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PART V.

PROCEEDINGS OF THE LEGISLATIVE DEPARTMENT, BOMBAY.

The following Report of the Select Committee of the Council of His Excellency the Governor of Bombay on the Bill to amend the Bombay Hereditary Offices Act so far as it relate to Mata'da'rs, and the Bill as amended by the Select Committee, are, in accordance with Rule 25 of the Rules for the Conduct of Business at Meetings of the Council, published for general information :—

Report of the Select Committee appointed to consider Bill No. 3 of 1884 (a Bill to amend the Bombay Hereditary Offices Act so far as it relates to Matádárs).

We, the Select Committee appointed to consider Bill No. 3 of 1884 (a Bill to amend the Bombay Hereditary Offices Act so far as it relates to Matádárs) have the honour to report as follows.

We are informed that it would be contrary to usage and opposed to the sentiment of the Patel families in Gujarát, that the name "matádár" should be extended, as it is in the Bill, to all members of these families, and that "matádár" denotes only the head or one of the heads of the family, or what is called in the Bill a "registered matádár." We have therefore defined "matádár family" and restricted the term "matádár" to the persons registered as such by the Collector under Section 7. We have made enquiry and are assured that lists of the persons entitled to be so registered have been very carefully maintained since 1866. We have also inserted a provision for the exclusion of females on marriage out of the family corresponding to that in Bill No. 2 of 1885.

In Section 8 we have with the concurrence of two of the members of the Committee which drafted the Bill, whom we had the advantage of consulting, struck out the part of clauses 3 and 4 which provides for the appointment of a representative matádár by the vote of a majority when there are two or more matádárs in a family, and thus left the determination of the representative matádár to the Collector, who will enter the name of the head of the family as its representative, on the principle followed in the Bombay Hereditary Offices Act. It appears to us that the determination of the representative being permanent for all future time, injustice might be done if the appointment were made by a majority of matádárs able to be present on one particular occasion and that an opening would be afforded thereby for unfair dealings.

We have removed from Section 10, after consulting the Commissioner, N. D., the words "to reside in the village of which he is a matádár," regarding this obligation as somewhat unreasonable.

In Section 14, after carefully considering what has been said by the officers who have remarked on the provision for electing an officiator, and after consulting the members of the Committee to whom reference was made above, we have come to the conclusion that, although the subject is not free from doubt and difficulty, the section may stand as it is.

In Section 29, clause 3, we think that it is unnecessary to deprive a representative matádár of his right to vote at the election of an officiator because a deputy appointed by him has been removed from office under clause 2. We have altered clause 3 accordingly.

For the first clause of Section 31, which deals with the subject of forfeiture, we have substituted a clause similar to the section which we inserted as Section 9 in Bill No. 2 of 1885.

(Signed) J. B. PEILE.

(") M. MELVILL.

Subject to modifications suggested in the appended dissent, we sign this report.

(Signed) M. G. RANADE.

(") JASVATSING.

The Honourable Mr. Naylor concurred in this report, but left India before it was ready for signature.

21st August 1885.

Dissent from the Report of the Select Committee.

We generally agree with the draft report adopted by the majority of the Committee. However, for the reasons which have led us to record a dissent in the case of Bill No. 2 of 1885, we have been unable to agree with some of the views of the majority of the Select Committee as embodied in the report. The chief points of disagreement are :—

1. *Section 2, clause 3.*—The definition of the words "members of a matádár family" excludes female heirs in accordance with the provisions of Section 5 (a) of Bill No. 2 of 1885. As the rights of female heirs have never been questioned in Gujarát, and there has been no representation from the matádárs against the succession of female heirs to matá property in preference to separated male heirs, we think that this proposed exclusion is an unnecessary interference with the general law of inheritance. The first draft of the Bill, as approved by the Committee of experts, did not sanction any such exclusion, and the officers consulted have not recommended it. We therefore suggest that no such restriction should be placed on the rights of female heirs, merely with a view to secure uniformity of practice all over the Presidency, when neither the interests of Government nor popular sentiment requires it.

