

(1) பக்கங்களின் எண்ணிக்கை

44

(2) புதுக்கித் திருப்பிய நாள்

8/93

(3) ஆதாரங் குறிப்பவர் சுருக்கொப்பம்

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தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

Judicial துறை

அரசாணை எண்.

மு. கோப்புத் தாள் எண்.

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மடிக்கவோ கண்டபடி கையாளவோ கூடாது.

ஆவண. க. 1-18,006-6-9-90.

Read the following paper:—

No. 15
617-29.

Extract from the Proceedings of the Government of India, in the Home Department (Public),—under date Simla, the 22nd April 1885.

READ—

Home Department Resolution No. 12-438-50, dated the 8th March 1884, reviewing the Registration Reports of the several Provinces for the year 1882-83.

Read also—

The Registration Reports of the several Local Governments and Administrations for the year 1883-84.

RESOLUTION.

OBSERVATIONS.—The statement annexed shows for the several Provinces the total number of registrations, the receipts and expenditure of the Registration Department, and the aggregate value of property transferred by registered documents in the years 1881-82 to 1883-84, as well as the proportion of Registration Offices to area and population. The total number of documents registered increased from 1,389,885 in 1882-83 to 1,489,185 in the year under review. The receipts of the Department rose from Rs. 21,58,746 to Rs. 25,67,917, and the expenditure from Rs. 16,31,976 to Rs. 17,02,760. There was thus, compared with the previous year, an advance of 99,300 in the total number of transactions, of Rs. 1,09,171 in the receipts, and of Rs. 70,784 in the expenditure of the Department. The percentage of expenditure on receipts was the same as last year, viz., 66·3.

The registrations affecting immoveable and moveable property were as follows:—

	Number of registrations affecting immoveable property.			Number of other registrations.	Grand Total.
	Compulsory.	Optional.	Total.		
1882-83	764,763	429,808	1,194,571	195,314	1,389,885
1883-84	815,976	465,596	1,281,572	207,613	1,489,185

The following figures show the aggregate value of property transferred by registered documents during the years 1882-83 and 1883-84:—

1883-84:—		Affecting immoveable property.	Affecting moveable property.	Total.
		Rs.	Rs.	Rs.
1882-83	...	37,72,84,064	4,54,06,714	42,26,90,778
1883-84	...	37,46,07,976	6,76,91,583	44,22,99,559

2. Madras.—The Department again did good work during the year under review. There was a substantial advance in the total number of documents registered, being 478,431 in 1883-84 against 435,381 in 1882-83, thus representing an increase of 43,053 instruments, or 9·8 per cent., and 124 per cent. during the last ten years, the total

number of registrations in the year 1874-75 having been 213,087. In the statement given below the transactions under the major heads for the years 1882-83 and 1883-84 are compared :—

	Affecting immoveable property.		Affecting moveable property.	Wills and authorities to adopt.	Total.
	Compulsory.	Optional.			
1882-83	215,953	188,408	30,051	969	435,381
1883-84	232,519	212,041	32,774	1,100	478,434

It will thus be seen that every head contributed to the general increase. Registrations affecting immoveable property advanced, in the case of documents compulsorily registered, by 16,566 transactions, or 7.6 per cent., and in the case of those the registration of which is optional, by 23,633, or 12.5 per cent. The increase in the number of transactions affecting moveable property was 2,723, or 9 per cent. The number of wills registered advanced from 961 to 1,092; the number of authorities to adopt remained the same (8) as last year. The percentage of optional to total registrations for the last five years is, respectively, 44, 47, 49, 50, and 51.

