

Government of Madras.

JUDICIAL DEPARTMENT.

CONFIDENTIAL.

No 191

G.O., No. 1190, 27th August 1908.

Punitive police-tax, Tinnevely.

Exempting under section 15, sub-section (5) of the Police Act, 1861, the inhabitants of Pettai, and of Chatram Fudukulam, and the members of the additional police force, if any, stationed at Tinnevely town and Tachanallur from the payment of any portion of the cost of the additional police force stationed at Tinnevely and Tachanallur and under section 15-A, sub-section (3) of the Police Act, from bearing any portion of the compensation that may be awarded under sub-section (2) of section 15-A.

CURRENT FILE.

CONTENTS.

From	Number.	Date.	Pages.
Ct 2609 Dr. Jemaisly	Roe 7	20. 4. 08.	1-8
4936 20	582	10-8-08	9-23



To

THE DISTRICT MAGISTRATE OF
TINNEVELLY.

The humble petition of the undersigned Mahomedan inhabitants of Pettai village, Tinnevelly Taluq, for themselves and for their co-Mahomedan villagers.

MOST RESPECTFULLY SHOWETH,

That petitioners learn with surprise and regret that their village of Pettai is included in the Government notification directing the quartering of an additional Police force under Section 15 of Act V of 1861, an account of the recent disturbance.

2. That petitioners and their said co-villagers form a law abiding and loyal body of His Majesty's Indian subjects and are exclusively engaged in trade, agriculture or other peaceable avocations. It is an undeniable fact that they have absolutely nothing to do with the events which preceded the disturbance or with any of the persons ^{persons of accused} implicated in the security case before your Honour.

Petitioners and their said co-villagers have no sympathy with, and do not entertain the ideas of these persons with whom they have nothing in common and whose interests are different from theirs. And no one has ever attempted to ventilate the ideas of the said persons in petitioners' village.

The Community which is represented by petitioners has not taken to English education, and is very ^{conservative} ~~conservative~~.

3. That at the time of the disturbance, peace and quiet prevailed in Pettai village and the people were pursuing their usual occupations. The bazaars were not closed even for a short time, and none entertained even the thought of closing them. There were no assemblies of people and not a single incident occurred or ^{word was} word uttered showing the least connexion or sympathy with the disturbance occurring elsewhere not a single lantern was broken within the limits of the habitations.

4. That the conditions laid down in the said Section (15 of Act V of 1861) and mentioned in the said notification do not apply in the least to petitioners' village. It was and is, not "in a disturbed state", and the conduct of its inhabitants has been and is free from the least reproach.

5. That petitioners humbly and sorrowfully submit that the inclusion of their village is unjust, and, drawing no distinction, casts a stigma and inflicts a punishment on a body of law abiding and loyal citizens whose conduct has been not only blameless but exemplary.

Pray, therefore, your Honour to be graciously pleased to exempt petitioners' village from the operation of the said notification, obtaining, if necessary, the sanction of Government.

၁. ခေ. ၁၇၈၈ ခုနှစ် ဇန်နဝါရီလ ၁၇ ရက်
 ၂. ခေ. ၁၇၈၈ ခုနှစ် ဇန်နဝါရီလ ၁၇ ရက်
 ၃. ခေ. ၁၇၈၈ ခုနှစ် ဇန်နဝါရီလ ၁၇ ရက်
 ၄. ခေ. ၁၇၈၈ ခုနှစ် ဇန်နဝါရီလ ၁၇ ရက်
 ၅. ခေ. ၁၇၈၈ ခုနှစ် ဇန်နဝါရီလ ၁၇ ရက်
 ၆. ခေ. ၁၇၈၈ ခုနှစ် ဇန်နဝါရီလ ၁၇ ရက်
 ၇. ခေ. ၁၇၈၈ ခုနှစ် ဇန်နဝါရီလ ၁၇ ရက်
 ၈. ခေ. ၁၇၈၈ ခုနှစ် ဇန်နဝါရီလ ၁၇ ရက်
 ၉. ခေ. ၁၇၈၈ ခုနှစ် ဇန်နဝါရီလ ၁၇ ရက်
 ၁၀. ခေ. ၁၇၈၈ ခုနှစ် ဇန်နဝါရီလ ၁၇ ရက်

15

Orms

[illegible][illegible][illegible][illegible]

I hear that
a pretty fine lot
will be derived from
the inhabitants
of this village for
having taken part
in the riots that
took place in the
vicinity of
Dachau, a few
last month.

Kabam pudukulam
Village is one mile —
from the place of the
riot. Not a single soul
from this village
is concerned in the
riot.

out half a mile
from the outskirt
of Tokehoo.

No people belonging to the union in this village was damaged by the war. No crime was committed here.

As soon as information was received that some soldiers of the British had burnt some union carts, my brother (the union chairman) & I went to the spot to put down further damage but to prevent the commission of offences. I fear that these troops may be considered as the inhabitants of the village.

The British soldiers who were in the village were not allowed to do any harm to the people. The British soldiers who were in the village were not allowed to do any harm to the people. The British soldiers who were in the village were not allowed to do any harm to the people.

4. 4. 08

P. c. 601 fol

~~me~~
me

P. c. 182 / ad.
me

me

S. Ramalingam Pillai of
Chattiamputukulam Village
Prays that ^{he} they should not be
imposed with punitive-tax.
Ed
6.4.25.

Make a reference
to the Vm to exempt
Chattiamputukulam
from the tax.

Ja
7/4/25

Just

DEPARTMENT.