Clauses 4 and 5 should be made to interchange places, as that will conduce to greater clearness.

In clause 6 the definition of "senior heir" is insufficient, and not clear enough. "Senior heir" should be defined as the heir nearest in relationship of the senior branch of the family of the deceased matádár, who is also senior in age.

2. *Section 3.*—We think in paragraph 2 of this section, Section 68 of Act III. of 1874 must be included in the repealed section, as Section 5 last paragraph contains a substitutive provision.

Sections 62 and 73 have been repealed without providing any express substitutive sections in their places; we think this omission should be supplied.

3. *Section 5.*—This section is substituted for Section 67 of Act III. of 1874, (old clause (c) of Section 67,) provided for the information as to whether the service is performed by one representative watandár or otherwise. There is no similar provision in the new clause (d). This omission should be supplied.

4. *Section 6.*—There is no objection to the proviso clause, as it is intended to protect vested rights. We think, however, that as the determination by the Collector will affect the rights of matádárs for all time, a way should be left open to correct any mistakes caused by insufficient inquiry, and the aggrieved parties should be permitted to establish their rights, if any, in the civil courts, whose decision should be respected by

the Collector in the same way as is provided for by Section 9 *a*, in reference to orders passed under Section 7 (*b*) and Section 9.

5. *Section 10.*—The removal of the condition requiring compulsory residence within village limits for all matádárs meets with our approval. It would be well if the customary duties and services required from matádárs could be more particularly defined, for neglect in the performance of these duties renders them liable to the punishments contained in Section 29.

6. *Section 14, paragraph 2.*—We think that the recognition of any differences of castes among the matádárs as justifying the condition of a majority of two-thirds for a valid election, will defeat the main purpose of the section. We understand that there are very few villages, hardly 10 per cent. of the whole number, where the matádár families belong to different castes in such a way as to bring them under the operation of this provision. The information before us does not show that, in matádár families of different castes, the matádárs will always vote for members of their own castes, to the prejudice of the rights of the minority. Moreover, it will not be always easy to assign the sub-division of castes and sects to which a matádár belongs. If such a distinction be recognized by law, it may result in stamping the existing differences more permanently. The local officers consulted do not suggest the necessity of such a special condition. Lastly, this condition will never work in practice, and if it works at all, it will make elections impossible. We think simplicity in such matters is every way desirable, and we would remove the condition of two-thirds majority in cases where matádárs belong to different castes.

By way of precaution against abuse, we think that the Collector should have the power, on complaint made to him, of setting aside any election vitiated by material irregularities, and ordering a fresh election.

7. *Section 18, paragraph 2, Section 19, clause (6).*—A matádár may have very good reasons for declining to officiate in person, and we think his right to appoint a deputy should not be subjected to the condition of its being permitted by the Collector.

For the same reason, a representative matádár who declines, whilst officiating, to forsake another incompatible employment, or to reside in the village, should have the power to appoint a deputy, independently of the Collector's discretion.

8. *Section 22.*—The limit of age should be raised from 18 to 21 years, which latter is the legal age of majority for wards under guardianship.

9. *Section 28.*—In our opinion, the disqualification of age in clause (*b*) should be raised from 18 to 21 years.

We do not think that there should be any compulsory educational test under clause (*c*). Even if the power were taken by law, Government will not for a long time to come be able to exercise it, as the matádárs are, and will continue long to be, unlettered patels.

In clause (*d*) the limit has been raised to 60. We think this limit is too low, and it is, moreover, inconsistent with the tenure for life provided for in Section 23, paragraph 1.

In clause (*e*) the word "total" should be prefixed to the words "deafness or blindness."

In clause (*f*) the word "known" should be substituted for the word "general" bad character.

10. *Sections 29 to 31.*—In regard to the penal sections, our views are the same as those we have recorded in our dissent from the report on Bill No. 2 of 1885.

