M.R.O. 1—77,006—8-6-37.

(1) Number of pages 8

(2) Date of repair 15-2-40

(3) Initials of the Referencer

# MADRAS RECORD OFFICE.

## Government of Madras.

Financial DEPARTMENT.

G.O. No. 139 Press / Mis.

168-169

Dated 29-1- 18 73.

5/6

**Not to be folded or roughly handled**

*Proceedings of the Madras Government, Financial Department,*

*29th January* 1873.

No. 168. Read the following Proceedings of the Board of Revenue, dated 17th January 1873, No. 63 :—

Read the following letter from H. S. THOMAS, Esq., President of the Local Fund Board, Canara Circle, to the Secretary to the Board of Revenue, dated Mangalore, 6th December 1872, No. 561 :—

At the request of Mr. E. H. Pringle, the Assistant Engineer in charge of Mangalore Range, and a Member of this Board, I have the honour to submit, for the orders of the Board of Revenue and Government, copies of the marginally noted letter* from him and of the resolutions† of this Board thereon, together with the minute of the Presiding Member at the first meeting.

* Dated 7th November 1872, No. 652.

† Dated 8th and 25th November 1872.

2. The Board that agreed with Mr. Pringle was a Special Board. The Board that cancelled that resolution a General Board which as such is competent to confirm or annul the proceedings of the previous meeting.

3. The question is whether the President and Vice-President are competent to call special meetings when necessary. The general meeting of the Board held that these were competent to do so at their discretion; that Section 18 of Act IV. of 1871 empowered them; that the rules drawn up by Government with reference to Sections 24 *et. seq.*, had no reference to Section 18, and that it was obvious they could not affect Section 18, as an order of Government could not overrule a clear enactment; that the Government rules also admitted this and aimed at giving effect to not over-riding the Act.

4. The Board held also that it was very necessary that this discretion in the calling of special meetings should vest in the President and Vice-President for the discharge of emergent business. In any case the working of the Act is sufficiently cumbersome. In the case of emergencies, it would come to a dead lock but for Section 18 being read as the general meeting read it.

5. Presuming that a week's notice must in all cases be given and published in the District Gazette as held by Mr. Pringle, and remembering that the District Gazette is published fortnightly, three weeks delay will thus ordinarily occur, and including the time occupied in setting up type, not much short of a month may intervene before orders can be passed on a matter which requires an immediate reply, as did the reference in the case in point on the representation of the Tahsildar. Had his report been left unreplied to for a month or even half that time, the subject of it would have reached a stage past the issuing of orders.

6. The argument used by Mr. Pringle that the power of calling special meetings at discretion might be abused by the President and Vice-President is, I think, beside the question. It will be time enough to inform the Government when it is abused.

7. Meanwhile the question is whether or not that power is by Section 18 vested in the President and Vice-President.

8. The Board in general meeting have settled the question in the affirmative.

9. Mr. Pringle protests, and it as for Government to pass orders on his protest forwarded at his special request.

ENCLOSURE No. 1.—Copy of Protest.

ENCLOSURES Nos. 2 and 3.—Copies of resolution of Local Fund Boards.

RULE LXXII. applies only to the regular monthly meetings. There is nothing to prevent the President from calling meetings in case of emergency without giving a full week's notice, but when such an extraordinary meeting is held, its proceedings should be presented for confirmation to the next regular monthly meeting.

2. These Proceedings will be submitted to Government.

(A true Copy and Extract.)

(Signed) . GROSE,
*Secretary.*

No. 169. ORDER THEREON, 29th January 1873, No. 139.

The decision of the Board of Revenue is approved.

To the Board of Revenue, with enclosures returned.

Govt. of Madras
FINANCIAL.
To
THE BOARD OF REVENUE.
*Dated January, 29th.*
*Recd.*
*G. O., 29th January* 1873, *No.* 139.

JANUARY.
Nos. 168-169.

Approving the orders of the Revenue Board respecting the convening of emergent meetings of the Local Fund Board, Canara Circle.

Local Funds Rules

To the Board of Revenue
in Fasli 1283

The decision of the
Circar approved.

[illegible]
7/2

Exd. T. Cartledge.

Fasl 1873. West.

# Board of Revenue,
## MADRAS.

PROCEEDINGS, 17TH JANUARY 1873, No. 63.

Desp. 21 Jan 4/73

Encl. 3

Received 22nd January 1873.

JANUARY.
No. 63. N° 133.

*Local Fund Boards.—Meetings of*—President of Local Fund Boards, Canara Circle, informed that there is nothing to prevent him from calling—in cases of emergency, without giving the full week's notice required in the case of the regular monthly meetings, but that when such extraordinary meetings are held, their Proceedings should be presented for confirmation to next regular meeting.

Wm Bden

C 257/1
P 28 Jan

Govt. of {1873} Madras.

Financial

To The Board of Revenue

Dated Jan.y 29.
Recd. Encl.

G. O. 29 Jan.y, 1873, No. 139.

Approving the orders of the Rev. Board respecting the Convening of Emergent Meetings of the L. F. Board Canara Circle.