READ

188
Please see for
1254 you sent having
15.9.08 for alternate
there 2800.

Go 20.440 J 3 17.3.08 - h

917 J 3 2.7.08 - h

Ct. 2609. From Den. Timewelly, 207 3 20.4.08 } A

Ct 4936 - do - - - 582 3 10.8.08 } as

marked

ORDER No. 1190, dated 27. 8 190 8

85.

Under Section 15, Sub-section
(5), of the Police Act, 1861, the
Governor in Council is pleased
to exempt the following persons
from the payment of the addi-
tional police tax:—

for of the additional police force
stationed at Timewelly and
Tachanallur:—

- (1) the inhabitants of Battai,
a suburb of Timewelly
Town;
- (2) the inhabitants of Chatram
Padukulam, a hamlet
of Tachanallur; &
- (3) the members of the
additional police force.

19P
Stationed at Tinnevely Town
Tachanallur, if any.

2. The persons above mentioned
will further be exempted, under
Section 15 A, Sub-Section (3), of
the Collee Act, 1861, from
bearing any portion of the
compensation that may be
awarded by the St Magistrate
under ~~Section 15 A~~, Sub-Section (3),
of the said Section.

Recd.
22.8.08

Cd.
22.8.08

Mr. Vair.
26.

(Done in 1st first
ale 2nd)

To The Dn. Tinnevely
copy to the D. Collee

Not for E.T.

no
M

[$\frac{Y}{T}$]

PRESS SLIP.

ORDINARY.

PREFERENCE.

URGENT (a).

J. S. S. DEPARTMENT.

Current No. dated 190

G.O., No. 1190, dated 27-8-190

Number of MS. pages sent { Correspondence (b) 23
(b) Notes 12

Brief subject Police Tax Juncy

Number (c) of copies required when struck off (not including copies for volumes and editors' table which are returned in the Press).

Complete Correspondence and orders.

Notes.

FOR RECORD.*

Madras Records ... 21 13

Ooty Records ... 3 3

For filing with original ... 1 1

Total ... 25 17

FOR ISSUE.†

Letter only. Complete G.O. Special issue copies of G.O. (b) No. Papers. Notes.

Signature copies.

India Office ...

Govt. of India ... Dept.

Revenue Department ...

Public Works Department ...

Local and Municipal Department ...

Educational Department ...

Dept.

Public Dept. ...

Judicial Dept. ...

Political Dept. ...

Financial Dept. ... Total

Marine Dept. ...

Ecclesiastical Dept. ... Total

Spare copies.

The ...

The ...

The ...

The ...

The ...

The ...

The ...

The ...

The ...

The ...

The ...

The ...

The ...

The ...

The ...

Total ...

INSTRUCTIONS FOR THE SECRETARIAT.

(a) If a paper is marked to be printed urgently, the Superintendent of the section concerned should sign the Press slip. The Superintendent should exercise a careful discretion in the matter.

(b) Each letter, memorandum, or order or set of orders, in the file of correspondence should be headed in succession with the Roman numeral I, II, III, etc., the number being written in red ink or blue chalk above the item. The particular papers to be printed in the special issue-copies should be indicated by the Roman numeral (I, II, etc.) by which that item has been headed in the correspondence file. All matter, including marginal remarks or references, to be printed should be written in ink and matter which should not be printed should be encircled. Initials and signatures that are not quite legible should be re-written distinctly.

(b) For rules regarding printing of notes, see rule 248 of the Office Manual.

(c) The number of copies and the details of distribution should be filled in by the Superintendent or Referencer concerned.

(d) In the absence of special instructions to the Press to keep matter standing for a specified period, ordinary papers of 8 pages and under will be kept standing for one week, and larger papers for two weeks only. The type of notes and of all confidential papers is distributed immediately after striking.

(e) This slip, properly and completely filled in, should accompany every paper sent to Press; it will be returned by the Press when proofs are furnished; it should be sent to the Press when a call is made for revised proofs or when a corrected proof is sent for striking. When finally returned by Press it should be filed with the original order or letter.

INSTRUCTIONS FOR THE PRESS.

(a) If, in the opinion of the Superintendent of the Press, a paper has been marked urgent unnecessarily, he should send the Press slip to the Registrar with a remark to that effect.

(b) Unless a note to the contrary is made against the matter, pencil entries should not be printed. The Superintendent of the Press may bring to the notice of the Registrar any instance of incomplete or careless editing.

(c) Signature copies of letters to the Secretary of State or to the Government of India should be printed on hand-made paper.

(d) This slip should be returned by the Press to the Secretariat when proofs are furnished; it will be sent back to the Press when proofs are returned corrected and should be finally returned to the Secretariat when struck-off copies are supplied.

C. M. SCHMIDT,
Registrar,
Chief Secretariat.

* Copies distributed on ... (Press Clerk.)

† Copies distributed on ... (Press Despatcher.)

* To be initialed and dated.

[P.T.O.]

TO PRESS, MADRAS, OOTY.

A

Please send proof in duplicate. The papers have been carefully edited.

B

Proof returned corrected. Please strike off and send number of copies as indicated.

C

As the matter is in clear manuscript and has been carefully edited, (b) proof need not be sent. Please print and supply number of copies as indicated.

Type may be released after usual interval at once

Type may be released after usual interval.

M. S. R.

Referencer.

14/9/08

Supdt.

M. S. R. Referencer.

2/10/08

Supdt.

Referencer.

Supdt.

SPECIAL INSTRUCTIONS.

TO BE FILLED IN BY THE PRESS.