We recommend that translations of the Bill, as amended by the Select Committee, together with the report, should be published in Gujaráthi, and the opinions of the leading matádárs, and of the public generally, should be invited before the Bill is taken up for the second reading. We further recommend that, over and above the detailed information called for by us in our dissent from the Report on Bill No. 2 of 1885, it will be desirable to secure full statements (1) regarding the number of villages where matádár families belong to different castes, (2) regarding the cases in which daughters and other female heirs have been registered as holders of matás in the lists prepared in 1866, and the twenty years which have since passed.

(Signed) M. G. RANADE.

(") JASVATSING.

Bill No. 3 of 1884.

A Bill to amend the Bombay Hereditary Offices Act so far as it relates to Matádárs.

WHEREAS some portions of the Bombay Hereditary Offices Act are found to be unsuited to matádárs, and it is therefore expedient to amend the said Act and to enact special provisions for the regulation of the service of matádárs : It is enacted as follows :

1. This Act may be cited as "The Matádárs Act, 1884."

It extends to the districts of Ahmedabad, Kaira, Broach and Surat ; but the Governor in Council may, from time to time, by notification in the *Bombay Government Gazette*, extend its provisions to any village in the Panch Maháls district.

It shall come into force at once :

Provided that every appointment to any patel's office to which this Act applies, made under the provisions of the Bombay Hereditary Offices Act and still in force, shall hold good :

(a) until the time when, if this Act had not been passed, such appointment would become vacant or until the expiry of two years from the coming of this Act into force, whichever first occurs, or

(b) in the case of an appointment which has been made to have effect pending further orders, until such time not exceeding two years from the coming of this Act into force as the Collector directs ;

and a fresh appointment under this Act in lieu of any such appointment as aforesaid shall only be made to have effect from the time when the latter appointment ceases to hold good.

2. In this Act, unless there be something repugnant in the subject or context :

(1) "matádár family" means a family to which the office of "Matádár family." village patel or some share in the discharge of the duties or in the exercise of the powers ordinarily appertaining to that office belongs hereditarily ;

(2) "mata" means the aggregate of the rights, privileges and responsibilities vesting in a matádár family as such ;

(3) "Member of a matádár family" does not include a female, or the husband, or a child or other descendant of a female who under section 5A of the Bombay Hereditary Offices Act is incapable of inheriting a mata or any share of a mata, or has been divested of the inheritance thereof ;

"Member of a matádár family." "Member of a matádár family."

(4) "representative matádár" means a representative matádár whose name is entered in the register kept under section 5 of this Act ;

(5) "matádár" means any matádár whose name is entered in the said register and includes a representative matádár ;

(6) "senior heir" means heir who first acquired membership or the right of inheritance, whether by birth, marriage or otherwise ;

(7) any word or expression which is defined in the Bombay Land Revenue Code, 1879, and is not hereinbefore defined, shall have the meaning given to it by that Code.

Expressions defined in the Bombay Land Revenue Code.

3. In applying the Bombay Hereditary Offices Act to matádárs, a mata shall be deemed to be a watan and the said Act shall be read subject to the following modifications (namely) :

(1) sections 24 to 31, both inclusive, 36 to 62, both inclusive, 67, 69, 71 and 73, and in section 4 the definition of watan shall be deemed to be repealed ;

(2) in sections 33 and 34, the words "the coming into force of this Act" shall be taken to mean, in respect of matádárs, the coming into force of this present Act, and the word "matádár" shall be substituted for the words "registered representative watan" and "watan," wherever they respectively occur.

4. Subject to the provisions of the last sentence preceding this Act shall be read as one with the Bombay Hereditary Offices Act.

Of the Register.

5. In the register of lands and allowances in consideration of which liability to perform service still exists, kept under section 65 of the Bombay Hereditary Offices

Matádárs' service register what to contain.

Bo. III. of 1874.

Bo. V. of 1879.

Bo. III. of 1874.

Bo. III. of 1874.

Bo. Act III. of 1874, s. 67.

Bo. III. of 1874.

Bo. III. of 1874.

