can enforce the regular entry in the accounts of the extent of cultivation and the amount due, &c. What is now collected in the villages is the revenue that has almost become stereotyped and no Zemindar ever knows or takes the trouble to find out the actual extent of cultivation in his villages. The Curnams, in order to benefit themselves, often set up the ryots against the Zemindars, and in several instances have got the assessment reduced by one-fourth. The Zemindars and the ryots are often obliged under these circumstances to trust to the Curnams, who at their discretion betray one party or the other.

11. The Ariyalur Zemindar is ruined, and all his villages were sold for debts contracted in consequence of the falling off in collections, owing to the ryots refusing to pay unless the rates were reduced. The Udaiyarpalayam Zemindar is now almost in the same predicament, and has actually begged me in person to assist him in recovering three years' revenue now due to him; but, of course, I am powerless to interfere.

12. The statistical information that is now obtained from the Zemindari villages cannot be at all relied on; for no Curnam cares to keep such accounts, and Zemindari Curnams are under no sort of obligation to submit them at all. Scarcely a Zemindari Curnam keeps any account regularly, and the law has made it almost impossible to compel him to keep his ordinary accounts systematically. The collection of statistical information from the Zemindari and Inam villages is therefore a matter of great difficulty, and when any statistics are submitted it is pretty certain they are utterly untrustworthy, and therefore much less valuable than an estimate formed from information received from Government villages would be. In fact, I have no hesitation in saying that this laborious collection of delusive statistics is sheer labour wasted, and does nothing but harm.

13. Thus the creation of Mirassi Curnams in Zemindari villages with an enactment to protect their rights has simply resulted in this district (and probably elsewhere,) in the ruin of the Zemindars, and in the falsification of our public accounts.

14. There is another set of Curnams in the Inam villages who although they do not come under the category of Curnams in permanently settled estates still stand in the same position

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towards the Government because of the hereditary right that they are supposed to have to their appointments, and the Tahsildars have the greatest difficulty in collecting statistics in these villages also.

15. I learn, however, from persons who have had experience in the matter that the Inamdars turn out these Curnams and appoint others at their discretion, leaving them to go to law to establish their mirassi rights, and this course is of course as difficult and attended with as much annoyance to the Curnams as it is to the Inamdar to go to Court to get them dismissed.

16. I think it is high time to revise the law on the subject, and I would give the Curnams of all the Zemindari and Inam villages the same position as those of Government villages; but with this difference, that the appointment should be hereditary in the male line, subject of course to proof of fitness.

17. I have no objection to leave the power of nominating the Curnams with the Zemindars, &c.; but I would have it provided that it must rest with the Collector to confirm such nomination, so that it may be incumbent on the Zemindar to communicate the nomination. It must also rest with the Collector to collect the Curnam's fees for him when there is any dispute. The Collector and Zemindar should also have power to fine to a limited amount, and the Collector to dismiss for gross negligence, &c., and to enforce the keeping of regular accounts, subject of course to appeal to the Civil Court or Board of Revenue.

From W. McQUHAE, Esq., Acting Collector of Madura, to the Secretary to the Board of Revenue, Madras, dated Peracolum, 21st November 1872, No. 340.

With reference to the Proceedings of the Board of Revenue, dated 1st May 1872, No. 700, I have the honor to submit letters from the Special Assistant, in charge of Ramnad, dated 10th June, from the Sub-Lessee of Sivagunga, dated 5th April, and from the Acting Sub-Collector, dated 20th August, containing proposals for the improvement of the law relating to Curnams in Zemindaries, and the opinions of the Zemindars on that subject.

2. It appears that no village in the district is entirely unprovided with the services of a Curnam, with the exception of the five noted in the margin, which are situated on the Pulney Hills. The Sub-Collector, for the reasons stated in paragraph 7 of his letter herewith submitted, does not consider it necessary that Curnams should be appointed for these villages.

Ayagudi Zemindari.
Koungaimalai.
Kanniradi Zemindari.
Manalur.
Andalur.
Pandri malai.
Thonimalai.

The only Zemindari in which the number of Curnams is considered insufficient is Parayur, in which there are thirty-one villages and only three Curnams. The Zemindar proposes to appoint three additional Curnams, and to remunerate them either in money or in land.

3. In the large Zemindaries the Curnams are generally remunerated by a fixed percentage on the produce paid in grain, but in some cases they are paid in money, and in a very few cases they have inam lands. In the small Zemindaries they either have inam lands, or are paid in money.

4. The actual number of Curnams and the provision for their maintenance are considered sufficient, but the defects of the existing system are of the most serious description.

5. The difficulty experienced in obtaining statistical returns from Zemindaries is only one symptom of a disorder which has affected the office of Curnam in most estates since the permanent settlement. Regulation XXIX. of 1802 is inoperative in Madura. There are no lists of the persons legally authorized to perform the duties of Curnam; vacancies are not filled up as required by Section 6; and Section 10 has never, I believe, been enforced against the proprietors of land. The duties and emoluments attached to these hereditary offices are divided and alienated by gift, exchange, mortgage, and sale, and the Zemindars apparently prefer inaction to the uncertainty, expense, and delay of a civil suit. The Special Assistant, in charge of Ramnad, reports that some-

times seven or eight Curnams share one village, and sometime seven or eight villages share one Curnam, and after being in charge of the estate for ten months, he is unable to furnish me with a list of the persons who are entitled to hold this office. The Sub-Lessee of Sivagunga complains that the Curnams in that estate treat their hereditary rights as private property, alienating their emoluments, exchanging their duties, and appointing substitutes without sanction. He also states that the office is frequently held by several shareholders, each in turn performing the duties for one year, and he complains that where this is the case, it is found impossible to hold any one responsible for the village accounts.

6. There is but one opinion regarding the misconduct of those persons who, whether legally appointed or not, are now performing the duties of Curnam. The Special Assistant, in charge of Ramnad, refers to a paper prepared in the time of Ponnusamy Taver, describing ninety-three different sorts of fraud regularly practised by the Curnams in that estate. The Sub-Lessee of Sivagunga classifies their habitual offences under seventeen heads, and the other Zemindars all complain of the difficulty experienced in getting the village accounts prepared with accuracy and punctuality.

7. The existing evils being so great, I do not think that the remedy proposed in paragraphs 8 and 9 of the Order of Government, dated 12th April 1872, No. 595, will prove sufficient.

8. I do not recommend that Zemindars should be deprived of the power of appointing the Curnams in their estates, for such a change would be distasteful to them, and the information necessary for filling up vacancies can best be obtained through the Zemindars' Tahsildars. But with this exception, I think it necessary that the Collector should have all the authority over Curnams in Zemindaries that he has over other Curnams. The proposed law should, I think, contain the following provisions:—

(I.) The number of Curnams to be employed in each estate should be fixed by the Board of Revenue, and any change in this number, without the Board's sanction, should be illegal.

(II.) The Officer in whose Division the Zemindari is situated should have the following powers, subject to the usual appeal:—

(a.) Power to try suits for the possession of the office or the emoluments thereof as in Government villages.

(b.) Power to punish Curnams for proved misconduct by fine, suspension, or dismissal.

(c.) Power to compel a Curnam to deliver up his accounts when necessary by searching for and seizing them.

9. The first power is intended to provide a summary remedy for illegal appointments made by the Zemindar, and for illegal alienations made by the Curnams; the second power is intended to prevent fraud, neglect of duty, and other acts of misconduct, which are now committed with impunity; and the third power is said to be often very necessary. The objections to leaving the dismissal of these Curnams to the Courts are well known here from the experience of seventy years, and I do not understand why this power should not be entrusted to the Collectors. These Curnams are public servants, and there seems to be no reason why they should be specially protected in misconduct.

ENCLOSURE No. 1.

From J. LEE-WARNER, Esq., Special Assistant Collector, to the Acting Collector of Madura; dated Ramnad, 10th June 1872, No. 51.

I HAVE the honor to acknowledge the receipt of a copy of Board's Proceedings No. 700. In my last three years' service I have met a great number of Proprietors of permanently settled estates, some of them of very advanced education. I may mention the Maharajah of Vizianagram, whose able Manager, Mr. P. Jaganath Raz, is well known to members of the Board, the Zemindar of Ramnad, the Lessees of the Palcondah and Sub-Lessee of the Sivagunga estates, the

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Dewan of the Ranees of Bobbili, the Zemindars of Kurrpam and Singamvalsah, the Managers of the Saloor and Merangi estates, with all of whom I have had frequent occasion to discuss the present "status" of the Curnams on their estates. The feeling was unanimous that Regulation XXIX. of 1802 affords no effective control whatever over the Curnams to prevent misconduct, and that some change in the law is speedily required. It certainly does seem to be a flagrant injustice that the Zemindars, who in all seasons have to render a faithful account of their peishcush, the collection of which so almost entirely depends on the faithfulness of the village accounts, should not only not have been invested with any of the power which the Legislature deemed it necessary to give to Collectors of Land Revenue in Ryotwari Districts under Regulation IX. of 1822, though the Collectors are themselves also Magistrates and therefore bring to aid them in their general duties the terror of that Magisterial power and an excellently worked establishment, which may be supposed to exercise a wholesome effect on the mind of a fraudulent servant, but that they are actually made liable to be put into Court by any fractious Curnam whom they have suspended, pending an investigation into the truth of his accounts. For, in the observations of the Government in paragraph 5 of the Proceedings under reply, it is undoubtedly stated that any suspension or fine of a Curnam in a permanently settled estate is, under Regulation XXIX. of 1802, an irregularity. Thus the Regulation which was clearly never intended to do more than secure to Collectors and the Courts the power of securing the attendance of Curnams with their accounts without a direct application to the Zemindar has been converted by the process of time, the reasoning of the Civil Courts, and the absence of other express provisions, into a Magna Charta of the most unreasonable liberties for the Curnams.

2. I beg to be excused for shortly stating my grounds for taking this position. In the 5th report on the affairs of the East India Company in Bengal it is stated, with reference to the introduction of Regulation VIII. of 1793, that in retaining the office of Village Accountant, the Legislature had it in mind to place him in the situation of a servant to the Zemindar for the purpose (besides keeping the village accounts) of providing information respecting the lands, which may at any time be ordered for sale by the Collector or the Courts of Justice. The wording is not very good; but the meaning is clear. The Legislators intended to leave this man, as they found him, the servant of the Zemindar; but introduced some reforms and restrictions in the nature and mode of his appointment, so that the Collector and Courts might always know whom they had to look to for the village accounts when they required their production. In considering the time when this Regulation was drawn up that it was in the year 1793, that Istimrar Sunnuds were still novelties, that Zemindaries had not been broken up or weakened by continual litigation, and the effect of the widespread introduction of civil law supplanting in all directions the feudal relations of master and servant between the Zemindar and his people, we shall the better understand what was meant by placing the Curnam as heretofore in the position of a servant to the Zemindar. Again, in the instructions issued to the Collectors in this Presidency in October 1799 in the same strain, it is declared to be the resolution of the Government to leave the Curnams or "Putwarries" to be on the same footing in every respect as those in Bengal, and the proprietary land-holders to be in like manner responsible with regard to them. This responsibility clearly consisted in the maintenance of the proper staff, and their non-dismissal except through the intervention of the Courts. The preamble of our Regulation will show that no fears were entertained that the proprietor might abuse his power over the Curnams to the prejudice of the ryots, and the Curnam was placed, as in Bengal, as the servant of the Zemindar. What sort of servant is he who can commit fraud in his master's accounts with impunity, or in respect of whom in such cases should his master attempt to punish him, the attempt is regarded as an irregularity? Some time ago the Sivagunga Sub-Lessce sent a long letter to Mr. McWatters, giving a full account of the frauds practised by the Curnams there, and the remedy by which he proposes to stop them. I have found in the office of the Ramnad Zemindari a similar statement prepared in the time of Pon-

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nusamy Taver, which, for some reason or other, was never sent on. It contains a short descriptive notice of ninety-three different sorts of frauds regularly practised by the Curnams. The present remedy to meet these is process in the Civil Court, which takes so long a time that the following picture is not over-drawn. It comes to the notice of the Zemindar that Curnam so and so has practised ninety-three sorts of fraud for the past twelve years or months. A departmental inquiry is instituted, and the Curnam placed under suspension. Being a clever fellow, he at once goes to Court, keeping out of the way of the Zemindar, and taking his accounts with him. The Court noticing the irregularity order his reinstatement, and the Zemindar to proceed according to law, i.e., Regulation XXIX. of 1802. Meantime the Curnam having returned victorious to his village not only continues his bribe, taking and his ninety-three sorts of fraud, but gets the kists of his village ryots into his own hands, and when the Court finally passes judgment on the suit filed by the Zemindar, ejecting the Curnam, the kists have been embezzled too and the Curnam does not retire empty handed. This is not such a fanciful picture as it would appear.

3. With reference to paragraph 6 of the Government Order, I do not think that the Zemindars will admit any chance of the Curnam acting in collusion with them to cheat the ryots. They have no reason to hope for so desirable an event, as it is hardly likely that the Curnam wants to lessen his power over the ryots and increase the knowledge of the Zemindar. Of course individual cases occur where the Curnam's hatred of a particular man and the Zemindar's interest coincide; and the Curnam may appear in Court a very eager witness in behalf of the Zemindar's case. It would even be for his advantage in such a case of hatred to have wilfully misinformed the Zemindar, but this is not an instance of the Zemindar abusing his authority.

There is not a single village in the Ramnad Zemindari which has not its own Curnam, but there is no regular system. Sometimes seven or eight villages share between them one Curnam; and sometimes seven or eight Curnams share one village. I have given orders to the Tahsildars to open registers; and as I am conducting the settlement, the case of each Curnam and each village will be briefly gone into, and I shall then be in a position to state how many Curnams there are to the 886 Ain villages under me.

4. Curnams are paid their fees regularly, deducting the fines which have been hitherto regularly (irregularly) levied. Formerly the Curnams had maniem lands, but these were all resumed in the time of Mootoo Irulappa Pillai, Minister of the then Zemindar; and a regular system of fees was introduced, the fees being collected after harvest in the form of a percentage on the out-turn. The amount so collected is not large; but even if it were much larger the Curnams would not miss it as they look to their illegal gains in the ninety-three sorts of frauds practised in the villages, and not to the Zemindar for their emolument.

5. I proceed to discuss the sort of legislative measure which is desired, and some points of which I have discussed with the Zemindar, who agrees. Nothing can be done without the abolition of all such part of Regulation XXIX. of 1802 as lays down that Zemindari Curnams are only dismissable by the Courts. When this is done by a remodelling of the provisions of Regulation IX. of 1822, it should be enacted that in future Curnams and other servants of Zemindars are liable to be tried and punished by their masters exactly as Ryotwari Curnams are liable to be tried and punished by Assistant Collectors. There will be no harm in repealing Regulation IX. of 1822 entirely and making a new Act. The old Regulation is badly drawn up, full of intricacies and fanciful distinctions of fine and punishment; and every student of the Revenue Code has found it a perfect *pons asinorum* to pass over for his college examination, as it is so badly arranged that it is impossible to remember all that is contained and is not contained in it.

6. Under the new Act, or the remodelled Regulations, I would propose to deal with all the village servants in the Presidency in the same manner, the Zemindari servants being tried by the Zemindar himself, or, if he is unable or unwilling to conduct the trials personally, by his authorized Agent, being his own Manager, if possible, who has been properly vested with the power and recognized by Government. The Zemindar or his Agent so appointed would act independently

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within his Zemindari, just as an Assistant Collector may act within his charge or division of a Ryotwari District, and under the same check of a review of the decision by the Collector. No doubt the Collector's appellate work would be much increased, as all matters that have heretofore been allowed to lie over on account of the Zemindar's objection to resort to the tedious processes of the Civil Courts would now come to trial, and the Zemindar's proceedings would have to be checked; but this is a minor matter, as in the exclusively Zemindari districts the Collector has very little work, though he has a great deal of responsibility, and he would easily find time to dispose of such appeals. Even in the mixed districts where the Collectors have more to do, they could find some means of getting over the extra work; as for instance, special provision might be made for the reference of some cases for review to a European Assistant of the Collector where the Collector is much pressed with work or obliged to be absent on a long hill tour as is required in the Northern Districts.

7. The specification of the different classes of offences in Section 2 of Regulation IX. of 1822 is absolutely unnecessary, and only creates a great deal of useless reference backward when the punishments are awarded under Section 6. The only distinction in the sorts of offences practised by Curnams necessary is to decide where it is expedient to try the case under the Regulation or Act, and when the matter should be dealt with Magisterially. This will be decided by the Zemindar when he has discovered the fraud or the embezzlement. The sorts of punishment to be awarded are fine, suspension, and dismissal. There are many cases in which suspension is a far better punishment than fine. Dismissal should never be awarded by a Zemindar except under the sanction of the Collector upon the proceedings. Pending his inquiry a Zemindar should be allowed to keep a corrupt Curnam under suspension for one month; but within or at the end of that time the papers should be submitted to the Collector and the inquiry closed, or the Curnam restored. This is to prevent unjust suspension by the Zemindar under the pretence of commencing an inquiry and when no inquiry is held. The Zemindar should not be permitted to fine more than 50 Rupees; but this does not include the collection of the whole amount of the sum proved to have been embezzled or misappropriated, which is to be levied in the same manner as the fine which is additional, by collection under the new Act, or by imprisonment in default of payment.

8. The protection of Regulation VI. of 1831 would have to be extended to the Curnams of Zemindari estates, Section II. of Regulation XXV. of 1802 and the greater part of Regulation XXIX., of 1802 having to be repealed. All suits brought under Regulation VI. of 1831 would necessarily come into the Collector's Court hereafter, and would be a perfect security to Curnams that their hereditary claims will be respected.

9. I have not suggested any provision for securing to Zemindars the power of inflicting the departmental punishments which are awarded in Collector's Cutcheries in the shape of small fine and temporary suspension when there is no inquiry under any regulation, as I do not know how far the Government may be disposed to extend such a power to all Zemindars. At the same time it is a very necessary point to consider, as there are hundreds of cases which can be met by such simple departmental punishment, a sufficient precaution against the abuse of which may be taken by exacting a monthly return of such punishments to be submitted to the Collector, just as there is at present such a check upon the Collectors in the Board's Office.

10. Finally, a very stringent provision should be made that in all cases of vacancy of any Curnamship by the death, resignation, dismissal, or suspension, of the incumbent the next heir, or the next heir being a fit person, should be at once nominated by the Zemindar, and the matter at once informed to the Collector and entered in the Huzur list.

11. This statement contains the principal points which I have talked over with the Zemindar of Ramnad; and I hope I may be excused the length to which my remarks have run.

ENCLOSURE No. 2.

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From VENCATASAWMY NAIDOO, Sub-Contractor of Shevagunga Zemindari, to the Head Assistant-Collector of Madura, dated 5th April 1872, No. 22.

I beg to bring the following circumstances to your kind consideration, and request you will be good enough to lay them before the Members of the Legislative Council, supporting it with your recommendation, since you have got a long experience in the Zemindari.