Turning to the nature of the documents entered, it is seen that, with two small exceptions, viz., a decrease from 2,511 to 2,317 of perpetual leases, and from 124 to 76 of certified copies of decrees and orders of Court, there was an increase under all heads over the figures for the previous year. The operations effected during 1882-83 and 1883-84 under some of the more important heads of registration are compared below :—

	Instruments of sale and mortgage affecting immoveable property.		Leases (Book I.)	
	Compulsory.	Optional.	Compulsory.	Optional.
1882-83	161,677	149,261	81,361	22,056
1883-84	172,610	167,772	87,312	24,544

The number of instruments registered affecting the sale and mortgage of properties valued at Rs. 100 and upwards increased by 10,933, or 6.8 per cent. The increase in the operations relating to instruments of the same class affecting properties under Rs. 100 in value was 18,508, or 12.4 per cent. The increase in the total number of leases, both compulsorily and optionally registered, was 5,469, or 9.7 per cent. Deeds of gift advanced from 1,496 instruments to 1,574, or by 5 per cent.

The falling off under the head of perpetual leases was chiefly in South Canara and Salem; in the former place, where more than half the total number of registrations under this head took place, the transactions fell from 1,182 to 1,273, or by 209 documents, and in the latter place by 104. In South Canara the decline appears to be due to the belief that when the owner once leases his land under a perpetual lease, he is debarred for ever after from raising the rent. The decline which occurred in Salem is attributed to the fact that in 1882-83 an unusually large number of perpetual leases were registered owing to the lessees of a certain property having failed to pay their rent, when fresh leases had in consequence to be issued. The advance made in the registration of instruments relating to gifts is likely to continue, as the High Court of Madras have decided upon the precise interpretation to be put upon "settlement," under which head many gifts have hitherto been erroneously classified. As regards registrations in Book IV., the number of deeds of sale, and the number of bonds registered during the year, increased—the former from 1,525 to 1,699, and the latter from 18,742 to 19,121.

The aggregate value of the property affected by the transactions of the year, as evidenced by the documents registered, again fell from 1,215 lakhs of rupees in 1882-83 to 1,187 lakhs of rupees in 1883-84, or by 2.3 per cent. There was a considerable increase in the value of moveable property transferred. The value of such instruments advanced from 86 lakhs of rupees in 1882-83 to 191 lakhs in 1883-84, or by 105 lakhs (122.0 per cent.). This increase is chiefly due to the rise from Rs. 1,30,717 to Rs. 1,01,00,876 of the aggregate value of property transferred under the head "Other documents registered in Book IV." in the North Arcot District—an increase for which no explanation is given. On the other hand, the value of immoveable property affected, fell by 133 lakhs of rupees, or by 11.7 per cent. No importance, however, attaches to this decline, as in 1882-83 the sale of the property belonging to the Madras Irrigation Canal Company added more than 178½ lakhs of rupees to the value of property affected by registrations in Book I.; and this fact accounts also for the decrease of 166 lakhs of rupees, which occurred during the year under review in the value of lands transferred by sales.

The income of the Department rose from Rs. 5,74,710 in 1882-83 to Rs. 6,24,613 in 1883-84, or by 8.6 per cent. The expenditure also increased from Rs. 5,50,853 in the previous year to Rs. 5,93,595 in the year under review, or by 7.8 per cent. The surplus therefore was Rs. 31,018 against Rs. 24,357, and the percentage of expenditure to receipts 95 against 96 in 1882-83.

The revised scale of salaries of Registrars and Sub-Registrars is responsible for almost half of the increase which occurred in the expenditure of the year, the revised scale having been in force during the whole of 1883-84 against six months in 1882-83. Other causes which tended to enhance the disbursements were the opening of five new offices, the substitution of nine Special Sub-Registrars for as many *ex-officio* officers, the payment of a larger percentage of commission to the establishments on the larger collections realized, and the fact that the new establishments employed during the year and those entertained in 1882-83 drew their pay for the whole year in 1883-84. The expenditure on office buildings again rose from Rs. 45,226 in 1882-83 to Rs. 53,909 in the year under notice, the increase of Rs. 8,683 being due to the large outlay upon the new buildings which are being erected in accordance with the plan of having detached accommodation for Registration Offices.