Bo. III. of 1874.

Act the Collector shall specify for every village in which there are matádárs :

- (a) the number of distinct *matádár families* in the village separately recognized in the Collector's records ;
- (b) the name of the representative matádárs of each *matádár family* to which a right to hold the office of patel attaches ;
- (c) the name of every other *person* directed by the Collector to be entered in the register under section 7 or 9 ;
- (d) where there are more representative matádárs than one, the order of rotation in which, failing the appointment of an officiator by election, the right to the patel's office is to vest in the said representative matádárs ;
- (e) the number of persons required to officiate as patels contemporaneously ;
- (f) a description of the service lands held by the *matádár family*, showing the area, survey numbers and the assessment thereof, together with the quit-rent, if any, payable and the net amount of revenue alienated by Government ;
- (g) the amount and nature of the cash or other allowances, if any, held by the *matádár family* ;
- (h) the watan property or profits assigned under section 23 of the Bombay Hereditary Offices Act for the emoluments of officiators ;
- (i) such other particulars as Government from time to time direct.

The said register shall be amended from time to time whenever any change is made in any of the particulars therein specified in accordance with the provisions of this Act or of the Bombay Hereditary Offices Act.

6. In every village in which there are

Right to patel's office to attach ordinarily to every matá ; but

two or more distinct *matádár families* separately recognized in the Collector's records,

a right to hold the office of patel shall ordinarily be deemed to *appertain* to each *matádár family* :

Provided that it shall be competent to

exclusive right may be declared by Government to attach to one matá.

the Governor in Council to declare, if, upon consideration of the past history of

the tenure of the office in any village and of the circumstances, so far as known, under which the village was founded, it shall appear to him equitable so to do, that the right to the patel's office in such village

appertains exclusively to one *matádár family*, and every such declaration shall be conclusive evidence of the exclusive right thereby affirmed.

7. In the register prepared under section 5 the Collector shall enter the name of every *person* contained in any list of matádárs made under the orders of Government subsequent to the year 1866 : Provided that—

- (a) if, for any village, no such list exists, or if, in respect of any *matádár family*, no *person's* name has been entered in any such list, or if, at the time when this Act comes into force, there is any dispute pending as to the completeness or correctness of any such entry, the Collector shall hold a summary inquiry and shall enter in the register the name of each person who shall appear to him to have been recognized in the records previous to the year 1867 as a *matádár* of any *matádár family* for which such list or entry is wanting or to which such dispute relates ;
- (b) if any person whose name should be entered in the register in accordance with any of the foregoing provisions is dead, the name of the *heir next in succession*, or if there are two or more *heirs* of equal degree, the name of the *senior heir* shall be entered in the register instead of his.

8. (1) The name of one matádár shall be entered in the said register as the representative matádár of each *matádár family* to which a right to hold the office of patel attaches.

(2) For every such *matádár family* of which there is only one matádár, the said matádár shall be the representative matádár.

(3) If there are two or more matádárs of any such *matádár family*, the Collector shall, as soon as may be after the passing of this Act, enter in the said register as representative matádár of the *matádár family* such one of the said matádárs as shall appear to him to be the *head of the matádár family*.

9. On the death of a representative or other matádár, the fact shall be reported by the village officers to the Collector and

Name of heir to be registered when a matádár dies.

Bo. Act III. of 1874, s. 36.

Bo. III. of 1874.

Bo. Act III. of 1874, s. 68.

Bo. III. of 1874.

the name of the heir next in succession, or, if there are two or more heirs of equal degree, the name of the senior heir shall be registered in his stead.

9A. If at any time any person shall by production of a certificate of heirship or of a decree or order of a competent court, satisfy the Collector that he is entitled to have his name registered under section 7 (b) or section 9 in preference to the person whose name the Collector has ordered to be registered, the Collector shall cause the entry in the Register to be amended accordingly.

Of Service.

Bo. Act III.
of 1874, ss. 69
and 71.