- | | |
|-----------------------|------------------------|
| 1. Ramnad. | 14. Thothapanaikenoor. |
| 2. Shevagunga. | 15. Yeloomaday |
| 3. Kannivadi. | 16. Vadakarai. |
| 4. Bodinaikenoor. | 17. Yerookanaikenoor. |
| 5. Saptoor. | 18. Nalokotai. |
| 6. Combai. | 19. Chatraputti. |
| 7. Thavaram. | 20. Chennalkoody. |
| 8. Aiykudy. | 21. Pavaly. |
| 9. Uthapanaikenoor. | 22. Gollaputti. |
| 10. Ammainaikenoor. | 23. Cethanaikenoor. |
| 11. Pariyoor. | 24. Seruvayel. |
| 12. Sandioor. | 25. Vellikondaim. |
| 13. Jothilanaikenoor. | |

1. The Zemindaries noted in the margin, and situated in the Madura District, are permanently settled estates and are liable to Government for the peishcush originally fixed upon them, which peishcush is subject to no change under any circumstances whatever, that is, no remissions are made whatever the season or the causes of failure may have been.

2. The Zemindars who are thus bound to make up for all losses that may accrue in times of famine, drought, &c., must necessarily have resources at their command at all times to prevent the attachment of their estates, and for this purpose they must encourage cultivation, that is, the area of cultivation must always be greater than it was at the time the peishcush was fixed; to enable the Zemindar to derive any benefit from his Estate, he must be able accurately to ascertain the quantity of land cultivated by each tenant field by field, their production as to what crops come to maturity, what fail totally, what crops are slightly damaged through the want of timely rain or water, what remissions are to be made on that account; and in case the ryots water their fields from wells dug by them, the number of times they so watered their fields, the quantity of water that they had from the Zemindari tanks previous to their doing so, the remissions to be made on this account, what quantity of grain each stalk yields after the deduction of the village fees, to enable the division between the land-lord and tenant to be made; after such division to sue the tenant who carries away both the koodivarum and malewarum shares, and refuses to pay, and all other petty transactions connected therewith, the Curnams are bound to keep an account of, and these accounts are so very essential for the collection of the revenue, and in fact for the good administration of the Zemindari.

3. While this is the case, and while these accounts are so important in the case of the Zemindaries in which a survey has been made, and in which the lands are measured and fields defined and numbered at the permanent settlement, and a money-rent fixed thereupon, how much more so must they not be in Zemindaries in which none of these arrangements have been carried out, where the peishcush was fixed upon the out-turn or beriz of a particular year. This out-turn being the aggregate malewarum of a particular season and collected under three different complicated systems of land tenure; one paying in kind, the other in a fixed quantity of grain, and the third in money, technically called Warraputh, Varshaputh and Theervaputh. The Government peishcush was fixed no doubt in times of anarchy and disturbance, but upon principles totally loose and inaccurate.

4. Under such a system, and where so many intricate details as to accounts have to be gone into to ascertain the revenue, it is obvious that the land-lords must have power to exercise a complete and effective control over their Accountants, the Curnams, that is, power to compel them to furnish their accounts regularly and punctually at the head office without having recourse to law, and to compel them to appear before them in case they fail to do so; and to check the accounts and punish them if they are false and fraudulent, and to dismiss them for fraud, neglect, or for absenting themselves from their duty; and for the various other troubles and annoyances such servants are likely to give the Zemindar under such a troublesome and intricate system; none of these powers have they got, and the mischiefs and inconveniences arising therefrom are incalculable as will be shown hereafter.

within his Zemindari, just as an Assistant Collector may act within his charge or division of a Ryotwari District, and under the same check of a review of the decision by the Collector. No doubt the Collector's appellate work would be much increased, as all matters that have heretofore been allowed to lie over on account of the Zemindar's objection to resort to the tedious processes of the Civil Courts would now come to trial, and the Zemindar's proceedings would have to be checked; but this is a minor matter, as in the exclusively Zemindari districts the Collector has very little work, though he has a great deal of responsibility, and he would easily find time to dispose of such appeals. Even in the mixed districts where the Collectors have more to do, they could find some means of getting over the extra work; as for instance, special provision might be made for the reference of some cases for review to a European Assistant of the Collector where the Collector is much pressed with work or obliged to be absent on a long hill tour as is required in the Northern Districts.

7. The specification of the different classes of offences in Section 2 of Regulation IX. of 1822 is absolutely unnecessary, and only creates a great deal of useless reference backward when the punishments are awarded under Section 6. The only distinction in the sorts of offences practised by Curnams necessary is to decide where it is expedient to try the case under the Regulation or Act, and when the matter should be dealt with Magisterially. This will be decided by the Zemindar when he has discovered the fraud or the embezzlement. The sorts of punishment to be awarded are fine, suspension, and dismissal. There are many cases in which suspension is a far better punishment than fine. Dismissal should never be awarded by a Zemindar except under the sanction of the Collector upon the proceedings. Pending his inquiry a Zemindar should be allowed to keep a corrupt Curnam under suspension for one month; but within or at the end of that time the papers should be submitted to the Collector and the inquiry closed, or the Curnam restored. This is to prevent unjust suspension by the Zemindar under the pretence of commencing an inquiry and when no inquiry is held. The Zemindar should not be permitted to fine more than 50 Rupees; but this does not include the collection of the whole amount of the sum proved to have been embezzled or misappropriated, which is to be levied in the same manner as the fine which is additional, by collection under the new Act, or by imprisonment in default of payment.

8. The protection of Regulation VI. of 1831 would have to be extended to the Curnams of Zemindari estates, Section 11. of Regulation XXV. of 1802 and the greater part of Regulation XXIX., of 1802 having to be repealed. All suits brought under Regulation VI. of 1831 would necessarily come into the Collector's Court hereafter, and would be a perfect security to Curnams that their hereditary claims will be respected.

9. I have not suggested any provision for securing to Zemindars the power of inflicting the departmental punishments which are awarded in Collector's Cutcherries in the shape of small fine and temporary suspension when there is no inquiry under any regulation, as I do not know how far the Government may be disposed to extend such a power to all Zemindars. At the same time it is a very necessary point to consider, as there are hundreds of cases which can be met by such simple departmental punishment, a sufficient precaution against the abuse of which may be taken by exacting a monthly return of such punishments to be submitted to the Collector, just as there is at present such a check upon the Collectors in the Board's Office.

10. Finally, a very stringent provision should be made that in all cases of vacancy of any Curnamship by the death, resignation, dismissal, or suspension, of the incumbent the next heir, or the next heir being a fit person, should be at once nominated by the Zemindar, and the matter at once informed to the Collector and entered in the Huzur list.

11. This statement contains the principal points which I have talked over with the Zemindar of Ramnad; and I hope I may be excused the length to which my remarks have run.

ENCLOSURE No. 2.

From VENCATASAWMY NAIDOO, Sub-Contractor of Shevagunga Zemindari, to the Head Assistant-Collector of Madura, dated 5th April 1872, No. 22.

I BEG to bring the following circumstances to your kind consideration, and request you will be good enough to lay them before the Members of the Legislative Council, supporting it with your recommendation, since you have got a long experience in the Zemindari.

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|-----------------------|------------------------|
| 1. Ramnad. | 14. Thothapanaikenoor. |
| 2. Shevagunga. | 15. Yeloomaday. |
| 3. Kannivadi. | 16. Vadakarai. |
| 4. Bodinaikenoor. | 17. Yerookanaikenoor. |
| 5. Saptoor. | 18. Nalokotai. |
| 6. Combai. | 19. Chatraputti. |
| 7. Thavaram. | 20. Chennalkoody. |
| 8. Aiykady. | 21. Pavaly. |
| 9. Othapanaikenoor. | 22. Gollaputti. |
| 10. Ammainaikenoor. | 23. Cathanaikenoor. |
| 11. Pariyoor. | 24. Seruvayel. |
| 12. Saudoor. | 25. Vellikoundim. |
| 13. Juthilanaikenoor. | |

1. The Zemindaries noted in the margin, and situated in the Madura District, are permanently settled estates and are liable to Government for the peishcush originally fixed upon them, which peishcush is subject to no change under any circumstances whatever, that is, no remissions are made whatever the season or the causes of failure may have been.

2. The Zemindars who are thus bound to make up for all losses that may accrue in times of famine, drought, &c., must necessarily have resources at their command at all times to prevent the attachment of their estates, and for this purpose they must encourage cultivation, that is, the area of cultivation must always be greater than it was at the time the peishcush was fixed; to enable the Zemindar to derive any benefit from his Estate, he must be able accurately to ascertain the quantity of land cultivated by each tenant field by field, their production as to what crops come to maturity, what fail totally, what crops are slightly damaged through the want of timely rain or water, what remissions are to be made on that account; and in case the ryots water their fields from wells dug by them, the number of times they so watered their fields, the quantity of water that they had from the Zemindari tanks previous to their doing so, the remissions to be made on this account, what quantity of grain each stalk yields after the deduction of the village fees, to enable the division between the land-lord and tenant to be made; after such division to sue the tenant who carries away both the koodivarum and malewarum shares, and refuses to pay, and all other petty transactions connected therewith, the Curnams are bound to keep an account of, and these accounts are so very essential for the collection of the revenue, and in fact for the good administration of the Zemindari.

3. While this is the case, and while these accounts are so important in the case of the Zemindaries in which a survey has been made, and in which the lands are measured and fields defined and numbered at the permanent settlement, and a money-rent fixed thereupon, how much more so must they not be in Zemindaries in which none of these arrangements have been carried out, where the peishcush was fixed upon the out-turn or beriz of a particular year. This out-turn being the aggregate malewarum of a particular season and collected under three different complicated systems of land tenure; one paying in kind, the other in a fixed quantity of grain, and the third in money, technically called Warraputh, Varshaputh and Theervaputh. The Government peishcush was fixed no doubt in times of anarchy and disturbance, but upon principles totally loose and inaccurate.

4. Under such a system, and where so many intricate details as to accounts have to be gone into to ascertain the revenue, it is obvious that the land-lords must have power to exercise a complete and effective control over their Accountants, the Curnams, that is, power to compel them to furnish their accounts regularly and punctually at the head office without having recourse to law, and to compel them to appear before them in case they fail to do so; and to check the accounts and punish them if they are false and fraudulent, and to dismiss them for fraud, neglect, or for absenting themselves from their duty; and for the various other troubles and annoyances such servants are likely to give the Zemindar under such a troublesome and intricate system; none of these powers have they got, and the mischiefs and inconveniences arising therefrom are incalculable as will be shown hereafter.

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5. The Regulation XXIX. of 1802, and Section 11 of Regulation XXV. of 1802, merely speak of the different accounts that ought to be kept by the Curnams, and as to how they should conduct their duties; but they do not provide any punishment for the various malpractices committed by them for their refusal to give accounts, and for various other acts of rapacity for which the Zemindar has no remedy whatever under the present law. They may not be inaptly termed the locusts of the country; they have such powers of destruction which they exercise with impunity, at the same time keep themselves beyond the power of the law; in fact the law throws itsegis over them and protects them, such a state of things cannot possibly conduce to the well-being of Zemindars and enable them to pay the Government rent punctually.

The preamble of the Regulation XXIX. of 1802 runs as follows:—

"The office of Curnam being of great importance to the preservation of the ryots and property of the people, it is expedient to provide for the continuance of that office on an efficient establishment for the purpose of facilitating the decision of suits in the Court of Judicature, of preventing the diminution of the fixed revenue to the Government, and of securing individual persons from injustice by enabling the public officers of Government in the Court of Judicature to procure authentic information and accounts. In conformity, therefore, of the ancient usages of the country the following rules have been enacted for the establishment of the office of Curnams, &c."

6. From this and the succeeding sections it is clear that the Curnams are not placed under the direct control of the Zemindars and in fact that they have no power whatever over them. Other sections of the Code prohibit the Curnams being removed from their offices unless by a decree of the Court of Udalt; and of all the old Regulations which have been either repealed, revised, or modified, these are the only ones which have not received the attention of the Legislature, and in consequence of the defects in these regulations the Curnams not only commit various malpractices and frauds, but they also evade punishment.

7. It is only necessary to expose their misdoings to show that things are not as they should be, and that the Legislature should interpose and protect the land-lord from the consequences of the rapacity and fraud of their Curnams and place them in such a position as would enable them to furnish any account that the Revenue authorities or the Civil Court may require at any time, making them, that is the Zemindars, directly responsible to Government and giving them complete power and control over their Curnams as regards their appointment, salary, dismissal, &c.

8. An account of the various frauds committed by the Curnams will be here given to show how thoroughly dependent the Zemindars are upon their Curnams, and how helpless they are when they neglect or do not do their duty, and how important it is that a remedy should immediately be given them.

9. I was holding several appointments in the Government Revenue line since 1843 up to the rank of Sheristadar, and I know when this and some other Zemindaries were under the Court of Wards, and on some other occasions the misdoings of the Curnams were bitterly complained of, the then Collectors more than once expressed their opinion and thought it necessary to bring them to the notice of the Legislative Members with the object of getting the law regarding the Curnams modified. I remember once they have written them. Now my direct communication with the Curnams during the three years since I had the sub-lease of this Zemindari enabled me to have these exact and accurate information as to their evil doings. Moreover, I am not the first man who complains of them; but Mr. J. Fisher, the late Agent and Manager of the Zemindari, in his elaborate report to Government about the famine in the year 1856 had mentioned their misdoings also. According to the Board's order the Zemindars have to furnish different monthly and annual returns to the Collector. All of them are to be prepared from the Curnams' accounts. As I was in the Government service I know the necessity of these accounts

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being furnished in time, and their uselessness when delayed. I have a great desire to be punctual in submitting them, but I am obliged to fail often on account of the Curnam's disobedience.

I. The Curnams wilfully omit to enter some of the cultivated lands in the cultivation account and receive the land-lord's shares due upon them from the ryots, and appropriate to their own use.

II. All Varshaputh and Theershaputh villages have an Olugu account in which the exact extent of each field is mentioned. In the cultivation accounts that the Curnams prepare they wilfully reduce the extent of some of those fields and make false entries of such reduction and levy the varisay paddy and teervah due upon the portions so reduced, and appropriate the same.

III. They further wilfully make a wrong total of the extent of the several fields so entered in the accounts, decreasing the quantity of cultivated land, appropriate the rents due thereon; they again make mistakes purposely in adding the total extent of the lands cultivated in a previous month with the total extent of lands cultivated in the current month, of course reducing the quantity and misappropriating the rents due upon such reduction. In the first instance the individual items are reduced, in the second and third the totals are reduced.

IV. They fraudulently enter into the accounts crops that have come to maturity on the above lands as being blighted or withered, and sometimes as if they were destroyed by locusts and appropriate the malewarum and teervah due upon them.

V. They falsely estimate the amount of produce or the probable out-turn upon Warraputh lands and enter such false estimate in the accounts lessening the probable out-turn, and after harvest is over they appropriate the excess grain which ought to have come to the land-lord.

VI. They, moreover, wilfully reduce the actual out-turn of the several fields and make false entries, and appropriate the same.

VII. After the amount of produce has been ascertained and when the division of it is taking place they reduce the kunganum, kolavettoo, kanul, kuttooppadie sothunthrum, and other fees that the land-lord is entitled to from the whole produce, falsely entering them into the accounts, falsify the total, and appropriate the same and thus cheat the Zemindar. In like manner they increase the koodiavari sothunthrum, the hire for reaping and threshing due to the tenants from the whole produce, as also the various fees due to themselves, the Umbalagars, and other village servants, and make false entries in the accounts, and appropriate the excess charged therein, thus cheating both the land-lord and tenant.

VIII. In entering in the accounts the various sorts of paddy falling to the land-lord's share, they falsely enter the first sort, which is more valuable, as second sort, and good grain as spoilt, and appropriate the difference of value when realized.

IX. With regard to lands paying money rent, they falsely enter into the accounts such sorts of produce as would, if a cultivator having to pay a low rate of assessment instead of the produce that was actually cultivated, and which paid a higher assessment, and appropriate the difference of rent.

X. They falsely reduce the number of trees that are come into full bearing, and which pay rent to the land-lord in the Ayacut accounts, and appropriate the rent due on them; and also falsely enter some of them as young trees which pay no rent, and some of them as past bearing, and collect the rent upon them and appropriate it.

XI. After collecting the warum and theerva due to the Zemindar from the ryots, they, instead of making proper entries of each payments in the accounts and remitting it to the Zemindar, misappropriate the same, and falsely bring down balances in the accounts against the ryots as if they had not paid.

XII. They wilfully neglect to fill up and give to the ryots the printed receipts in which the rent paid by them ought to be entered, and when asked their reason for not doing so upon the complaint of the ryots, they make false excuses and say that the payment was made towards the fees due to them by such ryots. In such instances in which the ryots failed to take receipts

for rents paid by them, their rents are not credited in the accounts nor remitted to the Zemindar when demanded, they deny having received it; when the poor ryot is sometimes compelled to pay twice.

XIII. Should enmity exist between a Curnam and a ryot, the former enters in the accounts the land cultivated by the latter in the name of another, waste land as if it had been cultivated by him, withered crops as if they had come to maturity, purposely make a higher estimate of the probable out-turn of his field, assesses trees not fit to pay rent, transfers the land mentioned in his putta into the putta of another, or prepares a new putta with a fresh number and make, false and frivolous excuses when questioned.

XIV. Should there be any balance against a ryot who is either rich or has means to pay, they either after receiving it themselves or for other consideration, as a matter of favor, falsely enter such balance in the name of a ryot who has either emigrated, or who is either dead or is become bankrupt, and cause fraudulent agreements to pay such balance to be taken from such ryots as are about dead or bankrupt, or when these frauds are disclosed at the hearing of suits instituted on these agreements, they give false reason and thereby prevent the collection of arrears, and cause a great loss to the Zemindar.

XV. They dispose of their Meerasces at their pleasure by mortgage or sale though forbidden by law to do so, and when the purchaser of them fails to perform the duties delegated to him or neglects them, they allege they are not responsible and thus evade punishment. In case of Meerasces where there are many holders, they at their own discretion arrange that each should do duty every year by turns, and when the last holder is called upon to produce accounts of balances due for last faslies and is questioned regarding disputes with ryots, he alleges that the shareholder who conducted the duties of those faslies must be asked about them, and that such accounts are not in his possession and thereby causes serious delay and loss.

XVI. In cases where there are a number of villages and a number of shareholders holding a Meerasce therein, they, of their own accord, divide the duties of the several villages among themselves and sometimes make exchanges among themselves, and sometimes nominate substitute for themselves, thereby cause delay in the discharge of their duties and loss to the Zemindar.

XVII. Before finishing the Jamabundy and other accounts, and without forwarding the accounts of cultivation, estimate of crops, extent of dry land cultivated at the proper time, they collect the whole of the fees they are entitled to and the income due upon the maniem granted to them from the ryots, and sometimes more than is actually due to them, and leave their work unfinished, and do not account for their neglect creating great arrears in the accounts.

XVIII. They alter the boundaries of the Ain villages in the accounts and incorporate the lands so separated from them with the Davastanum and Dharmasanum villages contiguous to them, receiving a gratification from the proprietors thereof.

10. Though most of these offences are punishable under the Penal Code, yet as they are removable from their office only by the Civil Court under the provisions of the Regulation XXIX. of 1802, complaints against them are not entertained by the Magisterial authorities.

11. Whatever faults they may commit there is at present no other remedy under the law except a regular suit in the Civil Court by which he is sought to be removed. A year at least elapses before the Original Court passes its judgment, and further times occupy before the question is finally settled by the Appellate authorities; should any person be appointed to act in his stead in the meantime, he, the original Curnam, refuses to give up the accounts of former faslies, nor has the land-lord the power to compel him summarily to give them up to him. In the event of the Curnam being successful in the above suit through some neglect in furnishing proper evidence and returning to his duty which can be easily imagined, how he will henceforward conduct himself—the relationship of master and servant is totally destroyed.