The above figures point to the efficient working of the Department, and to the satisfactory and increasing improvement in the registration work of the Madras Presidency. The proportion, however, of one office to every 445 square miles of country, and to every 98,823 persons of the population, shows that there is room for further development. This is admitted by the Local Government, and the work of opening new offices, thereby affording greater facilities for registration, is proceeding in every direction throughout the Presidency. The offices still in charge of *ex-officio* officers will, it is hoped, before long be transferred to special officers.

3. *Bombay.*—There was again an advance in the total number of registrations, which stood at 97,312 in 1883-84 against 84,903 in 1882-83, thus representing an increase of 12,439 documents, or 14.65 per cent. Compulsory registrations amounted to 72,095 transactions in the year under review against 62,622 in the previous year, and optional registrations, relating both to immoveable and moveable property, to 25,217 transactions against 22,281, the percentage of increase

under each head being 15.12 and 13.31, respectively. The optional registrations effected were 25.9 per cent. of the total registrations against 26.3 in the previous year. The total number of instruments registered during the year is the largest ever reached in the Bombay Presidency, except in the year 1878-79, i. e., before the Deccan Agriculturists Relief Act, 1879, came into operation, when 97,559 documents were entered.

The work done by the Department during the two years, 1882-83 and 1883-84, under the chief heads may be compared thus:—

	Affecting immovable property.		Total.	Affecting moveable property.	Wills.	Grand Total.
	Compulsory.	Optional.				
1882-83 ...	62,632	17,643	80,265	3,910	728	84,903
1883-84 ...	72,095	20,303	92,398	4,147	797	97,342

The total registrations increased in every district except in Bombay, Thana, and Satara, the falling off in those districts being very slight, viz., 176, 376 and 69 documents, respectively. The decline in Bombay was due to the fact that in the previous year an abnormally large number of documents of certain classes were registered. In Thana, the decrease was neutralized by the increase of 1,037 instruments which occurred in Kolaba, to which district two registration sub-districts were during the year transferred from the Thana District. The plan of substituting special officers in the place for *ex-officio* Registrars appears thus far to have proved a success. There are still 18 offices worked by *ex-officio* Registrars, viz., 15 in Sind, 1 in each of the Bombay and Nasik Districts, and 1 at Aden. The system of registration by a peripatetic agency was tried in four districts, but does not appear to have been altogether satisfactory in its results. It is observed that the Inspector General promises a special report on this subject, and the Governor General in Council would be glad to receive a copy of this report in due course with a copy of any orders which may be passed thereon by the Bombay Government.

Under the head of compulsory registration, deeds of mortgage of immovable property of the value of Rs. 100 and upwards increased from 27,551 documents in 1882-83 to 31,401 in 1883-84, or by 13.9 per cent., while the aggregate value of the property affected by these documents increased from 143½ lakhs to 173½, or by 21.3 per cent. Deeds of sale of the same value rose from 23,719 documents in the previous year to 26,556 in the year under review, or by 11.8 per cent., and their value from 184½ to 188½ lakhs (21.9 per cent.). Perpetual leases increased from 1,755 to 2,033 (15.8 per cent.), and leases, for terms exceeding one year, from 5,756 to 6,232 (8.2 per cent.). The transactions falling under the head of "Other instruments" relating to immovable property rose by 2,081 documents, or 4.8 per cent. The operations under this head include notices of relinquishment of land of the value of Rs. 100 and upwards. The question whether these notices, required under Section 74 of the Bombay Land Revenue Code, should not, in the interest of cultivators, be removed from the operation of Section 17 of the Registration Act, and thereby be exempted from registration, was lately considered by the Government of India, and it was decided that in amending the Registration Act provision should be made for exempting such notices from registration.