10. Every matádar shall be bound, when so required by the Collector, to perform the duties customarily discharged by matádars, and shall have the privilege of signing the abstract of village lands and revenues and such other village records as it may be customary for matádars to sign.

11. If within the limits of any village in which there are matádars a new village or hamlet has been, or shall hereafter at any time be, formed, it shall be competent to the Collector, with the previous sanction of Government, to exclude the limits of such new village or hamlet from the area to which the functions of the said matádars extend.

Bo. Act III.
of 1874, s. 43.

12. The Collector may fix at his discretion, from time to time, the number of officers requisite for the due discharge of the duties of every patel's office.

13. In every village in which the Governor in Council declares, under section 6, that the right to the patel's office appertains exclusively to one matádar family, the said right shall vest in the representative matádar of that matádar family alone.

14. In every other village the matádars may, on or in anticipation of the occurrence of a vacancy in the office of patel, elect some person who

is a member of a matádar family of the village to fill the vacancy.

If a majority of the matádars, consisting, when the matádars belong to two or more different castes, of not less than two-thirds of the whole number, fail, within such reasonable period as shall be prescribed by the Collector in this behalf, to nominate some such person as aforesaid for the vacancy, or if the person nominated is disqualified for office, the right of office shall vest in the representative matádar, or in one of the representative matádars if there are more than one.

15. Elections under the last preceding section shall be held in accordance with such rules as the Governor in Council, by notification in the *Bombay Government Gazette*, from time to time, prescribes in this behalf:

Provided that if matádars of two or more matádar families are entitled to vote and the numbers of matádars of the several matádar families are unequal, provision shall be made in such rules for a number of votes equal to the maximum number of matádars of any one of the matádar families being assigned to the matádars of each family.

16. If there are two or more representative matádars in a village the right to the patel's office shall, subject to the provisions hereinafter contained, vest in each of them in rotation, whenever the matádars fail to elect an officer in the manner provided in section 14.

17. For the purpose of determining the order in which the said right shall vest in the said representative matádars, the Collector shall, as soon as may be after this Act comes into force, by written notice, require the said representative matádars to assemble in his presence.

If a majority of the representative matádars present in accordance with the said notice do not agree to some order of rotation, the order shall be forthwith determined by the Collector by lot, in the presence of the assembled representative

matádárs, in such manner as he shall think fit :

Bo. III. of 1874. Provided that if in the course of any proceeding held under the Bombay Hereditary Offices Act an order of rotation for service of the same representative matádárs, or of their predecessors in title, has been already settled by lot or by agreement of the parties, the order so settled shall be deemed to have been determined under this section.

Bo. Act III. of 1874, s. 42. 18. Every representative matádár in whom the right of office vests under section 13 or sections 14, 16 and 17 shall, ordinarily, be required by the Collector, if he is not disqualified for office, to officiate in person, but the Collector may, if he thinks fit, dispense with his personal service.

• If there are two or more representative matádárs, and the one whose turn it is to enjoy the right of office declines, when so required by the Collector, to officiate in person, the turn to enjoy the said right shall pass to the next in the settled order of rotation.

Bo. Act III. of 1874, s. 45. A representative matádár who declines, whilst officiating, to forsake some other employment which, in the opinion of the Collector, is incompatible with the due discharge of the duties of the patel's office, or fails when so required by the Collector to reside in the village for which he is appointed, shall be deemed to decline to officiate in person.

When a deputy may be appointed by a representative matádár. 19. A deputy may be appointed at any time :

- (a) by a representative matádár who is or who, whilst officiating in person, becomes disqualified for office; and
- (b) with the Collector's permission, by a representative matádár who does not wish to officiate or to continue to officiate in person, although not disqualified for office; and
- (c) by a sole representative matádár, who proposes to officiate or is already officiating in person, when one or more other officers are necessary.

A deputy appointed by a representative matádár may at any time be removed from

office by the Collector at the request of the representative matádár, if in the opinion of the Collector there are good reasons for such request.