12. For doing duties the Curnams are allowed to enjoy certain sothunthrams and croo-maniums. This sothunthram is given to them out of the land-lords' and tenants' share, and so

they obtain a moiety of their emoluments from the Zemindar. The evoomaniam is given to them from the collection, hence their whole income is considered to be given by the Zemindar. In some villages lands are given as maniem.

13. The duty of the Curnam is to write accounts, showing exactly what each tenant owes to Zemindar, for which they are benefited by the Zemindar, as stated in the preceding paragraph; such Zemindars are not unfortunately vested with the powers to punish the Curnams directly, or have them punished by Government authority for their misdoings, and in urgent cases to remove them. But the only remedy which the poor Zemindar has is a Civil suit in the Udalt Court. Thus delay occurs, and they escape punishment. Such being the state of law, it is not to be expected that the Curnams discharge their functions regularly and with proper care and attention, and the Zemindar is entirely powerless to get work done by them at proper times.

14. In consequence of these misbehaviours of Curnams, Maniyagars and Sumbrithies are appointed for certain villages, composing a Mahanum at the Zemindar's own expense in addition to the fees paid to the Curnams as stated in paragraph 12, in order that they (Maniyagars and Sumbrithies) might find out the wrongs done by such Curnams, and examine the accounts furnished by them.

15. Notwithstanding all these the Curnams commit various malpractices, consequently the Zemindar and ryots are entirely at their mercy, and subjected to much loss and inconvenience by their misdeeds.

16. If the Curnams were to perform their duties with regularity and in proper times, both the Zemindars and the ryots will have no troubles or disputes whatever between them but will have every facility, as the following few instances, which it is necessary to mention here, will show, viz. :—

a. It is the practice in Zemindaries in which the system is Varaputh to enter the lands cultivated in the cultivation account in the month in which such cultivation takes place, to write out "Madungul" accounts as soon as the ears of crops are bent when ripe, and to forward to the Taluq Cutcherry poolly or estimate account for the purpose of making estimate on examining one gooly. If the said accounts were to be sent accordingly by the Curnams, in case any suspicion arises after looking these accounts, the Tahsildar will immediately give orders either to have the crops estimated or to be reaped and threshed, and there will be no damage to the produce, but it will be properly harvested and divided; neither the Zemindar nor the ryot would sustain loss of produce or injury thereby. The Curnams, if they are not satisfied, never enter cultivation in the account in the month in which it is made, nor do they prepare Madungul account in due time. They also delay in estimating produce intentionally, make higher or lower estimate or poolly than others do, and they never forward these poolly accounts early; consequently the Zemindar is unable to order reaping and harvest of crops at proper time. In the meantime the corns in the ear are blown down and their color changed, or the ryots, without obtaining permission from the Zemindar, dare to reap the whole produce, or they unlawfully carry away any portion and thereby the ryots and the Zemindar sustain loss in some instances equally, and in some the latter heavily.

b. In the Varishaputh system the Zemindar is entitled to the whole quantity of varisay if one chey yields more than five cullums, and to half share of produce if the yield is less than that quantity. It is the duty of Curnams to send accounts regarding the above in proper time, but they never do so, and make delay, and the ryots in the meantime cut and carry away the shavy and monypidy or withered crops, and it produces suspicion when examined; and the ryots taking advantage of the Curnams above illegalities wilfully call the full crops as shavy or monypidy, and the Zemindar entails loss by it.

c. It is a practice in Zemindaries, after harvest is over to the ryots, to give odavaram chits (that is, a memorandum showing the whole quantity of grain) mentioning in it the estimate and yield of the land, and after division of crops takes place to insert it in the said chit. This the Curnams very much neglect to do; consequently the ryots are not in a position to know

whether the yield and the land-lord's share of produce are correctly put down in the Jamabundy accounts and putta, and disputes arise which cause delay in the collection of rents.

d. It is the duty of Curnams to give receipts for money collected, and to forward to the taluq a list showing the names of individuals from whom such money was collected. But the Curnams never do so, and therefore they are encouraged to render a false account as they please; hence delay and dispute in the collection. In Act VIII. of 1865 it is provided that no proceedings against a ryot to enforce the terms of the tenancy can be taken, unless the puttas and muchilikas are exchanged. It is the duty of the Curnams to get these puttas and muchilikas prepared, as the land-lord had no power to check the Curnams in the matter, they delay the preparation purposely to cause the land-lord's claim to rent lapsed by time, by which the land-lord incurs a loss.

17. When printed forms sent from the Collector's office for register of deaths in the Zemindari which were distributed among Curnams with directions to forward such Registers every month, but most of the Curnams did not send those Registers regularly; therefore the transmission to the Hoozoor of the said account was delayed, and the then Collector was informed that it was owing to the neglect and carelessness of the Curnams, and that officer sent his reply referring Zemindars to suit in Civil Court against the Curnams. Afterwards the Collector directed that the above-mentioned account to be obtained through the Deputy Tahsildars, even then some Curnams did not render the said accounts properly, and upon the report of the Deputy Tahsildars on the subject, the Collector again asked the contractor of this Zemindari by a letter to get such accounts from the Curnams.

18. If any of the Curnams of the Government Ain villages should do any mischief as to cause loss either to the Government or to the ryots, Collectors are empowered to receive complaints against them from the ryots and others, make a regular inquiry into it and to inflict punishment, and so it has been done in many cases. With all these the Curnams commit various malpractices as will appear from the accounts sent to their office every month, to which your attention is earnestly solicited. While the Curnams of the Government villages conduct themselves in such a manner without least fear, how much more the Curnams in Zemindaries in which there are no stringent rules for punishing them are expected to do mischief. They may do anything they like. The Zemindar, who has no easy mode of remedying the evils attendant upon matters which are injurious to him and in which he is directly interested, cannot be expected to give any relief to his poor ryots when they come and represent to him the misdoings of the Curnams, and the injury and damage resulting to them therefrom, and it is impossible for the ryots to obtain redress by suits in Civil Courts in such instance. This should be taken into consideration.

Remedy.

19. Under these circumstances, the Zemindars who are bound to pay peishcush regularly and who are liable to profit and loss as well as their ryots, most respectfully beg that the Government will be graciously pleased to take into their favorable consideration the foregoing facts and render them justice, granting them redress as prayed for below, viz:—

(a.) One, two or more competent Merassy Curnams appointed by the Zemindars to each village according to the circumstances of the village should be permanent in their appointments, and to be held equally responsible in the discharge of their duties; that they should not be allowed to alienate their Merassy rights by mortgage, sale, &c., nor to exchange of their own accord the villages to which they are Curnams, nor divide them among themselves, nor to appoint deputies of their own.

(b.) The Zemindars should be empowered to collect from the ryots for the Curnams the emoluments due to them, and to distribute them to the Curnams as long as they conduct their duties properly.

(c.) In default on the part of Curnams to give needful accounts which they are bound to do within proper time, the Zemindars should have the liberty to punish them for such default and other slight neglect of duty, subject, however, to appeal to the Collector.

(d.) The Zemindars should also be allowed, in cases of absence and neglect of duty on the part of a Curnam, to nominate a proper person in his stead, paying him from the income belonging to the defaulting incumbent.

(e.) In cases of unnecessary troubles and loss to ryots by Curnams, the Zemindar should be empowered to inquire into and dispose of, according to the nature of each particular case, the complaints (should any be made by ryots), subject to appeal before the Collector, or to bring it to the notice of the Government authorities for their decision.

(f.) Complaints which may be brought either by Zemindars or by their ryots against the Curnams for wilful fraud and breach of trust committed by them should be dealt with by the Court in which they are preferred under the Indian Penal Code and other laws, and the Collector in his revenue capacity shall be authorized to award damages for acts done by Curnams.

(g.) The Zemindars should further be permitted to report to the Collector in cases of disobedience and refusal on the part of Curnams to give needful accounts and to appear before them when summoned for inquiry, and to have them punished.

(h.) In cases in which the dismissal of a Curnam is necessary, the Zemindar should be placed in such a position as to inform the matter to the Collector and obtain his sanction for such dismissal and appointment of another person in his place.

(i.) The dismissed Curnam must be directed to deliver up to the Zemindar all the accounts in his possession, or else the Zemindar should be allowed to take criminal proceedings against him for the purpose of getting those accounts by compulsion.

ENCLOSURE No. 3.

From H. W. BLISS, Esq., Acting Sub-Collector, Madura, to the Acting Collector, Madura, dated Dindigul, 20th August 1872, No. 279.

With reference to your letter, No. 1,029, dated 1st June 1872, calling for information and report on the subject of the Board's Proceedings, dated May 1st, 1872, No. 700, I have the honor to submit the opinions of some of the principal Zemindars and Lessees of Zemindaries on the question of the position of Curnams in settled estates.

2. The Zemindar of Velur is of opinion that as by the proposed measure Curnams will have to be proceeded against partly in Revenue, and partly in Civil Courts, the delay, inconvenience, and trouble caused by their non-submission of returns, &c., will not be effectually provided against, and therefore suggests that all the powers of fining, suspending, and dismissing them should be vested in the Revenue authorities.

3. The Ayagudi Zemindar is of opinion that the measures proposed are sufficient to afford all due protection without conferring practical immunity from punishment for misconduct, &c., on the part of the Curnams; but suggests that Zemindars should be authorized to suspend Curnams from office, subject to confirmation by the Revenue authorities.

4. The Lessee of Ammainaikenoer Zemindari submits that the same procedure which is now in force with regard to Curnams in the unsettled estates should be made applicable to the Curnams in the permanently settled ones as well. He further suggests that as the present practice of referring their complaints against Curnams to Tahsildars for inquiry and report causes unnecessary delay and inconvenience, such complaints should be settled by the Divisional Officers in the same way as disputes between Zemindars and the ryots are now disposed of.

5. The renter of Kannivadi Zemindari is of opinion that the introduction of the new contemplated measure will be sufficient to secure the due performance of Curnams' duties in Zemindaries without prejudice to the interests of the estates.

6. For my own part I am of opinion that all distinction between the Curnams of Zemindari and Government villages should be removed, and the former should be placed on the same footing as the latter in every respect. I feel convinced that this would meet the views of the

Zemindars better than any half-and-half measure; and I speak from an experience almost entirely gained from service in Divisions of which Zemindaries form always a large, and sometimes a chief part. But if Government think this would be going too far, I beg to recommend the Ammainai-kenoor Lessee's suggestion to their consideration, viz., that, for all but petty offences to be disposed of by fine or other slight punishment, Zemindars be enabled to proceed against Curnams by summary suit before the Collector; and I beg to add that if suits of any kind and before any Court are to be necessary for the punishment of Curnams, it should be provided that any person (not only the Zemindars) may so sue them; otherwise the ryots will be left, as they are now, without protection against their malpractices in every case (and they are not few) in which the Zemindar and the Curnam combine to oppress them.

7. All the Zemindari villages in the Sub-division have Curnams except the five marginally noted, which are in different parts of the Pulni Hills. The first has a beriz of only Rupees 240, and has always been rented out for about half that sum to one of the residents. Evidently neither he nor the Zemindar could afford

- Ayarudi Zemindari.*
1. Kounjimalai.
Kannivadi Zemindari.
1. Manalur.
2. Andalar.
3. Pantrimalai.
4. Thonimalai.

to allot an inam to a Curnam out of so small a beriz. Of the four in the Kannivadi Zemindari one is rented out for the next 20 years to a man who is hopelessly at variance with the Zemindar, and the life-interest of the Zemindar in the other three has been sold by decree of Court. I do not see therefore how any arrangement for the allotment of inam can be made in these four cases; nor, I may add, would such allotments appear to be in any case binding on the successor of the persons who may make them, unless specially provided for when permanent sanads are issued to the estates, which has yet to be done in the cases both of Ayagudi and of Kannivadi.

From R. K. PUCKLE, Esq., Collector of Tinnevely, to the Secretary to the Board of Revenue, dated Courtalam, 10th August 1872, No. 341.

In reply to the Board's Proceedings, No. 700, dated 1st May 1872, I have the honor to inform you that there are Curnams to all the Zemindari villages of this district; the Curnams of the Singampatti and Urkad Zemindaries are, however, paid in money or grain by the Zemindars and enjoy no land as maniem. In the other Zemindaries the Curnams have Government maniem deducted from the area and peishcush of the Zemindaries, besides a certain stipend in coin paid by the Zemindars.

2. The general duties and emoluments of the Curnams of Zemindari and Ryotwari villages are so very similar that I never could see the advantage of removing the former entirely from the Collector's control, the more especially as the punishment of Zemindari Curnams by the Civil Courts is a dead letter, as no Zemindar will run the risk of failure in his attempt to oust a Curnam in this manner. There is, however, a case on record here in which a Zemindar succeeded in procuring the dismissal of a Curnam by the Civil Court, but the Curnam was reinstated on appeal.

3. The Zemindars have frequently complained to me that they have no control over their Curnams and have begged for my interference; of course I could do nothing for them, though I have often thought of bringing the subject to notice.

4. The disorder and even dismemberment of many of the Zemindaries is, I think, directly traceable to the absolute impossibility of a Zemindar being master of his own estate, if the Curnams do not choose him to be so, and it may be imagined that it repays the Curnams to render the revenue system more and more complex and difficult, if by so doing they can baffle inquiry and keep the management of affairs in their own hands.

5. One Zemindar, lately deceased, adopted the expedient of lending his Curnams money, and so got them under control; but the majority are contented to live in blind ignorance of their own affairs, and draw what they can get from their property.

6. The Zemindars would be only too glad if their Curnams were subject to Regulation IX. of 1822, even to the modified extent now proposed by Government. I cannot see any objection to this, provided always that inquiry is held; the Zemindari Curnams would certainly brighten up and discharge their duties more efficiently if they knew that they were liable to the same law as the Curnams of Government villages.

7. The dismissal of Curnams by decree of the Civil Court on suits brought forward by the Collector would be a rare occurrence, as the Collector would naturally content himself with punishment within his own jurisdiction, and would be as unwilling as the Zemindar now is to entangle himself in civil suits; it seems to me, therefore, advisable that, if the law is to be altered, the Collector should have the same powers over Zemindari that he now has over Ryotwari Curnams, and that recourse to the Civil Court should be altogether abolished.

8. As nearly all the important Zemindaries of this district are now under management, I have not enclosed separate statements from the Zemindars, as I am well-acquainted with the general feeling on the subject.

From A. WEDDERBURN, Esq., Collector of Coimbatore, to the Secretary to the Board of Revenue; dated Coimbatore, 23rd October 1872, No. 166.

In reply to Revenue Board's Proceedings No. 700 of 1st May 1872, and the Government Order therewith embodied, I have the honor to forward a Statement showing the number and emoluments of Curnams in the Polliputs or Petty Zemindaries of this district; their number seems sufficient, and there are no vacancies in the office of Curnam.

2. Of the two questions which gave rise to the orders under reply, the one, viz., the difficulty in procuring returns and statistics has not hitherto been felt in this district, though the law might as well provide against future contingency.

3. The Zemindars of this district are all of opinion that Collectors may be invested with powers to fine, suspend, and dismiss Zemindari Curnams, and that recourse to the Civil Court is unnecessary; and they wish to occupy, with reference to these Curnams, the same position that the Tahsildar now occupies between the Circar Curnams and the Collector, viz., that he recommend fine, suspension, or dismissal, and that the Collector, upon formal inquiry, should award the punishment. One Zemindar (viz., of Andiputti) goes even further and wishes that the appointments might also be made by the Collector upon Zemindar's recommendation, and that Zemindars might be invested with power to inflict small fines within 5 Rupees each, for breach of duty. The Ramapatnam Poligar would also leave the appointment to the Collector.

4. The object of the law evidently was to place the Zemindari Curnam in a position independent of the Zemindar, so as to avoid the latter exercising his influence over the Curnam to the prejudice of the ryots' interests, which the Curnam was intended to protect. The Zemindar's suggestion therefore to be placed between the Curnams and the Collector as a channel, like Tahsildars in Circar villages, is inadmissible.

5. The change proposed in the existing law would alter it as follows:—

- (1.) Zemindar appoints the Curnam.
- (2.) The Collector can fine, suspend, or prosecute him, or examine his accounts.
- (3.) The Civil Court alone can dismiss him.

These alterations are an improvement on the existing law. So long as the Zemindar pays the Curnam, or allots land for his emoluments, the appointment must be left to the Zemindar. If any improvement is needed in the proposed change in the law, it is towards combining the powers of punishment in one head, and that the Collector.

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List of Polliputs or Zemindaries in the District of Coimbatore, showing the number of Curnams in each.

Polliput or Zemindari.	Number of villages in each.	Amount of Peishcush paid to Government.			Number of Curnams in each Estate.	Their emoluments.			Amount of deduction made to meet cost of Village Establishments when fixing the amount of Peishcush.		
		RS.	A.	P.		RS.	A.	P.	RS.	A.	P.
Andiputty	8	5,166	5	3	6	191	3	10	601	8	7
Mywady	1	561	2	8	1	88	7	8	99	10	6
Toongavy	1	818	10	8	1	57	7	2	102	2	9
Mettratty	1	1,965	10	10	1	84	11	8	210	11	4
Vehdaputty	1	146	8	1	1	26	0	0	34	1	9
Jothamputty	1	143	6	9	1	56	12	7	27	1	9
Woottookooly	10	4,393	0	8	4	204	0	0	508	13	6
Avalapumputty	6	4,200	0	0	2	183	0	0	684	9	11
Poravipolliem	3	2,804	12	6	2	121	13	10	324	14	5
Ramapatnum	3	1,436	9	3	2	62	9	8	166	6	7
Nehgamum	2	2,480	12	8	2	133	0	5	287	5	9
Samatoor	6	1,683	2	6	2	120	0	0	194	15	9
Cotamputty	7	1,860	15	5	2				215	8	10
Total ...	50	27,691	1	3	25	1,329	2	10	3,487	15	5

COIMBATORE,
23rd October 1872.

(Signed) R. RICE,
for Collector.

From J. W. BREEKS, Esq., Commissioner of the Nilgiris, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Ootacamund, 27th May 1872, No. 67.

With reference to Proceedings of the Board of Revenue, dated 1st instant, No. 700, calling upon Collectors to ascertain from the Zemindars in their districts, how many villages in their estates are without Curnams and whether they are prepared to supply the deficiency by nominating fit persons, I have the honor to state that there are no Zemindaries in this district.

From F. PRICE, Esq., Acting Collector of Salem, to the Secretary to the Board of Revenue, dated 4th November 1873, No. 337.

I HAVE the honor to submit the statement and opinions* of the Chief Muttadars of this district called for in the Proceedings of the Board of Revenue, No. 700, dated May 1st, 1872, and to express my regret at the delay which has occurred in doing so. Mr. Longley seems to have forgotten to ask for the opinions of the Muttadars, and I had, after I took charge, to do this. One of the proprietors consulted has not yet replied; but, as he has taken no notice of my reminders, I do not see the use of waiting for him any longer.

2. It will be seen from the accompanying statement that there are many villages in muttas which have no Curnams. Originally all villages were provided with them, but most of the estates in this district have been so much split up since they were formed, and so many proprietors are non-resident, that nothing has been done in many cases towards filling up vacancies in the manner required by law, and the work is performed either by the Curnams of other villages, or by hangers-on of the Muttadars' Agents. I did as much as I could when Sub-Collector to make Muttadars fill up the vacant appointments, but I always met with steady opposition, the reason doubtless being that proprietors preferred to put in, on the plea of their being acting, men who not having been formally appointed could be got rid of whenever they wished.