Diary.		Initials of Press official.	
Received in Press on... <i>14/9/08</i>			
First proof furnished on.....			
Call for revised proof received on.....			
Revised proof furnished on.....			
Corrected proof received for striking on.....			
Final copies supplied on.....			
Account of copies.	Complete copies.	Notes.	Issue copies.
Supplied to Secretariat for Record.....			
" " " Issue.....			
For Volumes.....			
For E. T.....			
Total ...			

CONFIDENTIAL.

oot, Res
Subm o:
approach
2.10.08
Chd
2/10/14

**GOVERNMENT OF MADRAS.
JUDICIAL DEPARTMENT.**

READ—the following papers:—

I**G.O., No. 440, Judicial, dated 17th March 1908.**

ABSTRACT.—Ordering the publication of a proclamation in English in the *Fort St. George Gazette* and in English and Tamil in the *Tinnevely District Gazette*, increasing the number of police in Tinnevely, Tachanallur and Tuticorin at the cost of the inhabitants thereof; and requesting the District Magistrate, Tinnevely, to deal with all claims for loss of property caused by the misconduct of the inhabitants of the town with as little delay as possible.

G.O., No. 917, Judicial, dated 3rd July 1908.

ABSTRACT.—Sanctioning, pending formal orders on estimates, an allotment of Rs. 13,000 for housing the punitive police force at Tinnevely and Tachanallur, and authorizing the Superintendent of Police, Tinnevely, to make advances to contractors as a very special case and stating that care should be taken that no loss occurs to Government.

II

Letter—from L. M. WYNCH, Esq., C.I.E., I.C.S., Collector and District Magistrate of Tinnevely.

To—the Chief Secretary to Government.

Dated—the 20th April 1908.

No.—R.O.C. 7-Magl. (Confld.).

I have the honour to request the order of Government as to the precise amount to be recovered from the inhabitants of Tinnevely as the cost of the additional police force quartered upon the town under notification No. 159, dated 17th March 1908.

2. The Superintendent of Police informs me that (a) the cost of the force allotted to Tinnevely amounts for six months to Rs. 30,645. (b) The acquisition of the site for lines will cost approximately Rs. 26,000. (c) The site must be levelled and that will cost Rs. 13,000. (d) Temporary huts will cost Rs. 5,900, roughly. (e) Claims for damages amount to Rs. 21,730. (f) Establishment, Printing, Stationery, Contingencies, etc., Rs. 1,750. Total, Rs. 98,125.

3. No difficulty arises with regard to items (a), (d), (e) and (f). The site selected for the lines is an expensive one and the point upon which I ask for the orders of Government is whether the cost is to be recovered from the people of Tinnevely under section 15 of the Police Act.

4. There is practically no other site available, and even when it has been acquired it must be raised considerably for, at present, it is a paddy flat. Temporary lines could not be built upon it for some little time to come, probably not within the period for which the additional police force is sanctioned. Meanwhile it was contemplated originally to quarter the punitive police in Tinnevely town, in the old cutcherry premises; an outbreak of cholera rendered that scheme impracticable and as many men as possible were moved out to the new taluk cutcherry, just outside Tinnevely town; and to Palamecottah, while a guard of about twenty is kept in the compound of my bungalow.

5. For the present security of the peace of the town, this distribution of the force is satisfactory enough. There are sufficient men left in Tinnevely town to deal with the initial stages of any disturbance while re-inforcements could be sent at short notice from the Taluk cutcherry and a little later from my compound.

6. From this point of view, it might be urged that only the cost of the temporary lines for the men quartered in Palamecottah and in my compound, which would amount to about Rs. 3,000, should be charged to the Punitive Police fund.

7. On the other hand, under section 15 (2) of the Police Act, the additional police should be quartered in the disturbed area. But the only place available is the old taluk cutcherry which they have been obliged to vacate on account of cholera; and therefore the cost of a site for building lines become part of the cost of the additional force to be borne by the inhabitants.

8. Again, the acquisition of the site in question may have an important bearing on the question of the prolongation of the period for which the additional force is sanctioned.

The recent troubles proved abundantly the necessity for having the reserve stationed near the railway station, and between the two towns of Tinnevely and Palamecottah. If a site is acquired now and arrangements are made for the erection of accommodation thereon for a portion, at any rate, of the district reserve, the retention of the punitive force beyond the original term of six months would very likely be unnecessary. On the other hand, if it is decided not to move the reserve from Palamecottah on the score of the expense of the site—the cost of buildings has to be incurred in any case, new lines being required in Palamecottah if they are not built near the railway station—it may be found necessary to keep the punitive force for another six months, at a cost to the inhabitants, exceeding the cost of acquisition of the site.

9. If the acquisition of the site and the levelling of it are charged to the inhabitants, the total bill under sections 15 and 15-A of the Police Act will amount to Rs. 98,125, more than double the bill for Tuticorin, which will amount in round figures to Rs. 40,000.

The total house-tax demand in Tinnevely municipality is Rs. 21,000, but of this amount, Rs. 3,000 come from the suburb of Pettai which I propose to recommend for exemption. I propose that in addition to house owners, occupiers should also be charged, and from rough calculations I have had made, they would contribute about Rs. 4,000 more. The total amount recoverable on the basis of house-tax would thus amount to Rs. 22,000. To cover the whole bill, it would be necessary to levy four and a half times the house-tax and the recovery of this sum within six months would be a somewhat heavy burden: it is true that nearly one-fourth of it is payable to the Municipal Council and other claimants as compensation, but personally I am inclined to think that three times the house-tax or about Rs. 66,000 would be a just amount to levy which would be apportioned thus:—

	RS.
Claims for damages	21,730
Cost of police force for six months	30,645
Contribution towards cost of site and lines	11,875
Establishment	1,750
Total	66,000

10. I have examined the house-tax and profession tax registers carefully and have inspected the town in company with the Divisional Officer and Chairman of the Municipal Council and I am satisfied that the fairest way of apportioning the cost of the punitive force is by levying a multiple of the house-tax from both the owners and occupiers of houses.