20. When an appointment of a deputy has to be made by a representative matádár, the Collector shall, by written notice, require him to nominate a fit person to be his deputy within twenty days from the date of service of the said notice.

Should the representative matádár fail, within the said period, to nominate any person, or if the person he nominates is not a member of a matádár family of the same village or is disqualified for office, the Collector may, in his discretion, extend the period of nomination for a further term of ten days.

If within the prescribed period of twenty days, or, when the Collector extends the period, within the extended term, no person is nominated by the representative matádár, or the person nominated by him is not a member of a matádár family of the same village, or is disqualified for office, the turn to enjoy the right of office shall, where there are two or more representative matádárs, pass to the next in the settled order of rotation.

21. If a sole representative matádár, or where there are two or more representative matádárs, each of them in turn, declines, when so required by the Collector, to officiate in person, or fails to appoint a fit person to be his deputy in accordance with the provisions of the last preceding section, the Collector shall appoint a deputy.

A deputy so appointed by the Collector shall ordinarily be a member of a matádár family of the village for which he is appointed, but, with the previous sanction of Government, may be any other person.

22. If a matádár is under eighteen years of age or is disabled by lunacy or imbecility of mind, the guardian or other legal curator of his person may act in his behalf in any of the matters provided for in sections 14, 17, 19 and 20.

Bo. Act III. of 1874, s. 44.

Bo. Act III. of 1874, s. 37.

Term of office of a sole representative matádár; and

The term of office of an elected officiator; and

when the matádárs belong to two or more different castes, of not less than two-thirds of the whole number, shall, at the time of election, desire, if the person elected shall not in the meantime die or become disqualified for office.

The desire of the matádárs as to the duration of the term of office of any person elected by them under section 14 shall be ascertained in accordance with the Rules prescribed under section 15 for determining nominations.

23A. The term of office of one of two or more representative matádárs entitled to office in rotation. matádárs, in whom the right of office vests in rotation, shall be—

- (a) five years, when the number of representative matádárs exceeds nine;
- (b) seven years, when the number of representative matádárs exceeds four but does not exceed nine;
- (c) ten years, when the number of representative matádárs does not exceed four.

24. A deputy appointed by a representative matádár or by the Collector in his stead shall be appointed for the term of office of the representative matádár by or for whom he is so appointed; and if a deputy dies or resigns or becomes disqualified for office during the said term, another deputy may be appointed for the residue of the said term in accordance with the provisions of sections 20 and 21 :

Provided that—

- (a) if a representative matádár who has appointed a deputy because he himself was disqualified for office or because he did not wish to officiate in person, subsequently at any time during his term of office wishes to officiate in person, he may, if he is not then disqualified for office, be permitted so to do by the Collector;
- (b) if a representative matádár dies during his term of office, the deputy, if any, officiating in his stead shall cease

23. The term of office of a sole representative matádár shall be for life.

under section 14 shall be for five years or for such longer period

No change of officiator to be permitted during the last year of a representative matádár's term of office.

25. Notwithstanding anything herein before contained to the contrary, no representative matádár in any village to which the provisions of section 14 apply, shall be permitted to commence to officiate in person, and no new deputy shall be appointed by or for a representative matádár, during the last year of the term of office of such representative matádár.

If occasion arises during any such year for any change of an officiator in any such village there shall be deemed to be a vacancy in the office.

26. During any interval between the occurrence of a vacancy in a patel's office and its being filled up in accordance with the foregoing provisions and during the time that any officiator is suspended, the Collector may appoint such person as he thinks fit, whether a member of a matádár family of the village or not, to officiate temporarily.

27. If an officiator is temporarily absent from his village or is temporarily prevented by illness from discharging the duties of his office, he may depute some other fit person to perform the said duties, but shall be responsible for the acts and omissions of the person so deputed as if they were his own acts and omissions.

Of the Disqualifications for the Patel's Office.