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3. The Muttadars have now nominated Curnams to existing vacancies, and all that has to be done is to register them in this office.

4. The general consensus of opinion amongst the Muttadars consulted is that there should be some more summary way of dealing with their Curnams than at present exists; that proprietors should be made responsible to Collectors for the submission of accounts, etc.; and that the tedious process of going through a suit in a Civil Court for the dismissal of a Curnam should be abolished in part, if not entirely.

5. It appears to me that the Regulations regarding Zemindaries generally were framed at a time when it was believed that the institution of such estates would produce a native aristocracy capable of governing to a certain extent, and having considerable power and influence in the country, and that it would be necessary to have some law by which this influence might be prevented from degenerating into oppression, the result of this being placing the Curnam in such a position as to render his post one not dependent upon the beck and nod of his master. How far this expectation has been fulfilled in this district is a matter of no doubt. I could mention cases where the Muttadar is a man poorer and lower in the social scale than the Curnams themselves.

6. I am decidedly of opinion that the farce of making the dismissal of a Curnam dependent upon a suit in a Civil Court should be swept away. As a provision of law, it is practically inoperative, and the sooner that it is done away with the better. The Muttadars all seem to think that it would be desirable to place the dismissal of Curnams on the same footing as in Government villages. I think myself that proprietors should have the power of fining their Curnams up to Rupees 5, subject to appeal to the Collector or the Divisional Officers; and that Collectors should be empowered to, on complaint from the Zemindar or ryots, fine up to Rupees 10, suspend or dismiss any Curnam, subject to appeal to the Board of Revenue. I would not allow the District Courts to have any authority in such cases. I think, however, that any law passed should provide for the recovery by summary suit of salary due by Muttadars to their Curnams. At present it is a very common thing for proprietors to neglect or refuse to pay the wages assigned to their Village Officers, and on account of which deductions were made when the peishcush was fixed. The men have practically no remedy, and they, therefore, make up their losses by preying upon the ryots and making them give fees and presents.

7. The general wish of the Muttadars appears to be that they alone should be held responsible to Collectors for accounts and statements. I think that, if they had the power of fining their Curnams given to them, such an arrangement would, with the exceptions noted hereafter, be a proper one, provided that the Collector was authorized to impose a fine not exceeding Rupees 50 (to be collected in the same manner as arrears of revenue) for every day's delay. I would not advocate Zemindars furnishing vital statistics, or being allowed to prepare accounts for the division of their estates, no matter under what circumstances. I think that the Revenue Officers should have the power to demand all such direct from the Curnams and to punish them for any default.

8. As regards the question of appointments, I confess that I hold the heterodox view that no public office should be hereditary. It will be seen that some Muttadars are of a similar opinion. I must say that I think it hard that one should be saddled with a scamp or an incapable, simply because his father held office before him: such a thing would not be suffered anywhere else. I am aware of the arguments used in favor of the system, but I think that the advantages which they put forward are more than counterbalanced by the difficulties which the practice causes. I am strongly in favor of allowing a Zemindar to select a competent man, other than one of the family, if he wishes, in place of a Curnam dismissed. An individual who knows that if he is turned out he will be succeeded by his son and the office be retained in his family is not so likely to be careful and conduct himself well as one who is aware that his dismissal may involve the total loss of office to his descendants. I would certainly allow a Zemindar some latitude in this matter. Let him by all means, as a general rule, where there is a vacancy caused by the death of an old and faithful servant, nominate his son, if fit, but let him at the same time be able to refuse to appoint a useless or dishonest man and put in some one else.

9. Lastly, as regards accounts, I consider that, as the interests of Government are much involved in them, they should be open to the inspection, at all times, of Revenue Officers, who should have the power of demanding that they should be kept in certain forms to be fixed by the Board of Revenue, and of punishing such Curnams as do not attend to their orders. At present Zemindari accounts are, for the greater part, a thorn on the side of all officers who have anything to do with them. Regularity, care, and accuracy exist in very few instances, and most of the accounts that I have seen would be a disgrace to any school boy. Muttadars should, I think, be bound (under a penalty leviable upon sufficient proof before the Collector) to supply their Curnams with information regarding all transfers, resignations, or other transactions connected with village accounts.

ENCLOSURE No. 1.

Statement showing the Number of Muttas, Curnams, etc.

Name of the Taluq.	Name of the Mutta.	Number of Curnams originally allotted for each Mutta.	Aggregate Pay of the Curnams.	NUMBER OF VILLAGES WITHOUT CURNAMS.	
				Villages.	Curnams.
1	2	3	4	5	6
Salem	Salem	7	RS. A. P. 171 7 10	3	2
	Annathanapatty	4	214 15 2	1	1
	Kunnungoorchey	5	254 7 0	7	4
	Alagapuram	3	132 0 0	1	1
	Karukkalwady	5	269 13 1	4	1
	Singalandapuram	2	110 15 10	...	...
	Razepur	1	47 4 10	...	...
	Kakanery	2	71 3 7	...	...
	Rakkipatty	1	26 8 0	...	...
	Chendraseskarapuram	3	42 8 0	...	...
	Total ...	33	1,341 3 4	17	10
Ahtur	Chekkadipatty	1	75 0 0	...	...
Namakal	Namakal	4	206 13 4	15	3
	Moothukapatty	4	109 11 9	...	...
	Thusur	7	196 0 6	9	5
	Ponnair	1	64 15 3	1	1
	Thippa Mahadevy	2	62 6 11	1	1
	Kondichettipatty	1	64 10 6	3	1
	Maroorpatty	2	71 4 2	2	1
	Maitupatty	1	39 11 9	...	...
	Pudukottai	3	118 8 11	7	3
	Luddiyady	3	86 6 3	3	2
	Agraharavalavandy	3	104 0 8	2	1
	Thalambadi	3	58 0 4	6	2
	Muttanchetty	3	141 4 5	6	1
	Yarumapatty	4	85 12 4	...	...
	Paliapalliem	3	80 5 4	5	3
	Pavittam	3	103 10 8	...	...
	Pottanam	1	42 14 2	...	...
	Pariapullamparai	4	75 12 6	2	1
	Bailukuruchee	4	118 14 10	...	...
	Minnambully	4	82 9 10	1	1
	Muthalapatty	3	133 1 0	5	3
	Thummaunkurchi	4	163 15 3	4	1
	Tholur	2	95 12 5	3	1
	Thendamanagalam	3	64 5 2	...	...
	Thindamanagalam	6	201 3 9	9	1
	Parungurchi	1	72 8 4	...	...
	Tholasiramony	3	123 4 4	...	...
	Theelum	2	126 12 9	13	2
	Kerumbur	2	87 0 7	...	...
	Gonar	2	83 4 1	...	...
	Kudachery	2	89 8 11	2	1
	Kuparikapolliem	1	38 7 6	...	...
	Pullur	3	114 12 6	9	3
	Chalur	3	102 13 2	...	...
	Tirukur Valavandy	3	93 3 0	...	...
	Total ...	101	3,516 15 2	117	40

Statement showing the Number of Muttas, Curnams, etc.—(Continued.)

Name of the Taluq.	Name of the Mutta.	Number of Curnams originally allotted for each Mutta.	Aggregate Pay of the Curnams.	NUMBER OF VILLAGES WITHOUT CURNAMS.	
				Villages.	Curnams.
1	2	3	4	5	6
Trichengode ...	Ammur	4	RS. A. P. 182 12 11	4	1
	Kokalai	1	72 9 6	...	...
	Manali	1	80 0 0	9	1
	Molipully	1	123 9 0	6	1
	Puttur	6	301 1 9	22	5
	Chittalundur	1	83 2 7	6	1
	Komaramangalam	3	126 3 7	13	2
	Komarupullem	2	52 11 3	...	...
	Thokavady	2	70 2 1	...	...
	Koundenpolliem	1	63 0 0	...	...
	Kalliany	2	53 3 2	...	...
	Munjanur	2	56 4 9	...	...
	Wunjany	2	120 0 0	...	...
	Kottavurthampatty	1	25 13 7	5	1
	Palamedu	2	68 2 4	...	...
	Murungam	2	40 0 0	...	...
	Minnampully	1	63 11 3	...	...
	Kurmanur	3	157 0 7	4	2
	Maraparai	1	71 1 9	...	...
	Kokkeroyenpettai	7	255 9 5	4	1
	Senkegherry	2	32 12 8	...	...
	Erugalur	1	29 13 3	...	...
	Konganapuram	5	89 2 6	9	2
	Total ...	53	2,217 15 11	82	17
Dharampury ...	Pungunatham	3	117 8 0	7	1
	Noolahully	2	110 2 1	4	1
	Reddihully	3	14 2 0	8	1
	Paparapatty	3	50 6 0	2	1
	Mathaihully	3	14 0 0	3	1
	Panakolam	1	15 0 0	...	...
	Vailampatty	3	23 2 0	1	1
	Marandahully	2	66 7 10	24	1
	Baivuhully	2	68 15 6	23	2
	Terumalavady	3	13 3 10	15	2
	Hunumanthapuram	8	134 1 7	11	4
	Papinaikenpatty	5	141 1 4	2	1
	Total ...	38	768 2 2	100	16
Tripatur	Davastanam	5	67 1 4	4	4
	Yalayanagaram	1	15 0 0	...	...
	Chikkanakuppam	1	12 0 0	1	1
	Alinjikolam	2	21 13 11	...	...
	Amburpettai	6	121 14 1	3	3
	Chinnavappumbuttu	6	89 12 1	...	...
	Thathavally	4	64 4 7	1	1
	Yelagherry	6	167 9 5	4	3
	Chelathampully	5	92 13 1	5	3
	Bommikuppam	6	157 0 11	9	3
	Rachamangalam	2	50 15 0	...	...
	Kakungherry	1	21 0 0	...	...

Statement showing the Number of Muttas, Curnams, etc.—(Concluded.)

Name of the Taluq.	Name of the Mutta.	Number of Curnams originally allotted for each Mutta.	Aggregate Pay of the Curnams.	NUMBER OF VILLAGES WITHOUT CURNAMS.	
				Villages.	Curnams.
1	2	3	4	5	6
Tripatur.— (Continued.)	Kunthali	2	RS. A. P. 58 14 2	4	1
	Chinnakunthali	2	58 14 2	2	1
	Natham	2	87 8 0	10	2
	Lukkinaikampatty	2	125 4 5	...	...
	Puttagaram	2	27 6 4	...	...
	Pariagaram	2	46 8 2	...	...
	Kasinaikenputty	2	43 15 11	1	1
	Mookanoor	2	22 2 3	...	...
	Patchel	3	39 13 0	5	3
	Teriyalem	7	129 11 10	5	1
	Total ...	71	1,472 8 6	54	27
Krishtnagherry.	Kundarapally	4	100 9 2	28	3
	Thippapully	1	38 3 8	6	1
	Bullarapully	3	151 15 3	50	3
	Jagadeeroo	2	42 8 0	2	1
	Chendarapully	1	17 15 8	...	...
	Purushottamapuram	1	7 4 0	...	...
	Utchamangalam	2	35 0 0	5	1
	Ikundum Kottapully	2	17 14 1	1	1
	Thalihully	5	50 0 11	7	5
	Pennaswara Mattam	2	14 8 0	1	1
	Avuthwady	4	61 7 10	3	3
	Nullur	1	50 6 7	...	...
	Nummandahully	2	52 10 5	...	...
	Roykottah	2	33 2 4	...	...
	Mahaindrangalam	2	133 10 7	37	2
	Heclagam	1	50 10 5	17	1
	Wulagam	1	46 13 7	16	1
	Total ...	36	904 12 6	173	23
Utengherry ...	Kadathur	5	197 2 6	46	4
	Anunndoor	1	95 14 10	...	...
	Kmmenellore	16	248 7 11	52	11
	Total ...	22	541 9 3	98	15
Oossoor ...	Bagalur	32	571 2 6	70	23
	Soolagherry	10	607 10 2	139	10
	Ungusagherry or Barigai ...	29	837 1 3	131	21
	Total ...	71	2,015 13 11	340	54
Grand Total...		426	12,844 0 9	981	202

SALEM,
6th November 1873.(Signed) J. F. PRICE,
Acting Collector.

ENCLOSURE No. 2.

Precis of the opinions of the Muttadars in the Salem District, who were consulted regarding the law relating to Zemindari Curnams.

1. Mrs. Foulkes (*vide* letter.)
2. Vencataramanayer, Muttadar of Thothavally, does not want any more Curnams; sees no objection to the proposed alteration in the law relating to Curnams.
3. Zemindar of Shulagherri is of opinion that Muttadars should have the power of fining their Curnams, subject to an appeal to the Collector, and the Collector to have the power of suspending, subject to an appeal to the Board of Revenue. Does not think that the duty of prosecuting delinquent Curnams with a view to dismissal should be with the Collector. It ought to be, he thinks, with the Zemindars, and that the power of dismissal should rest with the Collector and not the District Court, subject, however, to a regular appeal to the District Court against the Collector's order of dismissal.

Considers the present staff of Curnams in his Zemindari sufficient. He would, however, split the charge of two Curnams which is rather extensive, and appoint two additional men, dividing the emolument amongst the four.

Wishes to be furnished with a copy of the draft Act when framed.

Is of opinion that ready-money allowance is preferable to land.

4. Sheshagherry Row, Muttadar of Chinna Kuntheli, approves of the proposed alteration in the law. Suggests that two additional classes should be provided for—

(1.) That Muttadars should be bound to furnish their Curnams particulars of lands made over by them on Dhurkasts and the Razeenamahs received by them (which they now seldom do), so that the Curnam may be enabled to prepare the Statements Nos. 4 and 5, failing which the Collector should have the power of fining the Muttadar.

(2.) That Tahsildars should have the power of examining the Mutta Curnams accounts, so as to see if they are kept up.

Thinks that the pay to Curnams should be in land, as, at present, the Muttadars do not pay their Curnams regularly.

Considers that the present number of Curnams in his mutta sufficient.

5. Gopalasawmy Moodelliar, Muttadar of Anathanapatty, approves of the proposed alterations in the law.

Considers that the present staff is sufficient, and their pay should, as at present, be in ready cash.

6. Govinda Row, Joint Muttadar of Koontharapully suggests:—

(1.) That the heirs of the dismissed Curnams should not be allowed to succeed to the office, and that the Muttadar should have the power of nominating a stranger to the vacant office.

(2.) That the power of dismissal should, at the prosecution of the Muttadar, rest with the Collector, subject to a regular appeal to the District Court.

(3.) That with the exception of accounts relating to vital statistics, the Curnams should not be required by Revenue Officers to furnish any account without the intervention of the Muttadar.

7. Balajee Row, Muttadar of Commanellore, approves of the proposed alterations in the Regulation. Present staff sufficient.

8. Polama Reddy, Muttadar of Metupatty, do. do. do.
(Signed) T. PRITCHARD,
Deputy Collr., for Ag. Collector.

ENCLOSURE No. 3.

From Mrs. JESSIE FOULKES, Zemindari of Salem and Palamedu, to the Acting Collector of Salem, dated Calicut, 10th July 1873.

I HAVE the honor to acknowledge the receipt of your letter, No. 242, of the 13th ultimo, and of the Proceedings of the Madras Board of Revenue, No. 700, of the 1st of May 1872, which accompanied it.

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2. I fully concur in the remarks contained in the 2nd section of paragraph 5 of the Order of Government, No. 595, of the 12th April 1872, respecting the immunity for misconduct enjoyed by Zemindari Curnams under Regulation XXIX. of 1802, and the consequent necessity for a remedy being provided by new legislation.

3. I think, however, that any legislation which would give the Collectors direct powers to require duties to be performed by Zemindari Curnams would only add to the difficulties which Zemindars now have in dealing with their Curnams. The Zemindars are very dependent upon their Curnams, and any legislation which would tend to weaken the control which the present state of law gives the Zemindars over the Curnams would operate injuriously to the Zemindars' interests, and be certain to diminish the value of the Zemindari property.

4. For all the general requirements of Government, such as the collection of statistics, it would, in my opinion, be sufficient for the Collector to require those statistics to be furnished by the Zemindars under certain reasonable penalties for neglect; and, in order to enable the Zemindars to meet the Collectors' requirements, the new law should declare it to be a duty of the Curnams to furnish these statistics to the Zemindars and authorize the Collectors to impose suitable punishment upon the Curnams, on sufficient proof, of their neglect to perform this duty, being laid before the Collectors by the Zemindars.

5. All that appears to me to be needed for the protection of both the Zemindars' and the ryots' interests, in addition to the present law, is to define with sufficient minuteness the duties of the Curnams, and to invest the Collectors with power to investigate complaints by Zemindars and ryots of neglect in the performance of those duties, and to punish such neglect summarily, or, at his discretion, in cases of very serious or of repeated neglect, to send the offenders to District Courts for trial.

6. There are many occasions on which it is necessary for the Zemindar freely to consult the accounts of his villages; but, with the exception of the general direction of Section 11 of Regulation XXV. of 1802, that the Curnams "shall obey all legal orders issued by their Zemindars," the present law does not enable the Zemindars to enforce the production of those accounts when the Curnams refuse or neglect to produce them. Section 12 of Regulation XXIX. of 1802 provides that "Curnams shall produce, whenever required by the proprietors, etc., the records and accounts;" but, though a remedy for their non-production when required by Collectors and Courts of Judicature has been provided by Section 16 of that Regulation, no method of enforcing their production has been provided for the Zemindars. I beg to suggest the necessity for a provision being made by the new law to remedy this great defect in the present law.

7. I may be permitted to add here that it seems to me that Section 6 of the Proceedings of Government now under consideration has been written in forgetfulness of the fact, that by Section 11 of Regulation XXV. of 1802, the "under-farmers, tenants, and ryots" of a Zemindar, have, equally with the Zemindar himself, the right to institute suits against Zemindari Curnams for breaches of duty: so that, as a matter of fact, the present law equally protects the ryots and their Zemindars, and affords an equal remedy for both against offending Curnams.

That which is now needed, therefore, both for the Zemindars and the ryots, is that the remedy should be made more simple, and more readily attainable than it is by the present law.

8. If Government could entrust the Zemindars with so much discretionary power, I think a still more simple remedy than that which I have suggested above would be quite in accordance with the spirit of the people, and would meet all the requirements of the case, namely, to authorize the Zemindars themselves to punish their Curnams for all minor offences with such fines as the new law might enable them to impose, and either to require the Zemindars to report to the Collectors each such punishment, and the offence for which it was inflicted, for his approval, or to give the Curnams power to appeal to the Collectors against the punishments imposed by the Zemindars.

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9. I have the honor to return, herewith, the copy of the Proceedings enclosed in your letter, and to request that you will be good enough to submit this letter to the Board of Revenue for their consideration.

(True Copy.)

(Signed) T. PRITCHARD,
Deputy Collr., for Ag. Collector.

ENCLOSURE No. 4.

Arzee from VENCATARAMANAYER, Proprietor of Thothavally Mutta, in the Tripatur Taluq, to the Acting Collector of Salem, dated 2nd July 1873.

I BEG to acknowledge the receipt of your order, dated 11th June 1873, and the copy of Government Proceedings which accompanied it.