11. The question of the site for the location of the punitive force was discussed by me with Mr. Cowie, Mr. Carr and Mr. Sweeting and, after careful inspection of all possible locations, we decided upon the site recommended. There is practically no other available and, if this site is not acquired, the police reserve must remain in Palamecottah. To acquiesce in any such arrangement would be to ignore one of the chief lessons of the late riot, viz., the suddenness with which a disorderly mob may be collected and let loose to pillage and riot, and the imperative necessity for the authorities to be able to call out the reserve with the least possible delay.

12. Judging from the tone of the vernacular press, the action taken here to check the dissemination of sedition and to quell the riot that ensued has merely had the effect of stimulating the extremists to more concerted action and more determined effort and the next riot that takes place will assuredly be better organised and Government should be prepared to meet it with a better organisation of the force available for the maintenance of law and order, which would hardly be the case with a reserve

scattered about the town of Palamcottah just as it was on the 13th March. Had the reserve been quartered on the site now proposed, the mob could never have made the headway, it did.

13. I would therefore press most strongly for the acquisition of the site proposed, but in view of its being required on general administrative grounds and not only for the location of the punitive force, I would recommend that Government bear part of the cost of the acquisition and that the punitive tax should be levied at three times the house-tax instead of four and a half times as would otherwise be necessary.

III

Letter—from L. M. WYNCH, Esq., C.I.E., I.C.S., District Magistrate, Tinnevely.

To—the Chief Secretary to Government.

Dated—the 10th August 1908.

No.—R.O.C. 582-Magl.

I have the honour to forward herewith, for the favourable consideration of Government, two petitions for exemption from payment of any portion of the cost of the additional police force quartered in Tinnevely and Tachanallur, respectively.

2. The first is from the Muhammadan inhabitants of Pettai. Pettai is a suburb of Tinnevely town and separated from the outskirts of the town by a mile of road lying mostly through paddy fields. The suburb is inhabited chiefly by Muhammadans. There was no disturbance there of any sort or kind on the 13th March or following days. The shop-keepers kept their shops open and supplied provisions, etc., to the people of Tinnevely town where the shops remained closed for two days.

3. The Divisional Officer supports the petitioner's request. I made personal enquiries myself and am satisfied that the people of this suburb took no part in the riot. I recommend therefore that the inhabitants may be exempted under sections 15 (5) and 15-A (3) of the Police Act from the payment of any portion of the cost of the additional police force or of the compensations awarded under section 15-A.

4. The second petition is from the inhabitants of Chatram Pudukulam, a hamlet of Tachanallur; and I recommend exemption here too for similar reasons. The hamlet is half a mile away from the outskirts of Tachanallur and the people took no part in the rioting. The Divisional Officer made enquiries and satisfied himself that this was so.

5. I have had petitions also from other classes, viz.—

(1) Muhammadans living in various streets in Tinnevely town.

(2) Protestant Native Christians living in (a) different parts of the town, (b) in one small street.

(3) All castes and classes living in the hamlet of Veeraraghavapuram.

6. Along with these I have considered the question of exemption from liability of the railway station premises, the houses of absentee zamindars and other well-to-do people and Messrs. Parry & Co's premises.

7. The owners of the premises referred to will individually have to pay a great deal more than the seditious rascals and schoolmasters who encouraged the agitations that led to the riot and who have not scrupled to perjure themselves in the witness box in defence of some of the rioters. But that seems to be inevitable. Under the Act the tax has to be apportioned according to the means of the inhabitants. I have taken the Municipal house-tax register as the fairest guide in this respect and the tax will be levied at twice the amount of Municipal house-tax on owners and occupiers alike.

8. I cannot equitably recommend exemption from payment of the tax on behalf of the owners of the premises above referred to, because there must be many more similarly circumstanced whom I do not know of and it would be futile to attempt to make an inquisition to ascertain who took part in the riot or sympathised actively or passively with its promoters and who was on the side of law and order. In Tinnevely the riot broke out so suddenly that there was little time for the inhabitants generally to declare themselves on one side or the other and I consider therefore that no particular locality can be exempted unless like Pettai it can be shown to be quite distinct from the rest of the town, that no class can be exempt except the European officials and the servants of the Railway Company it cannot be predicated of any that none of the members thereof took any part. There is a strong presumption in favour

of the better classes of Native Christians of all sects but amongst one class at any rate there was a certain amount of sympathy and to exempt one class or sect in preference to another would create more ill-feeling than it would allay. While as regards the exemption of individuals it is impossible to make out a list that would be at once just and comprehensive.

9. For these reasons, therefore, I find myself unable to make any recommendation on behalf of the other petitioners.

10. The tax registers are complete and forms of demand notices have been filled up for most of the assesses. The exact amount payable by each only has to be entered. For the cost of the additional police force the tax will be levied at one and a half times the Municipal assessment. For compensation for damages under section 15-A the levy will be at the rate of seven-twelfths of the house-tax. The total amount recoverable from Tinnevely comes to Rs. 53,000 in round figures.