28. The following persons shall be deemed to be disqualified for the patel's office (namely) :

- (a) females;
- (b) persons under eighteen years of age;
- (c) any person who has not passed such educational test, if any, as Government think fit, from time to time, to prescribe in this behalf;

Bo. Act III. of 1874, s. 51.
Bo. Act III. of 1874, s. 37.

Bo. Act III. of 1874, s. 52.

Bo. Act III. of 1874, s. 55.

(d) any person who has attained sixty years of age, except when such person's appointment or further continuance in office is specially permitted by the Collector;

(e) any person who is disabled by lunacy or imbecility of mind or by deafness, blindness or other permanent infirmity of body;

(f) any person who at the time when he would otherwise be entitled to officiate is adjudged by the Collector, after a summary inquiry, to be of general bad character;

(g) any person who has been sentenced by a criminal court to imprisonment or whipping for an offence punishable with imprisonment for a term exceeding six months, or to transportation, such sentence not having subsequently been reversed or quashed, and whose disqualification on account of such sentence has not been removed by an order which the Governor in Council is hereby empowered to make, if he shall think fit, in this behalf.

(h) any person removed from office under section 29, except when such person's re-employment is expressly sanctioned by Government.

Any officiator who during his term of office becomes disqualified for any of the above reasons shall cease to officiate.

Of Penalties.

29. Any matádar who shall neglect or refuse to comply with any order made by the Collector under section 10, and any matádar or officiator who shall be careless or negligent in the discharge of his duties may be punished by the Collector for each such offence by fine, which may extend to one-fourth part of the annual emoluments of such matádar or officiator.

If an officiator shall be accused of any misconduct which shall seem to the Collector to require a severer punishment than that aforesaid, the Collector may suspend him from office during investigation into such accusation, and, after holding a summary inquiry, may if he consider the officiator guilty of misconduct meriting such punishment, suspend him from office for a further period not exceeding six months, or, if fraud or wilful framing of incorrect records or other grave misconduct or offence is

proved against him, may, with the previous sanction of Government, remove him from office.

When a representative matádar has been so removed from office, he shall, if Government so direct, be deprived for the rest of his life of any right which he would otherwise have of voting at an election of an officiator or of appointing a deputy to officiate; and if any representative matádar so deprived is a sole representative matádar, a deputy shall be appointed by the Collector, subject to the provision of paragraph two of section 21, to officiate in his stead during his lifetime.

30. Nothing in the last preceding section shall affect the liability of an officiator under trial for an offence. Suspension of an officiator to a criminal prosecution for any offence which he may be accused of having committed; and the Collector may suspend any officiator subjected to any such prosecution pending the inquiry and trial, and at its close may take the proceedings and the finding of the criminal court into his consideration for the purpose of dealing with the case under the last preceding section.

31. If any person elected to officiate under section 14 or a representative matádar, or any deputy or substitute appointed by him is convicted by a criminal court not inferior to a Court of Session of any offence in the discharge of his official duties, or of any of the offences specified in the second schedule annexed to the Bombay Hereditary Offices Act, or of the abetment of any such offence, and such conviction is not subsequently reversed or quashed, the Governor in Council may direct the forfeiture of the matás or of any matá or of any part of a matá in the village.

Such forfeiture may be either absolute, or for such period as the Governor in Council thinks fit.

If any representative matádar or deputy is removed from office under section 29, the Governor in Council may direct the forfeiture of the life interest in the matá of the representative matádar so removed from office or of the representative matádar by whom the deputy so removed from office was appointed, as the case may be.

By order of His Excellency the Right Honourable the Governor in Council,

C. G. W. MACPHERSON,

Under Secretary to Government.

Poona, 24th August 1885.

Bo. Act III. of 1874, s. 46.

Bo. Act III. of 1874, s. 45.

Bo. Act III. of 1874, s. 59.

Bo. Act III. of 1874 s. 57.

Bo. Act I. of 1876, s. 2.

Bo. Act III. of 1874, s. 58.

Bo. Act III. of 1874, ss. 50 and 59.

Bo. Act I. of 1876, s. 3.

Bo. Act III. of 1874, s. 61.