2. There are sufficient number of Curnams in my mutta villages, and no increase is required.

3. It appears from the above Proceedings that, as Mutta Curnams act dishonest parts with immunity, and never perform their duties properly, the Regulation XXIX. of 1802 should be amended; that Collectors should be vested with the power of prosecuting the Curnams, leaving the power of dismissing them entirely to the Court, and that the Board was desired by the Government to draw up a draft Act for the purpose.

4. I have no objection to Collectors being vested with such powers.

5. I, therefore, think it desirable that the above Regulation should be amended as proposed by the Government.

(True Translation.)

(Signed) J. W. JOHNSTON,
Deputy Collr., for Ag. Collector.

ENCLOSURE No. 5.

From RAJA STREE MASTI CHOKKI GOUNDEN, Zemindar of Shulagherri, to the Acting Collector of Salem, dated 7th July 1873.

WITH reference to the particulars contained in your correspondence of the 11th June last, on the subject of changes proposed in the existing law as regards Curnams, I, Raja Streeman Masti Chokki Gounden, beg to inform as follows:—

The intention of Government to amend the present Act XXIX. of 1802 and to frame a new one in its stead seems to be a beneficial one. As every thing which the Curnam has to perform in connection with his office refers to the Zemindar, he should act in subordination to him. To prefer a complaint to the Collector every time the Curnam fails to discharge his duties properly in accordance with the instructions of the Zemindar, for whom he is employed, and by whose orders he should abide, occasions great inconvenience to the Zemindar and convenience to the Curnam. It would, therefore, appear proper that the Zemindar should be empowered to inflict on Curnams small fines, subject to appeal to the Collector, whose orders on the subject should be held final. It would further appear proper that the power to suspend Curnams should be vested in the Collector, appeal against his orders lying to the Board of Revenue.

2. If it should be provided that the Collector should prosecute the Curnams in the Civil Court for the purpose of getting them dismissed, every time the Curnam has to be dismissed, the Collector has to file a suit in the Civil Court and proceed with it in the same manner as a party to a suit, which will not only be inconvenient, but difficult of being successfully prosecuted to an end. Further, it would appear that it is beneath his official position to bring an action in a Court against a Curnam for the purpose of getting him dismissed, and that the Zemindar being the party whose interests are affected by that act of the Curnam which makes him deserving of the punishment of dismissal is the proper person to prosecute him; that in all such cases Collectors should have power to entertain and dispose of the complaint preferred by the Zemindar.

for dismissal; and that the party who is dissatisfied with the decision of the Collector may prefer a regular appeal to the Principal Civil Court of the district. For the reasons stated above, I would recommend as being a just and beneficial measure that the Zemindar should have power to check the work of the Curnam. All the villages in my Zemindari are provided with Curnams, but with two exceptions, in one of which there is a Curnam for fifty-four villages situated at a distance of about four miles from one another, and in the other there is one for thirty-one villages similarly situated. I would suggest that these Curnams' ranges should be split each into two, and two additional Curnams appointed, so that there may be one separate Curnam for each range. With regard to payment of salary to Curnams, I am in favor of the present practice of remunerating them in cash which should therefore be continued, for, if lands are assigned, it would be found difficult to obtain possession of them or their income when suspension or dismissal takes place. Lastly, I request that a copy of the draft Act amending Act XXIX. of 1802 may be furnished me if possible.

(True Translation.)

(Signed)

J. W. JOHNSTON,

Deputy Collr., for Collector.

ENCLOSURE No. 6.

Arzee from SHESHAGHERRY ROW, Muttadar of Chinna Kuntheli, dated 5th July 1873.

With reference to the order of the Acting Collector of Salem, dated 11th June 1873, No. 21, and the instructions contained in paragraphs 7, 8, and 9 of the Proceedings of Government, dated 1st May last, No. 700, Seshagherry Row, Muttadar of Chinna Kuntheli, in the Tripatur Taluq, begs to inform as follows:—

Paragraph 7. The intention of Government to amend the Act XXIX. of 1802, regarding Muttas Curnams, and to enact a new one in its place, seems to be a beneficial one.

8. If Collectors have power to receive and inquire into the complaint preferred by Zemindars and ryots against Curnams for several delinquencies, such as concealed cultivation, embezzlement, and excess collection, etc., and punish such Curnams as are guilty, they will take care not to commit such faults again. It would appear just to allow the Curnams to appeal to the Board of Revenue and obtain justice.

9. It would appear beneficial that a provision should be made that, on the inquiry held by the Collector, if the Curnam appears to be deserving of punishment of dismissal rather than fine or suspension, copy of an order to that effect should be furnished to the Zemindar, to enable him to sue the Curnam in Civil Court for his dismissal, and that a temporary Curnam should be appointed until the said suit is finally disposed of. It would also be necessary that Collector should have power to examine Curnams' accounts either personally or by an agent.

Besides these provisions, I beg to suggest another important one to be added in the proposed Act:—

(1.) Muttadars, Poligars, and Jaghiredars never give Curnams correct information of lands relinquished and those newly taken up for cultivation for each fasli. The Curnams, therefore, find it impossible to prepare the Jummaundy Chittah (No. 5) and remain silent. It should, therefore, be provided that Muttadars should for each fasli give Curnams information of lands relinquished and those newly taken up by ryots, to enable them to prepare the Jummaundy Chittah (No. 5) and Adungal Chittah (No. 4) which should be deposited with them; that Tahsildars should in the month of June of each fasli ascertain whether such accounts are kept or not; that in case a complaint is made to the Collector that Muttadars have not furnished Curnams information, to enable them to prepare the accounts, he should have power to inquire into the matter and order Muttadars to do so, and that in the event of their neglecting the order to fine them according to his discretion.

(2.) Salaries of Curnams are fixed on the gross assessment at Rupees 2½ per cent. as in the case of Amani villages. There are cases in which some Muttadars and Poligars do injustice by not paying Curnams their salaries. Some of the Curnams, who are unable from poverty to sue the Zemindars and incur expenses of a suit for the recovery of their salaries, suffer great

inconveniences and troubles. It would, therefore, appear just that remuneration in the shape of lands as Inam equal to the average per year of their salaries calculated on the beriz of three years should be given, and until such arrangement takes place, Collector should have power to hear the petitions of Curnams complaining of non-payment of their salaries and have them paid.

(True Translation.)

(Signed)

J. W. JOHNSTON,

Dy. Collr., for Ag. Collector.

ENCLOSURE No. 7.

Arzee from GOPALASWAMY MOODELIAR, Muttadar of Anathanaputty, in the Salem Taluq, to the Acting Collector of Salem, dated 11th August 1873.

I BEG to acknowledge the receipt of your order, dated 11th June 1873.

There are sufficient number of Curnams in my mutta villages as particularized below. They are paid in money, which kind of payment, I think, is a proper one. It is desirable that the supervision over Curnams should be vested in Revenue authorities, who should have power to punish them in cases of delinquencies. Such provision will induce Curnams to act honestly and remedy evils arising from time to time. I, therefore, think that the proposal to amend the Regulation XXIX. of 1802 is a beneficial one:—

1. Anathanaputty.	} One Curnam for these four villages.	Salary per annum. Rs. 145 4 2
2. Andiputty.		
3. Pallaputty.		
4. Kanthamputty.		

1. Savathapuram.	} One Curnam for these two villages.	Rs. 57 3 3
2. Andiputty.		

(True Translation.)

(Signed)

J. W. JOHNSTON,

Deputy Collr., for Ag. Collector.

ENCLOSURE No. 8.

Arzee from GOVINDA ROW, Joint Registered Proprietor of Koontharapully Muttas, in the Kistnagherry Taluq, to the Acting Collector of Salem, dated 10th August 1873.

I BEG to acknowledge the receipt of your Yadast, dated 11th June last, No. 22, and the Proceedings of the Board of Revenue, dated 1st May 1872, No. 700.

2. As necessary, provisions regarding Zemindari Curnams were not distinctly made in the existing Regulations XXV. and XXVII. of 1802, and, as great inconveniences are experienced by Zemindars by the Act VIII. of 1865, I beg to request you will kindly submit my opinion as stated below for the consideration of the Board and Government in view to obviate them.

3. It is a fact generally known that Zemindars will sustain great loss if they fail to exercise several powers in connection with their privileges as regards revenue, that is to say, there is a provision already made that, whenever any Curnam dies, or is dismissed, a person should be selected from his heirs; consequently he is fully confident that the appointment of Curnam is not separated from his family, and thereby neglects his duties.

4. As the Curnams are solely responsible for several accounts of the Zemindari, and, as several procedures to be observed under Act VIII. of 1865 are to be carried into effect through their channel, their negligence of duties occasions great loss to Zemindars. It would, therefore, appear necessary to invest the Zemindars with the power of nominating others when no qualified persons are found in the family of the deceased or dismissed Curnams, or the head of the district, to appoint such persons as are recommended by Zemindars.

5. Provision should also be made that, whenever it is necessary either to increase the establishment of Curnams, etc., on account of increase of beriz caused by cultivation, or to

for dismissal; and that the party who is dissatisfied with the decision of the Collector may prefer a regular appeal to the Principal Civil Court of the district. For the reasons stated above, I would recommend as being a just and beneficial measure that the Zemindar should have power to check the work of the Curnam. All the villages in my Zemindari are provided with Curnams, but with two exceptions, in one of which there is a Curnam for fifty-four villages situated at a distance of about four miles from one another, and in the other there is one for thirty-one villages similarly situated. I would suggest that these Curnams' ranges should be split each into two, and two additional Curnams appointed, so that there may be one separate Curnam for each range. With regard to payment of salary to Curnams, I am in favor of the present practice of remunerating them in cash which should therefore be continued, for, if lands are assigned, it would be found difficult to obtain possession of them or their income when suspension or dismissal takes place. Lastly, I request that a copy of the draft Act amending Act XXIX. of 1802 may be furnished me if possible.

(True Translation.)

(Signed)

J. W. JOHNSTON,

Deputy Collr., for Collector.

ENCLOSURE No. 6.

Arzee from SHESHAGHERRY ROW, Muttadar of Chinna Kuntheli, dated 5th July 1873. WITH reference to the order of the Acting Collector of Salem, dated 11th June 1873, No. 21, and the instructions contained in paragraphs 7, 8, and 9 of the Proceedings of Government, dated 1st May last, No. 700, Seshagherry Row, Muttadar of Chinna Kuntheli, in the Tripatur Taluq, begs to inform as follows:—

Paragraph 7. The intention of Government to amend the Act XXIX. of 1802, regarding Muttas Curnams, and to enact a new one in its place, seems to be a beneficial one.

8. If Collectors have power to receive and inquire into the complaint preferred by Zemindars and ryots against Curnams for several delinquencies, such as concealed cultivation, embezzlement, and excess collection, etc., and punish such Curnams as are guilty, they will take care not to commit such faults again. It would appear just to allow the Curnams to appeal to the Board of Revenue and obtain justice.

9. It would appear beneficial that a provision should be made that, on the inquiry held by the Collector, if the Curnam appears to be deserving of punishment of dismissal rather than fine or suspension, copy of an order to that effect should be furnished to the Zemindar, to enable him to sue the Curnam in Civil Court for his dismissal, and that a temporary Curnam should be appointed until the said suit is finally disposed of. It would also be necessary that Collector should have power to examine Curnams' accounts either personally or by an agent.

Besides these provisions, I beg to suggest another important one to be added in the proposed Act:—

(1.) Muttadars, Poligars, and Jaghiredars never give Curnams correct information of lands relinquished and those newly taken up for cultivation for each fasli. The Curnams, therefore, find it impossible to prepare the Jumma bundy Chittah (No. 5) and remain silent. It should, therefore, be provided that Muttadars should for each fasli give Curnams information of lands relinquished and those newly taken up by ryots, to enable them to prepare the Jumma bundy Chittah (No. 5) and Adungal Chittah (No. 4) which should be deposited with them; that Tahsil-dars should in the month of June of each fasli ascertain whether such accounts are kept or not; that in case a complaint is made to the Collector that Muttadars have not furnished Curnams information, to enable them to prepare the accounts, he should have power to inquire into the matter and order Muttadars to do so, and that in the event of their neglecting the order to fine them according to his discretion.

(2.) Salaries of Curnams are fixed on the gross assessment at Rupees 2½ per cent. as in the case of Amani villages. There are cases in which some Muttadars and Poligars do injustice by not paying Curnams their salaries. Some of the Curnams, who are unable from poverty to sue the Zemindars and incur expenses of a suit for the recovery of their salaries, suffer great

inconveniences and troubles. It would, therefore, appear just that remuneration in the shape of lands as Inam equal to the average per year of their salaries calculated on the beriz of three years should be given, and until such arrangement takes place, Collector should have power to hear the petitions of Curnams complaining of non-payment of their salaries and have them paid.

(True Translation.)

(Signed)

J. W. JOHNSTON,

Dy. Collr., for Ag. Collector.

ENCLOSURE No. 7.

Arzee from GOPALASWAMY MOODELIAR, Muttadar of Anathanaputty, in the Salem Taluq, to the Acting Collector of Salem, dated 11th August 1873.

I BEG to acknowledge the receipt of your order, dated 11th June 1873.

There are sufficient number of Curnams in my mutta villages as particularized below. They are paid in money, which kind of payment, I think, is a proper one. It is desirable that the supervision over Curnams should be vested in Revenue authorities, who should have power to punish them in cases of delinquencies. Such provision will induce Curnams to act honestly and remedy evils arising from time to time. I, therefore, think that the proposal to amend the Regulation XXIX. of 1802 is a beneficial one:—

1. Anathanaputty.	} One Curnam for these four villages.	Salary per annum.
2. Andiputty.		
3. Pallaputty.		
4. Kanthamputty.		
1. Savathapuram.	} One Curnam for these two villages.	Rs. 57 3 3
2. Andiputty.		

(True Translation.)

(Signed)

J. W. JOHNSTON,

Deputy Collr., for Ag. Collector.

ENCLOSURE No. 8.

Arzee from GOVINDA ROW, Joint Registered Proprietor of Koontharapully Muttas, in the Kistnagherry Taluq, to the Acting Collector of Salem, dated 10th August 1873.

I BEG to acknowledge the receipt of your Yadast, dated 11th June last, No. 22, and the Proceedings of the Board of Revenue, dated 1st May 1872, No. 700.

2. As necessary, provisions regarding Zemindari Curnams were not distinctly made in the existing Regulations XXV. and XXVII. of 1802, and, as great inconveniences are experienced by Zemindars by the Act VIII. of 1865, I beg to request you will kindly submit my opinion as stated below for the consideration of the Board and Government in view to obviate them.

3. It is a fact generally known that Zemindars will sustain great loss if they fail to exercise several powers in connection with their privileges as regards revenue, that is to say, there is a provision already made that, whenever any Curnam dies, or is dismissed, a person should be selected from his heirs; consequently he is fully confident that the appointment of Curnam is not separated from his family, and thereby neglects his duties.

4. As the Curnams are solely responsible for several accounts of the Zemindari, and, as several procedures to be observed under Act VIII. of 1865 are to be carried into effect through their channel, their negligence of duties occasions great loss to Zemindars. It would, therefore, appear necessary to invest the Zemindars with the power of nominating others when no qualified persons are found in the family of the deceased or dismissed Curnams, or the head of the district, to appoint such persons as are recommended by Zemindars.

5. Provision should also be made that, whenever it is necessary either to increase the establishment of Curnams, etc., on account of increase of beriz caused by cultivation, or to

reduce the same, or their salaries, on account of transfer of villages and other causes, the request of the Zemindars should be complied with.

6. The practice of having recourse to a Civil Court for Curnams' delinquencies in accordance with the provision of the existing law not only occasions loss to Zemindars, owing to delay in obtaining a decision of the Court, but also hindrance in the works of the Revenue authorities. I, therefore, beg to suggest that the Collector and his subordinates should have power to punish Curnams for their delinquencies, such as concealed cultivation, frauds, etc., subject to appeal to the Civil Court or the Board of Revenue. Such provision, I think, will induce the Curnams to conduct their duties connected with muttas with due care and accuracy.

7. It is not right that, whenever Curnams are called upon directly by Government Officers to furnish such accounts as are required, Zemindars should be left in ignorance of the same. It would appear just that the Zemindar should be acquainted with all the transactions connected with their estates; provision should, therefore, be made that, whenever such accounts are required by Government, they should be called for through Zemindars, with the exception of those directly required from the Curnams.

8. Though the Act VIII. of 1855 assists Zemindars in dealing with revenue transactions and gives no room to do anything injurious to ryots, still the provision in the Act that Curnams who are placed under Zemindars should affix their signatures in puttas does not appear necessary, notwithstanding they are held responsible.

9. There are at present sufficient number of Curnams in my registered Koontharapully Mutta. Out of these (four in number) one is the Firka Curnam of the Cusbah Koontharapully; he receives certain sum of money yearly as a salary, and possesses lands given him for the purpose. The other three Firka Curnams have only lands left for their service. I think it desirable that the Curnams should be paid annually in ready cash as in Amani villages.

(True Translation.)

(Signed) J. W. JOHNSTON,
Deputy Collr., for Collector.

ENCLOSURE No. 9.

Arzee from BALAJEE ROW, Proprietor of Commancellore Mutta, in the Uttengherry Taluq, to the Acting Collector of Salem, dated 9th August 1873.

I beg to acknowledge the receipt of your order, dated 11th June 1873, and the extract from the Proceedings of Government, dated 1st May 1873, No. 700.

As the proposals contained in the above Proceedings, regarding the immediate prosecution and punishment of Mutta Curnams for negligence of duties and acts of misconduct, will be of great assistance, I have no objection to the Act being framed by the Government, amending Act XXIX. of 1802, and authorizing Collectors to exercise the powers mentioned in it.

2. The present number of Curnams in my mutta villages is quite sufficient. I, therefore, think it unnecessary to raise the number, as the work is performed without delay.

(True Translation.)

(Signed) J. W. JOHNSTON,
Deputy Collr., for Collector.

ENCLOSURE No. 10.

Arzee from POLAMA REDDY, Proprietor of three Muttas, viz., Mettuputty, Marudurputty, and Kondisettuputty, in the Namkul Taluq, to the Acting Collector of Salem, dated 20th August 1873.

I beg to acknowledge the receipt of your order, dated 11th June 1873, No. 16, and a copy of the extract from a Proceedings of Government, and another order, dated 6th August 1873, No. 33.

2. The proposal of Government to repeal the present Act regarding the appointment of Mutta Curnams and to frame a new one providing for the punishment of such Curnams in cases of negligence of duties as explained in paragraphs 7, 8, and 9 of the above Proceedings will be beneficial to the Zemindars and ryots as well as to Government. It will also turn out useful in carrying out works connected with muttas without difficulty. Under the present law it is proposed that delinquent Curnams cannot be dismissed immediately and others appointed, unless a suit is filed and a decree passed in a Civil Court. Such provision not only puts Muttadars to inconvenience and hardship, but also renders them unable to furnish any accounts called for by the Government, and gives room to Curnams to act dishonestly.

3. Under the proposed Act the said irregularities will be prevented, accounts kept properly, and works carried out with facility. I shall be very glad if Government will be pleased to pass it.

Particulars of Mutta Villages.

	No.	Salary.
		RS.
Curnam of Mettuputty Mutta	1	40
Do. of Marudurputty do.	2	72
Do. of Kondisettuputty do.	2	70

4. This establishment is in existence from the fusli of Thurmathy year.

(True Translation.)

(Signed) J. W. JOHNSTON,
Deputy Collr., for Collector.

From F. PRICE, Esq., Acting Collector of Salem, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Trichengode, 26th March 1874, No. 106.

