Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 2450

DATED 14th May

[Despatch Abstract.]

Passing orders on a reference from the Collr of Ganjam re the appointment of Paiks & Doras ~~within~~

BACK PAPERS.

G.O	No.	Department.	Date.	G.O.	No	Department.	Date.

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	1157/97						

Revenue (1897) Department.

CURRENT No. 3257

From The Board of Revenue L.R

Order Expedition

No. 1412 Ans

Dated 14th April

Received 19-4-97

Registered 20-4-97

Enclosures

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SUBJECT.

Submitting for the orders of Govt a reference from the Collector of Ganjam regarding the appointment of Doras in the Parlakimedi Zemindari

BACK PAPERS.

G.O.	No.	Department.	Date.
Rev	426	—	29-4-92
—	2457	—	24-6-96
—	[illegible]	—	[illegible]
—	[illegible]	—	18-7-87
—	[illegible]	—	[illegible]
—	[illegible]	—	[illegible]
—	1201	—	[illegible]
—	[illegible]	—	[illegible]

FURTHER PAPERS.

G.O.	No.	Department.	Date.

2,000
23-1-97.

REVENUE BOARD OFFICE. MADRAS.

Proceedings of the Board of Revenue

(Land Revenue),

Dated 14th April 1897.

No. 1412 Miscellaneous.

READ letter from H. W. Taylor, Esqre, Acting Collector of Ganjam; to the Secretary to Government, Revenue Dept; thro' the Secretary to the Commissioners of Land Revenue R.C. No. 297/Ver dated 17th February 1897.

Resolution

Submitted for the orders of Government.

2. As observed by the Collector, G.Os $\frac{426 \text{ Rev}}{29.4.92}$ and $\frac{2457 \text{ Rev}}{24.6.96}$ are conflicting. The former order denied any authority to the Zemindar to appoint or dismiss the Doras, while in the latter order it was held that the Vaikis were hereditary village Officers within the meaning of Act III of 1895 and that all claims to such Offices were adjudicable only under that Act. It would appear that orders which are held

to be applicable to the Paikis should also apply to the Doras who are their heads. As contended by the Collector these servants can fall only under class (3) of Section 3 of Act III of 1895 and under Sections 8 and 11 thereof the power of punishing and appointing them rests with the Proprietor.

3. There is yet another difficulty which the Collector has apparently lost sight of. Parla Kumedi lies half in the Agency tracts and half in the plains. Even if the Act is held to apply to the Doras and Paikis, the question of appointment &c., of their Brother Officers in the Agency tracts to which the Act has not been extended, would remain unsolved. The Board would therefore request orders in the case of the latter class of Officers also.

(True extract)

Ledlewamikaanma
Asst Secretary
for Secretary

To The Secretary to Government
Revenue Department
with the Collector's letter in original to be returned

*Start

The Hon. Mr Grose C.S.I.

C.No. 3257 of 97
Note for orders

In G.O. No. 2457 dt 24-6-96, it was held that as Paikes constituted the Village Police and as their offices were hereditary, they were hereditary village offices within the meaning of Act III of 1895 and that all claims to such offices were therefore adjudicable only under that act. It is now pointed out that as Doras are the heads of Paikes, the orders applicable to the latter should apply to the former also. But if so, observe the Collr and the Board, the G.O. quoted above is in conflict with G.O. No. 426 dt 29-4-92. In the latter order it was

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clearly stated that Zemindars had no power of appointing or dismissing the Doras. But if act III of 1895 is held to apply to Doras these will, as act II of 1894 has not yet been introduced into any district, fall under class (3) in Section 3 of act III of 1895 and their appointment will, under Section 11 of the act, rest with the Zemindar or proprietor. This is true, but it is submitted that this act which was passed long after the issue of the order of 1892 must be held to supersede that order, to the extent to which its provisions may be at variance with that order. There appears to be no harm moreover, in vesting this power in the Proprietor, for in the first place in making the appointment, the Proprietor is bound to follow the rules laid down in section 11 of the act and in the second place, the appointment is liable to be contested before the Divisional officer under Section 13.

2. The Board is, however, wrong in its remark in para 2 of its Pros. that under Section 8 of the act the power of punishing the Doras will vest in the Proprietor, for as Doras are classed among the village Police, their punishment is expressly excluded from the jurisdiction of the Proprietor by this very section which

which is as follows:-
"a proprietor may, of his own motion or on complaint and after enquiry, suspend dismiss or remove the holder of any of the offices in his estate forming class (3) in Section 3, except the village accountant, the head of the village, and the village watchman or police officer etc."

3. In para 3 of its Proc. the Board remarks that "there is yet another difficulty which the Collector has apparently lost sight of" ~~by the Collector~~. It observes that as Pariahs medi lies half in the agency tracts and half in the plains, even if act III of '95 is held to apply to Paiks and Doras in the plains, the question of appointment or of their brother officers in the agency tracts to which the act has not yet been extended would remain unsolved. It is submitted, however, that the answer to this is simple. If, as is the case, act III of 1895 does not apply to the agency tracts, the G.O. of 1892 must be held to continue to be in force there. The following draft is submitted.

G.O. mis No. 2450 d/ 14th May 97

With reference to para 2 of the Proc. read above, the Board of Revenue will be informed that wherever act III of 1895 is in force its provisions must be held to supersede G.O. No. 426 d 29-4-92 to the extent to which it may be in conflict

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with that order.
It is observed, however, that as it was held in G.O. No. 2457 d 24-6-96 that Pairs constituted the village Police, their heads - the Doras - should also be held to belong to the same class. This being so, their punishment is expressly excluded from the Jurisdiction of the Proprietor by Section 8 of act III of 1895 and the Board's remark in para 2 of its Pro. that under that very section the power of punishing the Doras rests with the Proprietor, seems incorrect. In this respect, the provisions of the act are quite in consonance with the G.O. of 1892 quoted above.

2. With reference to para 3 of the B.P. it is observed that as act III of 1895 is not in force in the agency tracts, the order of 1892 should continue to furnish the rule for guidance in such tracts.

11/5/97.

Aus. 19-5-97

To the Bd. of Rev (R.R.) with the Collector's letter.

C.P.
8 May 97