11. I have personally or by the special officer checked the claims for damages.

12. The amounts due will be demanded in one instalment. So far as I can gather it is generally recognised that it will be best to clear off the tax as soon as possible. If the amounts due are not paid in full on demand, I shall exercise my discretion as to issue of distress warrants for the remainder.

13. Collection will be made through the agency of the village officers who will receive a commission for the purpose.

14. In Taahanallur the tax will be levied at three and a half times the Union house-tax. Rupees 4,475 have to be recovered. Some portion of the total cost of the additional force will remain to be borne by Government as for a time part of the force was quartered in Palamcottah in April on the outbreak of cholera amongst the sergeants and men in Tinnevely.

15. The foregoing paragraphs answer the questions raised in Government memorandum No. 1820 A-1, as far as Tinnevely and Taahanallur are concerned. Tuticorin will be dealt with separately.

I forward a map of the whole area for reference.

ENCLOSURE

Petition—from the Muhammadan inhabitants of Pettai village, Tinnevely taluk, for themselves and for their co-Muhammadan villagers.

To—the Deputy Magistrate of Tinnevely.

Dated—the 28th March 1908.

MOST RESPECTFULLY SHOWNETH,—That petitioners learn with surprise and regret that their village of Pettai is included in the Government notification directing the quartering of an additional police force under section 15 of Act V of 1861, in account of the recent disturbance.

2. That petitioners and their said co-villagers form a law-abiding and loyal body of His Majesty's Indian subjects and are exclusively engaged in trade, agriculture or other peaceable avocations. It is an undeniable fact that they have absolutely nothing to do with the events which preceded the disturbance or with any of the persons of accused in the security case before your honour.

Petitioners and their said co-villagers have no sympathy with, and do not entertain the ideas of those persons with whom they have nothing in common and whose interests are different from theirs. And no one has ever attempted to ventilate the ideas of the said persons in petitioners' village.

The community which is represented by petitioners has not taken to English education and is very conservative.

3. That at the time of the disturbance, peace and quiet prevailed in Pettai village and the people were pursuing their usual occupations. The bazaars were not closed even for a short time, and none entertained even the thought of closing them. There were no assemblies of people and not a single incident occurred or word was uttered showing the least connection or sympathy with the disturbance occurring elsewhere not a single lantern was broken within the limits of the habitations.

4. That the conditions laid down in the said section (15 of Act V of 1861) and mentioned in the said notification do not apply in the least to petitioners' village. It was and is, not "in a disturbed state", and the conduct of its inhabitants has been and is free from the least reproach.

5. That petitioners humbly and sorrowfully submit that the inclusion of their village is unjust, and, drawing no distinction, casts a stigma and inflicts a punishment on a body of law-abiding and loyal citizens whose conduct has been not only blameless but exemplary.

N B

6. That your honour, being given the power to apportion the cost of the levy of the additional police, has the power to exempt from the levy of such cost any portion of the area or anybody of people coming within the purview of the said notification.

Pray, therefore, your honour to be graciously pleased to exempt petitioners' village from the operation of the said notification, obtaining, if necessary, the sanction of Government.

Forwarded to the District Magistrate, Tinnevely, for consideration and orders.

2. I have ascertained by enquiry that the bazaars in Pettai village were not closed even on the first day of the disturbance. The people of Pettai did not take any part in the riots.

3. In these circumstances I think the village of Pettai may be exempted from the operation of the notification.

N. DHARMARANGA RAZU,
Divisional Magistrate.

28th March 1908.

Letter—from M.R. Ry. N. DHARMARANGA RAJA Garu, the Head-quarters Deputy Magistrate of Tinnevely.

To—the District Magistrate, Tinnevely.

Dated—Camp Kokkrakulam, the 20th April 1908.

In enclosing herewith a petition from one S. Ramalingam Pillai of Chatram Pudukulam, praying that the said Chatram Pudukulam village may be exempted from the punitive tax to be imposed, I have the honour to recommend that the petitioner's request may be granted inasmuch as nothing happened in the village of Chatram Pudukulam and I am informed reliably that the inhabitants of that village did not take part in the occurrence. It is half a mile away from Tachanallur where the rioting took place.

Order—No. 1190, Judicial, dated 27th August 1908.

Under section 15, sub-section (5) of the Police Act, 1861, the Governor in Council is pleased to exempt the following persons from the payment of any portion of the cost of the additional police force stationed at Tinnevely and Tachanallur:—

- (1) the inhabitants of Pettai, a suburb of Tinnevely town; and
- (2) the inhabitants of Chatram Pudukulam, a hamlet of Tachanallur; and
- (3) the members of the additional police force if any stationed at Tinnevely town and Tachanallur.

2. The persons above mentioned will further be exempted under section 15-A, sub-section (3) of the Police Act, 1861, from bearing any portion of the compensation that may be awarded by the District Magistrate under sub-section (2) of the said section.

(True Extract.)

M. HAMMICK,
Chief Secretary.

To the District Magistrate, Tinnevely, ✓
Copy to the Inspector-General of Police.

order only
Print this

J.R.

Punitive Police Tax, Tinnevely

Exempting under Sec (15) sub-section of the Police Act, 1861, the inhabitants of Pettai and of Chatram Pudukulam, and the members of the additional police force, if any stationed at Tinnevely town & Tachanallur from the payment of any portion of the cost of the additional police force stationed at Tinnevely & Tachanallur & exempted from the payment of any portion of the compensation under Sec 15-A.