I have the honor to report, for the information of the Board and in the hope that something may be done by passing a legal enactment making it binding upon Curnams in permanently settled estates to furnish the Revenue authorities with vital statistics, that the Curnam of Hustampatti in the Alagapuram Muttah has entirely disregarded instructions to send the Birth and Death Registers of his village.

2. I wrote to the Muttadar who is ready enough to help us. He, however, replies that the Curnam lives at Omalur some ten miles away, comes once every two months or so to Hustampatti, and pays no attention to orders.

3. I can do nothing to the man, for he is not "legally bound" to furnish me with the returns, and I cannot expect the Muttadar to file a suit against him simply because I cannot get my Birth and Death Registers.

From H. S. THOMAS, Esq., Collector of South Canara, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Mangalore, 1st June 1872, No. 642.

With reference to the Proceedings of the Board of Revenue, dated the 1st May 1872, No. 700, I have the honor to report that there are no Zemindaries in this district, and that consequently the report therein called for is not required from South Canara.

From A. MACGREGOR, Esq., Collector of Malabar, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Calicut, 23rd May 1872, No. 124.

With reference to Board's Proceedings, dated 1st May 1872, No. 700, I have the honor to state that there are no Zemindars in this district.

16 Read the following papers

No. 2,975.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 27th October 1874.

Read the following papers:—

Board's Proceedings, dated 1st May 1872, No. 700.

Also the following replies to the foregoing:—

From the Collector	of Ganjam,	dated	30th Sep. 1873,	No. 2,425.
" "	of Vizagapatam,	"	19th Dec. 1872,	" 1,551.
" "	of Godavery,	"	28th Aug. 1873,	" 1,285.
" "	of " "	"	5th Dec. 1872,	" 379.
" "	of Kistna,	"	4th Jan. 1873,	" 3.
" "	of Nellore,	"	18th April " 1872,	" 570.
" "	of Bellary,	"	25th Oct. 1872,	" 2,521.
" "	of Cuddapah,	"	30th May " 1873,	" 172.
" "	of " "	"	9th July 1873,	" 102.
" "	of Kurnool,	"	9th April 1874,	" 83.
" "	of Chingleput,	"	28th May 1873,	" 170.
" "	of North Arcot,	"	5th Feb. 1873,	" 16.
" "	of South Arcot,	"	23rd Sep. 1872,	" 469.
" "	of Tanjore,	"	11th Nov. " "	" 357.
" "	of Trichinopoly,	"	28th " " "	" 437.
" "	of Madura,	"	11th June 1873,	" 110.
" "	of Tinnevely,	"	21st Nov. 1872,	" 340.
" "	of Coimbatore,	"	10th Aug. " "	" 341.
" Commr.	of Nilgiris,	"	23rd Oct. " "	" 166.
" Collector	of Salem,	"	27th May " "	" 67.
" "	of " "	"	4th Nov. 1873,	" 337.
" "	of South Canara,	"	26th March 1874,	" 106.
" "	of Malabar,	"	1st June 1872,	" 642.
" "	" "	"	23rd May " "	" 124.

Board's Proceedings, dated 9th February 1871, No. 623.

Also the following replies to the foregoing:—

From the Collector	of Ganjam,	dated	29th June 1871,	No. 811.
" "	of Vizagapatam,	"	5th April " "	" 325.
" "	of Godavery,	"	3rd " " "	" 110.
" "	of Kistna,	"	1st May " "	" 1,294.
" "	of " "	"	30th " " "	" 1,541.
" "	of Nellore,	"	30th " " "	" 985.
" "	of Bellary,	"	22nd April " "	" 146.
" "	of Cuddapah,	"	27th May " "	" 113.
" "	of Kurnool,	"	28th Feb. " "	" 52.
" "	of Chingleput,	"	18th March " "	" 100.
" "	of " "	"	31st " " "	" 133.
" "	of North Arcot,	"	14th " " "	" 153.
" "	of South Arcot,	"	11th Sep. " "	" 300.
" "	of Tanjore,	"	19th May " "	" 153.
" "	of Trichinopoly,	"	19th Oct. " "	" 280.
" "	of Madura,	"	22nd April " "	" 111.
" "	of Tinnevely,	"	14th " " "	" 151.
" "	of Coimbatore,	"	21st July " "	" 190.
" Commr.	of Nilgiris,	"	8th June " "	" 65.
" Collector	of Salem,	"	17th Jan. 1872,	" 10.
" "	of South Canara,	"	8th Mar. 1871,	" 315.
" "	of Malabar,	"	27th Feb. " "	" 55.

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Board's Circular Memorandum, dated 23rd May 1874, No. 651.

Also the following replies to the foregoing:—

From the Collector of Ganjam,	dated 13th August 1874,	No. 579.
" " of " "	" 29th " "	" 1,716.
" " of " "	" 27th Oct. " "	" 2,089.
" " of Vizagapatam,	" 30th Sep. " "	" 1,447.
" " of " "	" 12th April 1875.	
" " of " "	" 18th May " "	
" " of Godavery,	" 14th Oct. 1874,	" 363.
" " of " "	" 17th Nov. " "	" 418.
" " of Kistna,	" 3rd July 1875,	" 903.
" " of Nellore,	" 13th Oct. 1874,	" 2,352.
" " of Chingleput,	" 19th Sep. " "	" 514.
" " of North Arcot,	" 1st Aug. " "	" 415.
" " of " "	" 24th Sep. " "	" 496.
" " of " "	" 13th Oct. " "	" 529.
" " of South Arcot,	" 29th June " "	" 323.
" " of Tanjore,	" 22nd Aug. " "	" 251.
" " of Trichinopoly,	" 29th Aug. " "	" 212.
" " of Madura,	" 21st Sep. " "	" 326.
" " of " "	" 1st Dec. " "	" 409.
" " of " "	" 26th April " "	" 173.
" " of Tinnevely,	" 29th Aug. " "	" 423.
" " of Salem,	" 17th Aug. " "	" 298.
" " of " "	" 17th Sep. " "	" 347.

The difficulty experienced in procuring correct and regular returns of vital and other statistics from Zemindary Curnams and the virtual immunity from punishment for misconduct which they enjoy under Regulation XXIX. of 1802 having

Proceedings, dated 6th Oct. 1869, No. 7,424. been brought to the notice of Government in the Proceedings marginally

Proceedings, dated 15th June 1870, No. 4,149. noted, the Board were called upon to

furnish a draft Bill for the amendment of the law, after obtaining the opinion of some of the principal and most intelligent Zemindars on the proposed legislative measure, and to procure for information regarding Zemindary Curnams,

their number and emoluments, and also as to the number of villages without Curnams. The requisite information was called for in Board's Proceedings

dated 1st May 1872 and Circular Memorandum dated 23rd May 1874. A file of replies to the former and a general statement prepared with reference to the latter

accompany these Proceedings.

2. Connected with the same question is that of the means to be adopted for ensuring the punctual payment of the emoluments of village servants in Zemindaries. A difficulty (which was stated to be due to the non-payment of the village

servants) having been experienced in the Kistna District in getting Government work performed in Zemindary villages, and the question of extending the operation of the Village Cess Act (IV. of 1864) to Zemindary tracts having been brought

forward, the Board called upon all Collectors to report on the expediency of

Proceedings, dated 9th February 1871, No. 623.

amending the Act so as to make it applicable to Zemindaries and at the same time to suggest any other amendments which they might deem advisable, as the Government, in their Order of the 16th June 1870, No. 886, concurred with the Board in considering the Act in its present form inapplicable to Zemindaries. A file of replies to this reference accompanies; and, as this question is closely connected with that of the position of Curnams in permanently-settled estates, they may be conveniently considered together.

3. The statement now prepared gives as full and accurate information as is procurable in regard to the number and emoluments of Curnams in Zemindaries. Considerable delay has arisen from the difficulty experienced in obtaining returns from the proprietors, and a few have not yet furnished them, returns being still due from the Kistna District and for Shevagungah in Madura. The information given is sufficient to show that the difficulties which have been experienced are not due to a paucity of Curnams. As a rule their number appears sufficient, and the proprietors of the principal estates appear to be perfectly willing to supplement the deficiency and assign suitable remuneration wherever real necessity exists. With the exception of Jeypore, where there are no Curnams, the accounts being prepared by Mazzumdars on the Zemindar's establishment, the instances in which the number is deficient appears to be confined to insignificant villages which are attached to others more important possessing a Curnam, the work being performed by him; to villages in minor estates, such as muttahs, polliems, agraphams, and shrotriems, where the work is performed by the proprietor himself or by his gumasta; and to small hill villages usually rented out. In some estates, such as Ramnad for instance, the Curnams seem to be unequally distributed, there being sometimes seven or eight villages to one Curnam and sometimes seven or eight curnams to one village, and it is also reported that the clubbing authorized by Section 2 of Regulation XXIX. of 1802 has been carried out to an inconvenient extent. Some Zemindars seem to think that the latter part of that section sanctions the clubbing of any number of villages provided they each pay a revenue of less than 400 pagodas, whilst the Pittapur Zemindar appears to consider that he is precluded by that section from appointing an additional Curnam when required in the case of large villages, and it is suggested that the Board should be vested with power to regulate the number of Curnams to be employed in each estate, any change in the number without the Board's sanction being illegal. It was clearly the intention of the provision of the law quoted that the revenue of the village or group of villages under each Curnam should not exceed 400 pagodas, and the provisions of Sections 2 and 10 of the Regulation seem sufficient to secure that object.

4. The emoluments, consisting sometimes of land and sometimes of ready money or grain fees, vary considerably from between two and three rupees to sums between two and three hundred. The remuneration in the principal estates seems, as a rule, sufficient, and in many cases where the fees are small it seems to be due to the number of sharers being in excess of requirements. Under Section 9 of Regulation XXIX. of 1802 the Board have power to authorize a reduction in the number of Curnams. It does not appear, however, that the inadequacy of the emoluments or the paucity of Curnams has been generally assigned as a reason for the difficulties which have been experienced in procuring returns. The real

cause is that it is no part of their duty to furnish the information, and that they are exempt from punishment for failure to comply with requisitions from revenue officers.

5. In accordance with the instructions of Government, the opinions of the principal Zemindars in regard to the proposed legislative measure have been obtained. They are unanimously of opinion that the independence of the Curnams in their estates should be curtailed, and the only point on which there is a difference of opinion is as to the manner in which the control should be exercised. The majority are desirous of being themselves vested with power to inflict punishment, some asking for absolute control, even to dismissal, others being content with limited powers of awarding fine or suspension, subject to appeal. They urge that the Curnams are their own servants remunerated by them; and that, as Government have complete authority over their own servants, there is no reason why restrictions should be laid on them alone, and they complain that it is derogatory to their position to require them to appear before any tribunal as complainants on equal terms with their own servants. Some suggest that the Government should look to them to furnish such accounts and returns as are required subject to penalty for neglect, but Mrs. Foulkes, Zemindary of Salem and Palamedu, points out that, "with the exception of the general direction contained in Section 11 of Regulation XXV. of 1802 that curnams 'shall obey all legal orders issued by their Zemindars,' the present law does not enable Zemindars to enforce the production of those accounts when the Curnams refuse or neglect to produce them. Section 12 of Regulation XXIX. of 1802 provides that 'Curnams shall produce, whenever required by the proprietors, &c., the records and accounts'; but, though a remedy for their non-production when required by Collectors and Courts of Judicature has been provided by Section 16 of that Regulation, no method of enforcing their production has been provided for the Zemindars."

6. Under the existing law the only remedy, in case of refusal on the part of a Curnam to produce accounts required by a proprietor, appears to be by suit in the District Court; and, as this would involve great delay, some more speedy process must be sanctioned if proprietors are to be held responsible for furnishing accounts and statements. The only Collector who appears to be in favor of this suggestion is the Collector of Nellore, although the Acting Collector of Salem sees no objection to the proposal except as regards vital statistics and accounts required for the division of estates, which he would get direct from the Curnams. Mr. VansAgnew is of opinion that any law that is likely to be passed will be a dead letter in practice, the power of the Zemindars over their ryots and village officers being alike supreme, and that it would be far better policy, under existing circumstances, to deprive the Zemindars of the transparent excuse they always make of having no power over their Curnams by giving them by law expressly the complete power over the Curnams which they actually wield. In most other districts the Curnams are represented as being supreme, and there can be little doubt that there will be far greater probability of obtaining returns punctually from the Curnams themselves than through the agency of the proprietors, who are not likely to interest themselves much in the matter even should the Collector be empowered to impose fines for delay. The proposition of the Venkatagiri Rajah

that there should be two Curnams for each village or group of villages paying Rupees 5,000, one to attend to the business of Government and the other to that of the estate, is evidently out of the question.

7. Collectors must, therefore, be empowered to call for returns from Curnams direct, to examine their accounts or cause them to be examined by any special agent deputed for the purpose, and to compel them to deliver up their accounts when necessary by searching for and seizing them. As regards investing Zemindars with power to punish their Curnams, although one or two Collectors see no objection to conferring authority to fine within a limited amount subject to appeal to the Collector, the opinion of the majority appears to be that the award of punishment should rest with the revenue officers of Government exclusively, and that any extension of the Zemindar's authority would be likely to lead to oppression and defeat the object of the law in placing the Curnam in an independent position for the protection of the ryot's interests. This view appears sound.

8. Moreover the claim put forward by the proprietors of estates to have the Curnams regarded as their private servants is based on what appears to be an erroneous assumption, namely, that the latter are remunerated out of the pockets of the former, whereas it is quite clear that in some districts at any rate, *e.g.*, North and South Arcot, Madura, Tinnevely, Coimbatore, and Salem, deductions were made in fixing the peishcush to meet the cost of village establishments, and it is probable that this was more universally the case than appears from the statement (column 4) which is submitted herewith, and that a reference to the accounts prepared for the determination of the peishcush would show that the Curnam's emoluments were not taken into account. From paragraphs 15 and 16 of the instructions issued to Collectors by the Board of Revenue under date 15th October 1799 (p. 317, Appendix to Fifth Report from the Select Committee on the Affairs of the East India Company), it appears clear that the exclusion of village maniams and Curnam's allowances from the assets, with reference to which the peishcush was fixed, was contemplated; and wherever this arrangement was carried into effect and the maniam had been assigned by proprietors previously, the Curnams are really paid by Government and the proprietors jointly. It may, however, be argued on the other hand that, as the enjoyment of the maniams carried with it the obligation to render certain services in connection with the public revenue, the assignees of the revenue are entitled to these services, and should be vested with power to secure the performance of them.

9. There does not appear to be any sufficient reason why revenue officers should not possess the same powers of punishment in regard to Curnams in permanently-settled estates as in ryotwari villages. The Manager of the Vizianagtam Estate and some of the proprietors consulted consider that the proposed change does not go far enough, and that Collectors should be vested with the power of dismissal. Several Collectors are of the same opinion. The Civil Courts have been rarely, if ever, resorted to in times past, and it is not likely that the Collector will be more ready than the Zemindar to go to Court; he would naturally content himself with punishment within his own jurisdiction, and the remedy by suit would be wholly inoperative as now. It will afford sufficient protection if the power of dismissal

is vested in Collectors alone, Divisional Officers being empowered to impose fines up to Rupees 10 and suspend, appeal against all such orders lying to the Board of Revenue, with whom, instead of with the Civil Courts, the control over revenue officers in the exercise of purely administrative functions should rest.

10. As regards protection of the ryot's interests, which appears to have been one of the main reasons for considering it advisable to extend to Collectors power to institute proceedings in the Courts, Mrs. Foulkes points out that Section 11 of Regulation XXV. of 1802 was apparently overlooked by Government "under farmers, tenants, and ryots having, equally with the Zemindar himself, the right to institute suits against-Zemindary Curnams." All that is necessary appears to be to transfer to the revenue officers of Government the duty of investigating complaints by declaring Curnams in permanently-settled estates amenable to the provisions of Regulation IX. of 1822. Sufficient protection would be afforded if the power of disposing of such cases were reserved to Collectors themselves though the Board do not consider this restriction necessary.

11. Several Collectors point out that the provisions of Sections 6, 8, and 10 of Regulation XXIX. of 1802 have hitherto been a dead letter, and suggest that, although the power of nominating Curnams should rest with the Zemindars as at present, the nomination should be subject to confirmation by the Collector in order to make it incumbent on the former to report the occurrence of vacancies and the mode in which they are filled up. This change would, however, be very distasteful to proprietors, and it does not appear necessary as Section 7 is a sufficient safeguard for the maintenance of the hereditary principle, and no doubt lists of the existing Curnams would be readily furnished if called for. Moreover, by repealing that portion of Section 8 of Regulation VI. of 1831 which exempts Curnams in permanently-settled estates from the operation of that enactment, Collectors will be competent to adjudicate on all claims to the possession of, or succession to, such offices which may arise.

12. This extension of Regulation VI. of 1831 is also very desirable on another ground, namely, to facilitate the recovery of the emoluments of the office, and this leads to the consideration of the further question whether it is expedient to amend the Village Cess Act so as to make it applicable to Zemindaries. And, first, as to the inapplicability of the Act in its present shape, it is pointed out that Zemindaries are in no way exempted from its operation in express terms; and that, as Regulation VI. of 1831, the provisions of which the Act supersedes, was, except in the solitary instance of the office of Curnam, as applicable to Zemindari as to Government villages, the Act is capable of application to the former by the mere exercise of the power conferred by Section 2, and the Deputy Collector of South Arcot points out that in the original draft of the Village Cess Act provision was made for the exemption of Zemindaries from its operation, but that this proviso was struck out by the Select Committee for the express purpose of enabling Government to introduce it wherever desirable. A reference to the papers connected with the passing of the Act shows that such was the case; and, although difficulties may arise in applying its terms to the conditions of Zemindaries which may necessitate recourse to legislation, a simple notification of Government is all that is necessary for its introduction into any estate.

13. As regards the expediency of applying the Act, the majority of the Collectors are decidedly opposed to such a measure, the few who report in favor of it stating that it appears advisable, but not apparently from any practical experience of the necessity and without attempting to deal with the many difficulties which surround the question. The sole argument advanced in favor of the measure is that it will ensure payment of the emoluments of village servants in estates and make it possible to enforce the performance of duties for which they are remunerated; but, from the testimony of the revenue officers generally, it does not appear that payment has been withheld to any great extent, and the law already provides a remedy in the case of all village servants except Curnams in permanently-settled estates. It has been repeatedly held that village servants in villages held on inam tenure, such as mokhasas, aghahams, shrotriems, &c., are not exempt from the provisions of Regulation VI. of 1831, and it is, therefore, competent to Collectors to adjudicate on all claims preferred by them; whilst Section 52 of Act II. of 1864 was expressly enacted for the recovery of fees due to village officers in districts to which the Cess Act might not be extended. A reference to the debates shows that it was originally proposed to insert the provision in the Village Cess Act and that it was decided to transfer it to Act II. of 1864, which was under consideration at the same time. The mere extension of Regulation VI. of 1831 to Curnams in permanently-settled estates will suffice to remedy the difficulty wherever it has been experienced. To remove all doubt on these points it may be as well to bring Curnams in Inam villages expressly within the operation of the Act and to define the manner in which decrees under Regulation VI. of 1831 shall be executed, especially as difficulty has been experienced in giving effect to awards affecting the possession and enjoyment of emoluments in land owing to the absence of any provision in the Regulation empowering Collectors to enforce their decrees.