CONFIDENTIAL.

NOTES CONNECTED WITH G.O., No. 1190, JUDICIAL, DATED
27th AUGUST 1908.

[SUBJECT.—Punitive police tax, Tinnevely.]

Previous papers :

G.O.,	892, Judicial, 23rd June	1897.	G.O.,	228, Judicial, 12th February	1901.
"	1077 " 7th July	1899.	"	925 " 24th June	"
"	1285 " 15th August	"	"	1828-9 " 19th November	"
"	1303 " 16th "	"	"	185 " 4th February	1902.
"	1360 " 26th "	"	"	189 " 4th "	"
"	1397 " 1st September	"	"	745 " 2nd May	"
"	1679 " 16th October	"	"	970 " 17th June	"
"	2038 " 14th December	"	"	1319 " 29th August	"
"	12 " 8th January	1900.	"	625 " 17th April	1906.
"	673 " 12th May	"	"	1021 " 15th June	"
"	704 " 18th "	"	"	1332 " 26th July	1907.
"	1368 " 19th September	"	"	440 " 17th March	1908.
"	1551 " 25th October	"			

Extract from/demi-official from,—L. M. WYNCH, Esq., C.I.E., I.C.S., District
Magistrate, Tinnevely.

To—the Chief Secretary to Government.

Dated—the 20th April 1908.

"I have got the punitive tax business fairly in hand now and shall be able to go ahead as soon
as I know what Government decide to do about the site.

"2. The site is very expensive but it is well worth acquiring. I don't think the town can
fairly be charged the whole cost as the site is wanted hereafter on general administrative grounds
to increase the striking efficiency of the district reserve. In my official letter I have suggested
that the town should be charged three times the house tax which will bring in Rs. 66,000. Of
this Rs. 22,000 roughly will go in compensation, Rs. 30,000 is the cost of the force for six
months, Rs. 2,000 for establishments and Rs. 12,000 contribution towards site, lines, etc.

"3. But since writing my letter it has occurred to me that the contribution towards cost of
lines might be increased to the same amount as Tuticorin, i.e., to Rs. 20,000 in rough figures,
where there is no expensive site to be acquired. In this case the punitive tax should be 3½ times
the house-tax. But if this is done it will be necessary to acquire the site, otherwise I cannot
legally say I am levying the cost of the punitive police force. They are at present mostly in
Palamecottah on account of cholera in Tinnevely and this is also illegal as it is outside the
disturbed area, but that can't be helped and the temporary huts in Palamecottah don't cost much.

"4. In my official letter I have not given my reasons for excluding the suburb of Pettai from
the area over which punitive tax is to be levied. I shall have to make a separate reference about
that but the reasons briefly are these. Pettai is inhabited mostly by Mubammadans. They
have petitioned to be exempted. The Deputy Magistrate recommends exemption after personal
enquiry. I have also made some personal enquiries. They kept their bazaars open even on the
13th the day of the riot. No lamps were broken or any other mischief committed. The police
station-house reports show no occurrences between the 11th and 18th March. The suburb is
separated from Tinnevely by nearly a mile of paddy fields. There is therefore no more reason
for levying an additional police tax on Pettai than on Palamecottah."

From the District Magistrate, Tinnevely, dated 20th April 1908, No. 7.

Under Secretary—

Mr. Wynch's official letter is at pages, 1—8, current file. The points referred to therein are
three in number. They are—

* Cost of acquisition	..	..	..	Rs.
" of levelling the site, etc.	..	..	..	25,000
" of lines	..	..	..	13,000
	..	..	..	5,000
Total	..	..	..	44,000

(1) whether the whole cost (Rs. 44,000) *
of the acquisition of the site, etc., required for the
construction of police lines should be borne by
the inhabitants of Tinnevely ;

(2) how the cost of the additional police force should be apportioned among the inhabitants
of Tinnevely ; and

(3) whether the inhabitants of Pettai, a suburb of Tinnevely, should be exempted from
bearing any portion of the cost of the force.

2. As to (1) *cost of acquisition of the site, etc.*, Mr. Wynch is of the opinion that the town cannot fairly be charged the whole cost "as the site is wanted hereafter on general administrative grounds to increase the striking efficiency of the district reserve". He therefore suggests that the contribution towards cost of lines should be limited to Rs. 20,000 roughly, the remaining Rs. 24,000 being borne by Government. For orders whether Government will agree to this.

3. As to (2) *apportionment of the cost of the force among the inhabitants*, Mr. Wynch suggests that the "punitive tax should be $3\frac{1}{2}$ times the house-tax." This will amount to some Rs. 77,000.

It is submitted that, under section 15 (4) of Police Act, 1861, the apportionment of the cost of the additional police should be made according to the Magistrate's judgment of the respective means of the inhabitants within the disturbed area. The question is therefore one entirely in the

C.A.S.

discretion of the District Magistrate. For orders whether Mr. Wynch may be so informed.

4. As to (3) *exemption of Pettai inhabitants from the tax*, Mr. Wynch promises to address

C.A.S.

Government separately. His official letter may be awaited.

N.A.R.—28-4-08.

Chief Secretary—

The cost of the site.—It is difficult to estimate the amount which ought to be borne by the inhabitants. It has to be remembered that it was their acts which led to the necessity of acquiring it and therefore though it will eventually be used for ordinary police requirements the inhabitants can be legitimately charged with a portion of the cost. As to the amount of it, a good deal depends on the time during which the additional force is kept on and this is uncertain. It therefore seems best to make a lump calculation as Mr. Wynch has done and fix Rs. 20,000 as the sum to be paid by the townsmen.