14. The arguments adduced against the introduction of the Village Cess Act into estates are briefly—

(1.) That the existing law, as contained in Regulation VI. of 1831 and Section 52 of Act II. of 1864, is sufficient except as regards Zemindary Curnams.

(2.) That what is required is an alteration of the law to give revenue officers greater control over village servants in Zemindaries, and that non-payment of their emoluments is not the cause of the difficulties which have been experienced, complaints of this nature not having been numerous.

(3.) That the extension of the Village Cess Act would be regarded by the ryots as the imposition of a very heavy burden unless measures can be taken to relieve them of the many unauthorized exactions on the part of the Zemindars which have become recognized by custom and are included in the rent demand.

(4.) That remuneration in the shape of land and grain fees is more popular than ready-money payments.

(5.) That under Section 4 of Act VIII. of 1865 landholders have, and sometimes exercise, the power to include in a puttah and collect with the rent fees such as those of village servants, payable with it according to established usage; and that, if they do not exercise the powers they at present possess, there is no reason to suppose that they will avail themselves of any fresh powers that Act IV. of 1864 would confer.

(6.) That the determination of the assessment on which the cess should be calculated would be a work of great difficulty inasmuch as it is next to impossible to ascertain the land revenue demand in the case of ryots in Zemindaries where the renting system often prevails, and there are no statistics showing the holdings of the cultivating ryots. The amendment of the Act so as to make it applicable to the circumstances of proprietary estates would be a difficult matter, and would necessitate a revision of establishments entailing additional cost to Government.

(7.) That the services rendered are chiefly due to the Zemindars and that their wishes should be consulted, but that it does not appear that they have sought for the introduction of the measure.

15. In these views the Board concur. There would undoubtedly be considerable difficulty in determining the amount of the cess and collecting it, whilst its imposition without any compensating advantage in the shape of a revision of assessment would be regarded as a great hardship, nor does the measure seem called for.

16. It is suggested by some officers that advantage should be taken of this opportunity to consolidate the law relating to the office of Curnam by remodeling the old Regulations, defining their duties and specifying the accounts they are bound to keep and the returns they are required to submit. The consolidation of the law is, however, a task which, if thought desirable, should be entrusted to the law officers of Government; and, as regards the accounts to be kept and returns to be submitted, it will, the Board think, suffice to lay down that Curnams shall, in addition to the accounts specified in Section 11 of Regulation XXIX. of 1802, keep such accounts, and furnish such returns, as the Government or Board of Revenue may, from time to time, prescribe, as greater precision might lead to difficulty in case of alterations being deemed requisite subsequently.

17. The draft Bill is, therefore, confined to repealing such portions of the existing law as restrict the jurisdiction of revenue officers in regard to Curnams in permanently-settled estates; extending the provisions of Regulation VI. of 1831 to the adjudication of claims to such offices and the emoluments attached to them so as to facilitate their recovery under Act II. of 1864; rendering Zemindari Curnams amenable to Regulation IX. of 1822 so as to afford a more speedy remedy in case of unauthorized collections and falsification of accounts; and holding them responsible for such returns as may be prescribed by competent authority.

(A true Copy and Extract.)

[Signature]
Acting Sub-Secretary.

To the Acting Secretary to Government, Revenue Department,
with a Draft Bill, two files of Collectors' reports,
and a statement, and copy of Board's Circular Memorandum,
dated 23rd May 1874, No. 651, and Board's Proceedings,
dated 9th February 1871, No. 623, and 1st May 1872, No. 700.

Copy to all Collectors, with draft Bill.

Exd. J. W. Fischer.

DRAFT BILL.

WHEREAS difficulty has been experienced in procuring correct and punctual returns of statistics from Zemindaries and other Proprietary Estates, and it is therefore expedient to amend the law relating to Curnams in such estates and to provide that they shall be more immediately under the authority and control of the Revenue Officers of Government, and shall be bound to produce their accounts whenever required, it is hereby enacted as follows:—

2. The enactments mentioned in the schedule to this Act annexed are hereby repealed to the extent specified in the third column of the said schedule.

3. The term "Landholder" shall include all persons holding under a Sanad-i-Milkeut Istimrar all other Zemindars, Poligars, Shrotriendars, Jaghiredars and Inamdars, and the term Proprietary Estate shall mean the estate of any such Landholder.

4. Curnams in Proprietary estates shall be under the immediate authority and control of the Collector, or Officer exercising the powers of a Collector, to the same extent as Curnams of villages in districts of which the assessment of the revenue is not permanently fixed, and shall be liable to fine, suspension, or dismissal for incapacity, neglect of duty, or other just cause, after formal inquiry, provided that sentence of dismissal shall be subject to confirmation by the Collector of the District.

5. Curnams shall obey all legal orders issued by the Revenue Officers of Government or Landholders, and the Collector, or Officer exercising the powers of a Collector, may of his own motion, or on complaint preferred by a Landholder, his under-farmers, tenants, or ryots, institute a summary inquiry regarding any breach of duty brought to notice.

6. The provisions of Regulation IX. of 1822, as extended by Regulation VII. of 1828 and Act XXXVI. of 1837, shall be applicable to all cases in which Curnams in Proprietary estates are accused or suspected of having committed any offences of the 2nd, 3rd, 4th, and 5th Classes specified in Section II., Clause 2 of the enactment first mentioned, relating to the levy of unauthorized cesses, the embezzlement of the collections, or to the making of false entries, and the falsification, destruction, and concealment of the accounts of such estate, and Curnams shall be amenable to the jurisdiction of the Collector, or Officer exercising the powers of a Collector, under those enactments.

7. Curnams shall be bound to keep such accounts and to furnish such returns as may be prescribed by Government or the Board of Revenue from time to time, and for failure or unnecessary delay they shall be liable to such punishment as the Collector may adjudge. Whenever Curnams are not duly maintained in any estate the Landholder shall be held responsible for furnishing the information required, or rendering the returns prescribed, within a date to be fixed by the Collector of the district, and for refusal or failure to comply with such requisition, except on due cause proved to the satisfaction of the Collector, such Landholder shall be liable to fine not exceeding Rupees 50 for each day's delay, which shall be leviable in the same manner as an arrear of Land Revenue.

8. The Collector, or Officer exercising the powers of a Collector, may require the attendance of Curnams whenever their services are required, and demand the production of their accounts for the purpose of ascertaining the correctness of the returns furnished, or of satisfying themselves as to the manner in which the accounts have been kept, or may depute a subordinate to examine them. In case of failure to produce the accounts when called for the Collector, or other Officer aforesaid, shall be empowered to issue a search warrant for their discovery in the manner prescribed by Section IX., Regulation IX. of 1822.

9. The provisions of Sections XVI., XVII., XVIII., XIX., of Regulation XXIX. of 1802 shall be applicable to inquiries before Revenue Officers under this Act, and the Collector, or Officer exercising the powers of a Collector, shall be competent to exercise the powers conferred on a Court of Judicature therein.

10. All claims to the office of Curnam in Proprietary estates, or to the emoluments annexed thereto, shall be adjudicable exclusively by the Revenue Officers of Government under Regulation

VI. of 1831. All decrees for the transfer of land under that regulation shall be executed by Collectors in the same manner as decrees of Civil-Courts under the Code of Civil Procedure, and all fees and other dues adjudged to be payable shall be recoverable in the same manner as arrears of Land Revenue.

11. From every decision, act, or order of the Collector, or Officer exercising the powers of a Collector, under this Act an appeal shall lie to the Board of Revenue within three months from the date of the decision, act, or order; provided that it shall be competent to the Board of Revenue, whenever they see fit, to admit an appeal after the expiration of such limit.

12. This Act shall come into force from such date as the Local Government shall direct by notification in the *Fort Saint George Gazette*.

SCHEDULE.

Number of Regulation.	Title of Regulation.	Extent of Repeal.
XXV. of 1802... ..	A Regulation for declaring the proprietary right of lands to be vested in individual persons, &c.	Section XI.
XXIX. of 1802... ..	A Regulation for establishing the office of Curnam, &c.	Section V. Section VII. The words "before the Judge of the Zillah." Sections XIII. and XXIV.
VI. of 1831	A Regulation to prevent the misappropriation of the emoluments annexed by the State to hereditary village and other offices, &c.	Section VIII. So much as relates to the office of Curnam established by Regulation XXIX. of 1802.

Ed. J. Tulloch.

Statement of Objects and Reasons.

1. The Draft Act is proposed with a view to confer on Zemindars and other Proprietors of estates paying a fixed revenue to Government and yielding an annual Beriz of not less than one lakh of rupees, the powers to deal more directly with the nomination and the punishment of village officers in the villages comprised in their estates.

2. The law on the subject as at present obtaining is contained in the Regulations as follows:—

Regulation XXV of 1802, Section 11.
Regulation XXIX of 1802.
Regulation VI of 1831.

3. Section 11 of Regulation XXV of 1802, and Regulation XXIX of 1802, refer exclusively to the office of Curnam in permanently settled estates. Regulation VI of 1831 to all other village offices.

4. The various classes of village servants are specified below. The duties performed by them are detailed in a separate paper.

1. Curnam.
2. Monegar or Headman of the Village.
3. Nottum or Village Shroff.
4. Kavalgar or Thalayari.
5. Thoty or Thookiri.
6. Nirgante or Kumboocootee.

5. By Section 11 of Regulation XXV of 1802 and Regulation XXIX of 1802, the power to nominate a Curnam on the occurrence of a vacancy is vested in the Zemindar or proprietor of the estate; of course it is prescribed that the nomination should be made on a due consideration of hereditary claims and reported to the Collector of the District within a month of the occurrence of the vacancy. In cases where hereditary claimants are unfit by reason of incapacity to be appointed Curnams, the proprietor is required to prove the fact before the Civil Court and then to proceed to make his own nomination.

6. So far then the power to nominate a Curnam in permanently settled estates is vested in the proprietors.

7. As regards the dismissal of the Curnam, however, it is distinctly laid down that he shall not be dismissed from his office except by the sentence of a Court of Judicature and no provision is made in any of the regulations for the infliction of any punishment such as fine or suspension by the proprietors of the estates.

8. As regards the remaining classes of village servants the power to nominate as well as to suspend or remove them is vested exclusively in the Collector of the District, both as regards Government villages and villages belonging to permanently settled and other estates.

9. Therefore as the law at present stands, little or no powers are accorded to proprietors and they have practically no direct control over their own village servants.

10. Where the villages are Government villages, the reason of the reservation of all powers to the Collector is clear enough; but the case is different where the villages belong to a permanently settled or other estate.

11. The reference to Civil Courts for the dismissal of Curnams and for proof of incompetency of hereditary claimants to Curnam Offices also partakes somewhat of an antiquated procedure and is not consonant with the practice in these matters as regards the other classes of village servants.

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Revenue 1875. Dr. free
Board of Revenue,
MADRAS.

PROCEEDINGS, 27TH OCTOBER 1875, No. 2,975.

Depo 4/11/1875

Encl. 4

Received S. B. B. B.

OCTOBER.
No. 2,975.

Curnams in Zemindary and other Estates.
— Submitting to Government, with Board's observations, draft Bill to amend the law relating to— in view to procure correct and punctual returns of statistics from them, as well as reports of Collectors on this subject and on the question of amending the Village Cess Act IV. of 1864 so as to make it applicable to Zemindary tracts.

for Madras
etc

RC 25/2/75 R 4-3-79
C 10/1/79 R 24/2/79
C 1/9/75 R 26/1/78

12. In cases where emoluments for village offices have been assigned by Government, and even in cases where no such emoluments have been assigned, it is doubtless the duty of Government, with a view to the proper administration of the country to see that such emoluments and offices are properly maintained, but it certainly is not necessary for this purpose to refuse to proprietors of estates all manner of control over their village servants.

13. All the various classes of village servants in villages comprised in estates have to do their work directly under the proprietors, and the only exceptions are the village Talayaries, (police servants) and that part of the Monigar's work referring to his functions as village Munsiff and Magistrate, where the same man is both Monegar and Munsiff.

14. Several irregularities are committed by these men in the performance of their duties but however provokingly trivial or serious the irregularity may be the proprietors have no means of punishing the men except by the tedious process of a suit in the Civil Court as regards the Curnam and a complaint before the Collector as regards the other classes of village servants. The proprietors have not even the power to indict small fines or suspensions for limited periods.

15. The inconvenience of having to institute suits and complaints even in trivial matters is so great that practically these ultimate measures are seldom resorted to. It would be interesting to know how many suits have been instituted in the several Civil Courts and how many complaints have been preferred before Collectors, since the promulgation of the regulations at present in force. No statistics, however, are available, but there is not the slightest doubt that the number of such suits and complaints is very limited. This certainly is not evidence of the exemplary conduct of the village officers but of the unwillingness of proprietors to incur the trouble and annoyance of the institution of such proceedings. It must also be understood that proprietors are generally averse to such proceedings under the impression that the delinquent village servants acquire a fictitious importance by the prosecution and that the proprietors themselves suffer a loss in their dignity by having to prosecute on equal terms a menial servant, an impression which is pardonable in men in their position.

16. Under such a state of affairs, the administration of estates cannot be all that they can and ought to be.

17. It must also be observed that the restrictions imposed by the law on proprietors are so far irksome that in some Districts they are more honored in the breach than in the observance. For instance in all the northern Districts, to a great extent, the Zemindars up to date continue to appoint and remove their village servants without any reference to the Civil Courts or Collectors, while in the southern Districts where the people are of a litigious and more discriminating character the proprietors are prevented from exercising such privileges.

18. It is therefore desirable on all grounds to confer on proprietors of estates the power to deal summarily with their village servants within certain limits. Of course the powers proposed to be so conferred will not extend to the case of Kavalgars. These men are exclusively police servants and have no duties to perform under the proprietors of estates.

19. As regards Monigars who are also village Munsiffs it might be argued that if proprietors are empowered to dismiss them in their capacity as Monigars it might cause inconvenience in that the Collector would be obliged to appoint another Munsiff, but it is only reasonable that he should do so. These village officers have two sets of duties one in relation to the proprietors of the estate and one in relation to the Magistrate and Collector who is the guardian of the public peace and the Chief Magistrate of the District. A man may be a very fair head of a village from a police point of view and yet so signally fail in his duties as a revenue official as to be justly amenable to exemplary punishment and *vice versa*. If a proprietor dismissed a Monigar for any irregularity in his revenue duties, it is certainly reasonable that the Collector should divest him of his functions as Munsiff, just as, if the Collector dismissed a Munsiff, his functions as a Monigar are taken away from him.

20. No inconvenience practically can result from the arrangement and it must also be understood that in several villages there are more than one Monigar, and that one of them alone is the Munsiff.

21. On a consideration of the foregoing circumstances, it is proposed in the Draft Act to invest Zemindars and other proprietors of estates with the power to nominate their village servants and also to punish them by the infliction of fines, suspensions and dismissals.

22. That there may be no abuse of the powers so vested, it is provided that the fines inflicted on any individual village servant in any one year shall not exceed 5 Rs. and also that on no single occasion shall the fine exceed 2 Rs., that all fines inflicted, and suspensions and dismissals shall be reported to the Collector and be subject to an appeal to that Officer. All nominations to village offices are also to be made with due reference to hereditary and family claims as at present, subject to appeal to the Collector.

23. The powers proposed to be conferred are those at present exercised by Divisional officers and as a further safeguard against abuses, it is proposed that no Zamindar or Proprietor the annual beris of whose estate is less than 100,000 Rs. shall share in these powers.

24. With these restrictions there need be no fear of any alienation or diversion of emoluments of village offices or of injustice to the village servants themselves, whereas on the other hand, a crying evil as regards the relations between Proprietors and their village servants will be remedied.

25. With this statement of objects and reasons, the draft bill is submitted for approval.

The designation of the various village servants and the duties performed by them are detailed below:—

The first in rank in the village is the Monigar. There may be one or more Monigars in a village, according to its size. One of these, if there are more than one Monigar, is the village Munsiff or Magistrate. He has police and magisterial duties to perform and he is therefore sufficiently protected in the draft Act. The duties of a Monigar, are the collection of the village revenues, its safe custody and remittance to the Zemindar, to look to the conservation of tanks, channels, and Public topes of the village, to look to the due appropriation of the village Charities for the purposes to which they may have been assigned, to control the subordinate village servants, to see that the village Curnam or accountant makes out correct accounts of cultivation, to take charge of property that may be attached for default of payment of rent, to keep it safe and deliver it whenever it may be required for being sold and to do a variety of other duties all of which more or less immediately affect the Zemindar.

Monigar or Moniakaran, or in Telugu Districts Peddapa or Reddy.
The second in importance is the Curnam or the village Accountant. His duties are fully enumerated in Section XI Regulation XXIX of 1802.

Curnam or the village Accountant.
The next in importance is the Nottum. His duties are to help the Monigar in making the village collections, to countersign the receipts granted by the former, to examine the coins that may be received and to prove himself generally useful to the Monigar.

Nottum or the village Shroff.
These are the village police servants, who are expected to help the village Munsiff in all Magisterial and Police duties. The proposed Act does not affect them.

Kavalgar or Thalayari.
Helps the Monigar in making collections by carrying his errands; watches the crops of the village; is sometimes, when there is no Nirgunti, entrusted with the duty of distributing water from tanks and channels and does all the menial duties of the village. A pariah is generally appointed for this service.

Thoty or Thookiri.
Is the general distributor of water. It is he that regulates the water of tanks and channels under orders of the Monigar, that shuts and opens the tank sluices and does other miscellaneous work.

AN ACT FOR THE PURPOSE OF DEFINING THE POWERS OF ZAMINDARS, JAGHIREDARS, POLIGARS AND OTHER PROPRIETORS OF ESTATES IN REGARD TO THE NOMINATION, SUSPENSION AND DISMISSAL, &c., OF THEIR VILLAGE SERVANTS.

Whereas doubts have been raised as to the sufficiency of the provisions of Regulation VI of 1831 to enforce due performance of duties by village servants in estates paying a fixed Revenue to Government in consequence of all claims to Inams attached to those services falling under the cognizance of the officers of Government in the Revenue Department; and whereas repeated complaints are made of the delay and the consequent inconvenience to which Proprietors of Estates are subjected in procuring the punishment of such village servants as may default in their services; and whereas it is clear that some powers should be vested in the Proprietors themselves empowering them departmentally to punish village servants with a view to the efficient discharge of their duties; to simplify and amend the laws hitherto existing with regard to Curnums in Permanently settled Estates, it is enacted as follows:—

I. This Act may be called "An Act to define the powers of Zamindars, Jaghiredars, Poligars and other Proprietors of Estates in regard to the nomination, &c., of their village servants." It shall extend to the whole of the Madras Presidency and shall come into force from the date of its promulgation.

II. In this Act, unless there is something repugnant in the subject or context

"*Proprietors of Estates*" denotes all Zamindars, Jaghiredars, Poligars and other Proprietors of Estates, paying a fixed Revenue to Government and yielding an annual Beriz of not less than one lakh of rupees.

"*Village servants*" denotes the following classes of village servants. (1) Monegar or as he is also called Maniakaran, Peddakapu, Reddy or Potail; (2) Curnum; (3) Nottum; (4) Nirgunti or Kumboocutti; (5) Thotty or Thookkiri.

III. It is hereby declared that the adjudication of all claims to the possession of or succession to the emoluments or offices of village servants in Estates paying a fixed Revenue to Government, and yielding an annual Beriz of not less than one lakh of rupees, shall vest in the first instance, in the Proprietors of the Estates.

Provided that such adjudications shall be made with due reference to the hereditary nature of the offices become vacant and with reference to the rules that have been hitherto obtaining and may in future obtain in Government villages.

Provided also that if Proprietors fail to fill up vacancies in respect to such village offices as may become vacant in their Estates within the period of one month from the date of their becoming vacant, the Collector or his Divisional Officer may nominate a proper person to the vacant office.

And *provided also* that in all cases adjudicated by Proprietors, the aggrieved parties may appeal to the Collector within three months to set aside such adjudication.

IV. It shall be competent for Proprietors of Estates to fine, suspend or dismiss from office, such village servants, as may default in their services towards the Proprietor on proof of such default.

Provided that no Proprietor of an Estate shall have power to inflict a heavier fine than Rs. 2 on any single occasion, and also that he shall not in any single year fine any individual village servant more than Rs. 5.

Provided also that in all cases of fines, suspension and dismissal, the party fined, suspended or dismissed, may, within three months from the date of the order of fining, suspension or dismissal, appeal to the Collector to set aside such fine, suspension or dismissal.

V. Fines imposed under the preceding section, shall be levied in the manner prescribed for the collection of rent under Act VIII of 1865.

VI. So much of Regulations XXV and XXIX of 1802 as refer to the Jurisdiction of the Civil Courts in adjudicating complaints against Curnums in permanently settled estates is hereby repealed. The provisions of this Act shall apply to their nomination and to the adjudication of complaints against them.

VII. The appointment and removal of all Curnums and the adjudication of all complaints against them in such permanently settled estates as may not come within the scope of this Act, shall, from and after the date this Act may come into force, vest exclusively in the Collector.

VIII. *Clause (1.)* From every decision passed by the Collectors on claims brought before them under this Act, an appeal shall lie to the Board of Revenue, provided such appeal be made within three months, from and after the date of the Collector's decision or order.

Clause (2.) It shall, however, be competent to the Board of Revenue, whenever they may see fit, to admit an appeal preferred after the time limited in the foregoing clause.

IX. The decisions or orders of the Board of Revenue on all appeals to them under the preceding section, shall be final and conclusive; provided, however, that it shall be competent to the Governor in Council to revise and modify such orders and decisions whenever he may deem it necessary for the ends of justice.

X. The proceedings of Proprietors of Estates under this Act shall be complete, and shall be forwarded to the Collector when called for by him for the adjudication of appeals.

XI. A statement containing a summary of all orders inflicting fines, shall be submitted to the Collector at the end of every month.

XII. All suspensions and dismissals of village servants shall be reported by the Proprietors of Estates to the Collector within 24 hours of the issue of the order.

XIII. Where the village servant suspended or dismissed, is the Monegar exercising also the functions of a village Munsiff, such suspension or dismissal as regards his functions as village Munsiff shall not come into force until one month from the date of the order of suspension or dismissal. If within the one month. the delinquent does not appeal, or appeals and fails, the Collector shall nominate a proper person as the village Munsiff.

REVENUE DEPARTMENT.

THE HONORABLE D. F. CARMICHAEL.

R. D. No. 4329 of 1875.

386 2 9 1875

4885 of 5.

5072 of 5.

mis

2 minutes by the Rev. Mr. C.

G. O. No. 529

The draft like submitted for the approval of Govt. by the Rev. Mr. C. with their P. No. 27 of 27 Oct. 1875 No. 2975 will be referred to the Legislative Dept. in view to stop being taken to the Legislative Council.

J. H. P.

In Legis. D. this draft of the Bill already there to give effect to decisions under R. O. 31. The Bill is for consideration by the

23/2/79 5 March 79

The Board of Revenue 24/6/79
14 p. c. 24/19-3-79
S. S. Leg. Secy (24/6/79)
with note from Mr. C. 14/6/79
5 p. c.

IV. It shall be competent for Proprietors of Estates to fine, suspend
miss from office, such village servants, as may default in their services towa
Proprietor on proof of such default.

Provided that no Proprietor of an Estate shall have power to i
... on any single occasion and also that he shall not

5.0
... in the ...
...

Proof

REVENUE DEPARTMENT.

THE HONORABLE *Mr* D-F. CARMICHAEL.

REVENUE DEPARTMENT.

No. 4329

und 19 Nov. 75

From *B. J. Rau*

Dated *27 October* 1875.

FOR ORDERS.

I regret that I have not had time to go through in the question before relinquishing my position. I think I have done some things for the Department of the ...

I have no prima facie objection to the draft but it deals with a matter (question of position and ...)

PC-25 Feb 74 R4-3-79

one month. the delinquent ... shall nominate a proper person as the village Munsiff.

IV. It shall be competent for Proprietors of Estates to fine, suspend from office, such village servants, as may default in their service. Proprietor on proof of such default.

Provided that no Proprietor of an Estate shall have power to impose a heavier fine than Rs. 2 on any single occasion, and also that he shall

for a Draft Bill
is already before
Council.

to have private
Prop? have also
prepared a bill
for the control of
Munim in "Prop?
Estates".

The whole bill
has to be considered
before the 1st. 18. 79

Proof

REVENUE DEPARTMENT.

BY THE HONORABLE ^{Mr} D. F. CARMICHAEL.

For proof from. Johnson

9C-25 Feb 99. R4-3-79.

month from the date of the order of suspension or dismissal. If one month. the delinquent does not appeal, or appeals and fails, he shall nominate a proper person as the village Munsiff.

IV. It shall be competent for Proprietors of Estates to miss from office, such village servants, as may default in their Proprietor on proof of such default.

Provided that no Proprietor of an Estate shall have heavier fine than Rs. 2 on any single occasion and also that

FOR ORDERS.

C. 14: Jan 1/79 R 24/2/79.

Done by the undersigned
by the 18.1.79

C. 25: Feb 4/79 R 4-3-79.

month from the date of the order of suspension or one month. the delinquent does not appeal, or appeals and fails, shall nominate a proper person as the village Munsiff.

Proof

REVENUE DEPARTMENT.

NOTE BY THE HONORABLE D. F. CARMICHAEL.

Control of Munsiffs
in "Proprietary Estate"

I have the honor
to acknowledge the
letter of the 1st inst.
and in reply to inform
you that the same
has been forwarded to
the proper authorities
for their consideration.

The B.D. Draft Bill
of October 25. was
found to be simple
and adequate for the
purpose. & I will
report to the Secy.
Dept. in view of
steps being taken
to enact it in
an appropriate
form. I observe

Provided that no Proprietor of an Estate shall have p

that it provides for
giving effect to
decisions under
Res. 8/31. for 2^d.
purpose a bill is
already before Gov.
in Legis. D. I think
Mr. Lincoln
objected. Gov. has
probably his
reasons for it.
2 holding these
Res. papers from

Just before dawn

I am not sure that
I enjoy going
with my colleagues
in the mountains
to see the
Fernando, with
Helen & I - &
our visit to see
on Fernando
Columbus - etc.

PC-25 Feb'y. R4-3-49.

one month. the delinquent does not appeal, or appeals and fails, shall nominate a proper person as the village Munsiff.

Prof.

REVENUE DEPARTMENT.

UTE BY THE HONORABLE ~~D.~~F. CARMICHAEL.

I get a letter this
morn - but there is
no news against
introducing the
2nd bill of 1872
which I expect
to be H. R. 112 come
to pass
So long
Wm. H. 27/2

circulation. &
returning them to
Office to that
Remark. on his
Resignation of
Council.

I object to the
Bill framed by
the Pittapur
Amir "Proprietors"
& think that the
Govt. draft is
preferable to this
but then it is

IV. It shall be competent for Proprietors of Estates to miss from office, such village servants, as may default in their Proprietor on proof of such default.

Provided that no Proprietor of an Estate shall have heavier fine than Rs 2 on any single occasion and also that

Supra the
Draft Bill for
Granting Decrees
under R. O. 31. I am
to prepare & state
from memory. &
I cannot keep my
hand on a copy
of this last Bill.

1871. 79.

one month. the delinquent does not appeal, or appeals and fails shall nominate a proper person as the village Munsiff.

Proof

REVENUE DEPARTMENT.

NOTE BY THE HONORABLE D. F. CARMICHAEL.

My dear Capt. Stanbury.
I return the enclosures
of your letter of 13th Oct^r together
with a Memo embodying my views
on the measure proposed by
the Jaghirdars of Leri. I have
not circulated the papers to
other members as I have only
just completed my own Memo
and from what Mr. Drake said
to me today I gathered that he
was anxious to have them
back - Perhaps as the Committee
Board have already recorded
their opinion on the subject.

IV. It shall be competent for Proprietors of Estates to miss from office, such village servants, as may default in their Proprietor on proof of such default.

Provided that no Proprietor of an Estate shall have heavier fine than Rs 2 on any single occasion and also that

His Grace may not consider it necessary to call for further remarks. I have such a pressing of work on me just now that I have not been able to get my Memo for. copied and hope it may be accepted in the Muzik

Believe me

Sincerely Yrs

H. J. Muller

Proof

REVENUE DEPARTMENT.

NOTE BY THE HONORABLE ^{Mr} D. F. CARMICHAEL.

(Copy)

Egmore

December 9: 1878.

J.

Captain P. J. Hankin R. N.
Private Secretary to
His Grace the Governor

Dear Sir

I send enclosed copy of a bill which I asked the Honble the Rajah of Piliapoor to introduce in the Legislative Council.

I spoke to His Grace on the subject the other day and as

I learnt that he had not received

one month. the delinquent does not appeal, or appeals and fail shall nominate a proper person as the village Munsiff.

IV. It shall be competent for Proprietors of Estates to miss from office, such village servants, as may default in their Proprietor on proof of such default.

Provided that no Proprietor of an Estate shall have heavier fine than Rs. 2 on any single occasion and also that

received a copy I shall feel obliged
by your laying it before His
Grace.

The question considered
in the bill involves a long-
standing grievance and when
a fitting opportunity occurs
I shall fully represent to His
Grace the great and
almost insurmountable

Proof

REVENUE DEPARTMENT.

NOTE BY THE HONORABLE ^{Mr} D-F. CARMICHAEL.

difficulties under which
Zemindars labour at present

I remain, Dear Sir,
Yours very sincerely
sd/ A. Sreenivasulu Rao
Jagirdar of Arnee

one month. the delinquent does not appeal, or appeals and fail
shall nominate a proper person as the village Munsiff.

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REVENUE DEPARTMENT.

MINUTE BY THE HONORABLE D. F. CARMICHAEL.

Proposed by the Raja of Pittapur and Arnee Bill. Taginder.

These papers relate to two subjects—

(a.) Village Accountants in Zemindaris.

(b.) Other village servants in Zemindaris.

Taking the second, first, it is to be observed that, wherever emoluments have been annexed by the State (private servants of the Zemindars being distinct) these office-holders are already subject to the control of Collectors. But, say the Zemindars, they have two sets of duties, Police and Revenue; and in the latter capacity they should be under the control of us, the assignees of the public revenue.

2. I consider this request inadmissible; first, because they are State grants; secondly, because the Zemindars are not to be trusted. Many of them would pick a quarrel with a too zealous Police Officer, on the 'Revenue' side, and bully and harass him. There should be but one Master to punish. Zemindars of course are entitled to be well served on the "Revenue" side; and, if thought necessary, it may be impressed on all Collectors that they must see that this is done; must listen with attention to the complaints of Zemindars, and punish village servants in Zemindaris just as they would men of the same class in our own villages.

II. Then, as to ~~Curnams~~, or Village Accountants, in Zemindaris.

The policy of the old Regulations was to place them entirely under the protection of the Civil Courts. If a Zemindar or any tenant of a Zemindar

has cause of complaint against a ~~Curnam~~ for breach of his duty, he is to sue him in the Civil Court, and the Court has power, besides awarding damages, to punish with deprivation of office, which, on the principle of every major including a minor, has been held to include suspension from office. As regards a Zemindar's requisitions, ~~Curnams~~ "shall produce, whenever required, the records and accounts relating to the lands, produce, revenue and charges of their villages respectively;" but as regards Collectors, their requisitions must be limited to accounts regarding escheated lands and the division of the assessment where such becomes necessary by sales for arrears of revenue or by other transfers of the proprietary right. A Collector, making any other requisition may be restrained by an injunction, and fined if he persists.

Regulation XXIX of 1802, Sections 12 and 13. Idem, Section 14.

Very different is the position of non-Zemindari ~~Curnams~~; they are under the direct control of Collectors and their subordinates, who have full power to require them to furnish any information that may be desired.

Regulation II of 1806, Section 7, Clause second.

~~Curnams~~ of both kinds, it should be mentioned, are not classed as "public servants" by the Penal Code* (1860) and are punishable for disobedience to any direction of the law respecting their duty, if the act or omission is intended to cause injury to any person; but short of that, such disobedience would not be an offence.

* Section 21, 10th clause with explanation 1.

III. Two points are now before us for decision, viz. :—

Shall we enact that, besides their present duties towards the Zemindar, the ryots of the Zemindar and the Government, there shall be laid on ~~Curnams~~ the duty of collecting and rendering vital and other statistics?

one month. the delinquent does not appear, or appears and is not satisfied, the Collector shall nominate a proper person as the village Munsiff.

2ndly Shall the jurisdiction of the Civil Courts be transferred to Collectors?

I am in favor of both proposals being affirmatively answered.

Kernan
Kernans

The first, because nobody but the ~~Curnam~~ could do the additional work, and it is no hardship that ~~Curnams~~ should share with other public servants without and extra remuneration the extra work which improved administration entails. *21*

a/Kernans

The second, because the present remedy, a regular suit in the Zillah Court, is so cumbrous that it is never resorted to, and as a consequence the whole race of Zemindari ~~Curnams~~ (as I know by long experience) have long ceased to be amenable to discipline; because (2) the Zemindars, with their antagonistic position towards their ryots, obviously cannot be allowed to adjudicate; and (3) because—whatever was the bugbear at the time of the Permanent Settlement—there is now no reason to fear that Collectors will not decide such cases as impartially as the Judges; and they certainly will dispose of them more expeditiously and with greater convenience to parties and witnesses. *a/*

20th January 1879.

(Signed) *F. CARMICHAEL.* *Lavil*

Before the under is the change was not made long ago, for Sir Thomas Munro recommended it in 1815 in the course of his inquiries for the Special Commission.

✓ Bds Pops. 27/10/75. No 2975

✓ Pittapur & Arnee's Bolls

These papers relate to two subjects.

(a) Village accountants in Zamindaris.

(b) Other Village servants in debt.

Ref VI/31
Pittapur
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complaint against a Curmum for breach
of his duty, he is to sue him in the
Civil Ct., and the Ct. has power,
besides awarding damages, to punish
with deprivation of office, which,
on the principle of every major includ-
ing a minor, has been held to include
suspension from office. As regards
a Zamindar's requisitions, a Curmum

"shall produce, whenever required,
"the records & accounts relating to the
"lands, produce, revenue & charges
"of their villages respectively"; but as
regards Colles, their requisitions must
be limited to accounts regarding selected
lands & the division of the profits where
such becomes necessary by sales for
arrears of Revenue or by other transfers of
the proprietary right. A Coler, making
any other requisition may be restrained
by an injunction, if found to be persistent.

Reg. XXV / 02
Sect 11

Reg. XIX / 02
Sects 12 & 13

Idem. Sect 14.

Reg. II / 06

Sect 7
Clause second,

* Sect 21.
10th clause with Explan-
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Curmums (as I know by long experi-
-ence) have long caused the amins

to discipline; because (2) the Zamindars, with their antagonistic position towards their Ryots & servants cannot be allowed to adjudicate; and (3) because - whatever was the system at the time of the Permanent Settlement - there is now no reason to fear that Collectors will not decide such cases as impartially as the Judges; and they certainly will dispose of them more expeditiously & with greater convenience to parties & witnesses.

J. G. Nairn Esq
20/6/9

G.O. 5-3-49 w. 549.

"
A bill for defining
"the powers of Zamindars
"Jaghir-dars & other proprietors
"of estates in regard to the
"nomination, suspension
" & dismissal of their village
"servants" submitted for
the consideration of the
House the Government of the
Jaghir-dars of land -

Memo.

Under the existing law
the appointment & dismissal
of all village servants with
the exception of the Curmum
in permanently settled
estates are vested in the
Collector of the District.

As regards the Cur-
mum the nomination
vests in the proprietor, the
selection being restricted
to the heirs of the preceding
Curmum except in cases
of incapacity which must
be proved before the Civil
Court of the District. On such
proof being established the
proprietor can nominate
any one he pleases to his
Curmum. The law requires
the Curmum to "obey all
"legal orders" of the proprietor
but the only means provided
for enforcing obedience is
by the infliction on the part
of the proprietor of a suit against
the offender before the Zillah
Judge by whom he may be
sentenced to dismissal.

In the bill proposed by
the Jaghir-dars of land it is
proposed that proprietors of
permanently settled estates,
the revenues of which are
not less than one lakh of ru-
pees, should be empowered

This is not important to be
by the Commission. I am
Commission - probably we
will accept a separate
staff in the Commission.

6th Oct 1879 107424
15th Jan 1870 104149

* copy enclosed

The legal representatives
the Commission have been
- become practically inde-
-pendent of the authority
of the Government and
of the officers of Government
whose suggestions obtain
correct & regular returns
of statistical information
frequently at a distance.
The present law moreover
does not provide for the
recording of the statistics
which under a proper
administration would
be considered special.
The difficulty experienced
was brought to the notice
of Government by the
Board of Revenue in
their Proceedings, namely
that they were directed to forward
a draft bill for the amend-
-ment of the law and to
submit further informa-
-tion on the subject. The
Commissioners have con-
-plied in their Proceedings
of 27th Oct: 1875 No 2975 which
with the draft bill are now
before Government. From
these Proceedings it will be
seen that, so far as a re-
-vision of the existing
law

2.

law is considered to be
necessary, the Board
are at one with the Com-
-missioners, but while
he advocates the Com-
-missioners placing
entirely under the control
of the proprietors of the
-state, they recommend
for reasons stated, the
being subjected to the
control of the Revenue
officers of Government.
The Commission
are the Commission of
- Revenue, and
at the same time, the
- power to extend the
- sphere of their duties
in view of obtaining
further statistical in-
-formation. The Board
are so fully stated
in the Proceedings quoted
that it seems unnecessary
to go over the same
ground again but
in support of them it
may not be out of place
to call attention to the
fact that it is often
disastrously opposed
to a Government policy.

For this, amend the Law,
which does not now provide
that if he Govt sell water
(or anything else) may demand,
the Curmies shall keep the
account, gratis.

The Law as it stands is this

"Colles shall not demand
from Curmies acct or records
here for any purpose except
when it is necessary to decide
the apct - i.e. - suppose a
set of villages is sold formally,
or under order of Co, or by the
Colles for arrears -

(2) for apportioning extended
lands - as Captal Drains.

"Where Curmies in such
cases refuse to comply or
delay unreasonably, they may
be brought before the Co for fine or impdt."

But I have no doubt the Government
can compel the Curmies to supply them
with such accounts (water tax) - so that
it comes to be same thing in the end.

to permit the
information contained
in the records of his
Curmies - A case in
point is that of the
Middnucle & Bahazully
Zam in the District where
the Government have
alleged to employ a
special staff to ascertain
the acreage under irri-
gation from the Ahmed
though of course every pit
is registered in the Cur-
mies accounts.

W. H. H. H.

1871/72

J. M. 20/1/92

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