C. A. SOUTER—28-4-08.

The wording of section 15 (3) of the Act is "the cost of such additional police force shall be borne, etc."

It might be argued that these words cover only the cost of the men, their pay. But I don't think this interpretation will stand. Clearly in cost of the force everything must be included which is necessary to constitute the body of men employed a police force; arms, ammunition, parade grounds, ranges and accommodation.

It follows then that the inhabitants of Tinnevely are liable to pay for the provision of accommodation, i.e., cost of site, as well as of houses. If the site and houses be afterwards taken over by Government for their own ordinary purposes a rebate of the value would be given, as is proposed to be done (or has been done) in the case of Cocanada.

Para. 3 of endorsement from Inspector-General of Police, 1546, 10th March 1908, on page 3 of G.O., 577, 21st April 1908.

But what has been done in the case of other additional police forces those at Sivakasi, Koilpatti, etc.? Why can't we follow those precedents?

J. N. ATKINSON—29-4-08.

Under Secretary—

From the Government orders noted on the margin, it will be seen that all charges (medical, clothing, building, arms, ammunition, etc.) connected with the maintenance of the additional police were recovered under the Act from the inhabitants of the disturbed areas. Reference in particular is solicited to the correspondence in G.Os., Nos. 185, Judicial, dated 4th February 1902, and 970, Judicial, dated 17th June 1902, where it was decided that the cost of housing the additional police should be recovered from the villagers concerned.

2. In all previous cases, the cost of acquisition of sites, of erecting buildings, etc., required for the additional police was first debited to the "Punitive Police fund", a rebate being allowed for these when the accounts were closed finally. In 1902, the District Magistrate Madura (Mr. Cardew) proposed that the cost of buildings for the additional police at Elayangudi (Rs. 3,700) be met out of the Provincial budget as the buildings were "a permanent improvement which will remain after the notification has ceased to have effect." The Government, however, negatived the proposal observing that "the cost of housing the additional police cannot legitimately be charged to Provincial revenues." It is not known if any rebate was allowed, latterly on these buildings. It is presumed, however, that a rebate was allowed in accordance with G.O., No. 1021, Judicial, dated 15th June 1906.

G.O., 1679, 16th October 1899.

G.O., 2038, 14th December 1899.

G.O., 228, 12th February 1901.

G.O., 925, 24th June 1901.

G.Os., 1828-9, 19th November 1901.

G.O., 625, 17th April 1906.

G.O., 1332, 26th July 1907.

G.O., 970, 17th June 1902.

Ibid.

Ibid.

K.W. 1190, JUDICIAL, 27TH AUGUST 1908.

3

3. It may also be noted that the cost of acquisition in the previous cases did not exceed Rs. 4,650. This was at Aruppukottai. In the present instance, the cost of acquisition is estimated at Rs. 26,000 and the cost of levelling estimated to cost Rs. 5,000 only.

N.A.R.—5-5-08.

Chief Secretary—

If precedent is to be followed the entire cost of the additional police should at first be borne by the inhabitants and a rebate afterwards granted. This perhaps will also be the most convenient method of settling the accounts.

I think there is another file about acquisition of the site, on which I called for a map of Timnevelly. The Honourable Member had questioned the eligibility of the site, I think. That file should be linked.

C.A.S.—5-5-08.

G.O., 917, 3rd July 1908.

J. N. ATKINSON—5-5-08.

Under Secretary—

The file has been linked as directed.

V.N.M.—13-5-08.

S.P.—13-5-08.

C.A.S.—13-5-08.

H.M. & Circ.—

We had better follow precedent, charge the whole cost of the additional police to the disturbed area, and grant rebate when the time comes.

J.N.A.—23-5-08.

I don't understand if they have taken up the site permanently—I mean the 13 acres—if not they should be taken up temporarily for the present until the question of the permanent location of the police there is settled. That cannot be settled without further discussion. Meanwhile the District Magistrate can collect as much as is necessary as a first instalment for the police, as he proposes, and if the site is eventually taken up permanently another instalment can be collected to pay for the site and rebate given when the punitive police are disbanded. Tell the District Magistrate the question of permanent location of police on the site cannot be settled yet. He should lose no time in collecting his first instalment as much as is found necessary.

M. [HAMMICK]—25-5-08.

I do not think the site can be taken up temporarily.

It must be acquired under the Act. At the proper time a rebate can be given.

G. S[ROKES]—26-5-08.

I do not like the proposal to acquire the site, and charge the cost to "punitive police" if in reality we are acquiring the site as a permanent police station.

It hardly seems just and such action on our part would be severely criticised. Then when we gave a rebate we should be said to have "climbed down."

I understand that the site is required for the police. If so let us at once acquire the site and pay for it out of Provincial revenues.

If there is any doubt on the point it can surely be settled without delay.

If we are not going to acquire the site permanently the technical difficulty about quartering the additional police in Palamecottah can be overcome by including Palamecottah in the disturbed area and exempting the inhabitants of Palamecottah from payment of the tax.

I think that $2\frac{1}{2}$ times the house-tax should be sufficient.

A. L[AWLEY]—28-5-08.

Order in Council.

The following telegram will be sent to Mr. Wynch:—

"Government cannot agree to removal of permanent head-quarters of reserve from Palamecottah but consider that you must make temporary arrangements for quartering all the punitive police in the proclaimed area, if necessary, renting site."

A demi-official will be written to Mr. Wynch asking if he has commenced levying the tax.

J.N.A.—5-6-08.

The following demi-official to Mr. Wynch may issue:—

"Please refer to your official letter R.O.C. No. 7, Confidential, dated 20th April 1908.

"The decision of Government as to the site necessary for quartering all the punitive police in the proclaimed area has been communicated to you in my telegram of the 5th.

"Please let me know if you have commenced levying the tax from the inhabitants of the disturbed area? If not Government desire you to make a beginning as early as practicable."

N.A.R.—6-6-08.

Issue.

C.A.S.—6-6-08.

J.N.A.—6-6-08.

[Issued as O.S. dated 9 Oct 1908]

K.W. 1190, JUDICIAL, 27TH AUGUST 1908.

From the District Magistrate, Tinnevely, dated 10th August 1908, No. 582.

Under Secretary—

The question of the site and buildings required for the additional police at Tinnevely, etc., has been disposed of by G.O., No. 917, Judicial, dated 3rd July 1908.

2. The question now is about the exemption of the inhabitants of Pettai and Chatram Pudukulam from payment of the punitive police tax. In both cases the District Magistrate (Mr. Wynch) recommends the exemption.

Paras. 2-4 of his letter, 10th August 1908.

3. Pettai is a suburb of Tinnevely town and separated from the outskirts of the town by a mile of road lying mostly through paddy fields. The suburb is inhabited mostly by Muham-madans. The exemption in this case is recommended for the following reasons:—

Paras. 2-3 of District Magistrate's letter, 10th August 1908. Vide also para. 4 of Mr. Wynch's demi-official, 20th April 1908.

(1) that there was no disturbance there of any sort or kind on the 13th March (the date of riots at Tinnevely) or following days; and

(2) that the shop-keepers at the place kept their shops open and supplied provisions, etc., to the people of Tinnevely town where the shops remained closed for two days.

* Page 18, current file.

† Para. 3 of District Magistrate's letter, 10th August 1908.

Both the * Divisional Officer (Mr. Dharmaranga Razu) and the † District Magistrate (Mr. Wynch) are satisfied from personal enquiries that the people of Pettai took no part in the riots.

4. Chatram Pudukulam is a hamlet of Taachanallur and the distance between the two is half a mile. The reasons for exempting this from the tax are the same as those mentioned in the case of Pettai. The Deputy Magistrate (Mr. Dharmaranga Razu) observes in his letter of the 20th April to the District Magistrate: " the

"request may be granted inasmuch as nothing happened in the village of Chatram Pudukulam and I am informed reliably that the inhabitants of that village did not take part in the occurrence."

5. A map showing these two places is placed below for reference and it is for orders whether Government will accept the District Magistrate's recommendation and exempt the inhabitants of the two places from bearing any portion of the cost of additional police and of the compensations awarded under section 15-A of the Police Act, 1861, to sufferers from the misconduct of the rioters.

6. The District Magistrate does not recommend any other exemptions. Please see paragraphs 5-9 of his letter, dated 10th August 1908, at pages 11-13 Current file.

7. Nothing is said in the District Magistrate's letter about the exemption from the tax of the members of the punitive police force. Following the precedent in G.O., No. 776, Judicial, dated 29th May 1908, in connection with Cocanada riots, the members of this force may be exempted.

8. Paragraphs 10-14 of the District Magistrate's letter relate to the apportionment of the cost of the special force among the inhabitants of the disturbed area. Under section 15 (4) of the Police Act, 1861, "the Magistrate of the district, after such enquiry as he may deem necessary, shall apportion such cost among the inhabitants who are, as aforesaid, liable to bear the same and who shall not have been exempted under the next succeeding sub-section and such apportionment shall be made according to the Magistrate's judgment of the respective means within such area of such inhabitants." The matter is therefore one entirely in the discretion of the District Magistrate and no action on the part of Government thereon is called for.

N.A.R.—16-8-08.

Chief Secretary—

The District Magistrate's recommendations may be approved. The two hamlets are self contained and apparently took no part in the riot.

2. The members of the punitive force may be exempted.

3. The apportionment of the cost rests entirely with the District Magistrate.

C.A.S.—17-8-08.

H. M. & Circ.—

The proposals made above may, I submit, be accepted.

M.H.—17-8-08.

Yes.

G. S. F[ORBES]—18-8-08.

I agree.

G. S.[TOKES]—18-8-08.

A. L[AWLEY]—19-8-08.

Draft accordingly.

M.H.—20-8-08.

Under Secretary—

Draft submitted.

N.A.R.—22-8-08.

Chief Secretary—

C.A.S.—22-8-08.

Issue.

M.H.—23-8-08.

[G.O., No. 1190, Judicial, dated 27th August 1908.]

1st copy sent to Press.

returned for signature.

dispatched in Print.

GAIN G. O. No.
100

DATED

NUMBER OF COPIES
REQUIRED.

Order complete

Letter only.

Order complete with Letter.

MENT No.

Struck
for note
25 - 12
Oct 1 - 1
Ludon 14 - 10
Oak 3 - 3
Val 3 - 3
979 2 -
9.0 2 - 12
25

RE C. No.

OF GOVERNMENT.

OF GOVERNMENT.

MENT WITH OF

NOT FILED UP, BEING MEANT FOR DISPATCH
IN ORIGINAL.

Print in full.
Not to be printed.
Print abstract only.
Print heading only.

557/r.1

700

~~1089/r.1/84~~

~~52/r.1/80~~

7242/8

941/86.

1994

R.H. 2002