Turning next to optional registrations relating to immovable property, the registration both of deeds of sale and of mortgages of less value than Rs. 100, increased—the former from 8,857 instruments to 10,134 (14.4 per cent.), and the latter from 5,984 instruments

to 6,863 (14.6 per cent.). The proportion of optionally to compulsorily registrable documents relating to immovable property remained about the same (22 per cent.) as last year. In remarking on the increase in the operations of the Department during the year, the Inspector General assigns as the main cause the large number of marriages contracted in consequence of the impending Hindu calendar year of 360 days, when it is held that marriages should not take place. On this point the Government of Bombay makes the following observations:—

The Inspector General considers that the chief cause of the almost universal increase is to be found in the large number of marriages which took place among the Hindu population during the year under review. As these ceremonies necessarily involve a large amount of borrowing and lending, the explanation seems reasonable. In Khandesh it is reported that the damage done to the cotton crops by late rains of October 1883 compelled many cultivators to borrow money, and a similar result is attributed to the damage caused by the rains to houses in Ahmednagar, and in Ratnagiri to the ravages of locusts. In the latter district and in Kanara the settlements which have lately been effected are said to have resulted in the execution of a greater number of leases and mortgages.

The rise in the number of leases for terms exceeding one year registered during the year is attributed in part to a ruling of the High Court in 1882, that such leases are exempt from stamp duty when the annual rent is less than Rs. 100.

As regards registrations in Book IV., the number of bonds registered increased from 888 to 1,071 (20.6 per cent.), while miscellaneous documents fell from 2,078 transactions to 2,059. As in the previous year, no authorities to adopt were registered. The number of wills registered increased from 728 to 797 (9.4 per cent.).

In accordance with a suggestion made by the Government of India the Inspector General is collecting statistics from the records of his department bearing on the price of land in the Presidency proper in successive years, with the object of furnishing precise information on the question whether a depreciation in the value of land has had a prejudicial effect on compulsory registration. The result of the Inspector General's investigation into this matter is awaited by the Government of India with interest. The question regarding the time allowed under Section 34 of the Registration Act for the admission of documents to registration with or without fine will be considered in connection with the amendment of the Act.

During the year under review 682 Parsi marriages were registered under the Parsi Marriage Registration Act, against 618 in the previous year—only one marriage was registered under Act III. of 1872.

The following figures compare the aggregate value of the property affected by the transactions during 1882-83 and 1883-84:—

	Immovable property.	Moveable property.	Total.
	Rs.	Rs.	Rs.
1882-83 ...	4,78,42,817	22,30,397	5,00,73,214
1883-84 ...	5,12,23,191	25,81,403	5,38,04,594

The average registration fees for the different classes of documents during the two years were as follows:—

	Optional.											
	Compulsory.			Immoveable.		Miscellaneous.			All classes.			
	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.
1882-83	2	2	6	0	7	8	1	13	9	1	12	8
1883-84	2	1	6	0	6	7	1	11	11	1	11	11

The gross receipts of the Department were Rs. 2,54,624 against Rs. 2,56,513 in 1882-83, representing an increase of 10.9 per cent. The expenditure also increased, having been Rs. 2,33,826 in the year under review against Rs. 2,22,839 in the previous year, thus representing an advance of 4.9 per cent. The surplus was therefore Rs. 50,798, or 50.8 per cent. more than that in the previous year. The receipts

• Ahmednagar.
Satara.
Aden.
Upper Sind Frontier.
Thar and Parkar.

increased in all the districts except in Thana, Satara, and the Upper Sind Frontier. In five districts* the expenditure exceeded the income.

The increase in expenditure was chiefly due to enhanced charges attending the advance made in the total number of documents entered, to the payment of full instead of acting salary to the Inspector General, and to the revival of the Office of Inspector of the Fourth Division.

4. *Bengal*.—The total number of registrations was 601,002 in 1883-84 against 555,141 in 1882-83, thus representing an increase of 45,861 documents, or 8.26 per cent. The totals for the years

1879-80 ... 608,109
1880-81 ... 556,233
1881-82 ... 537,084

1879-80 to 1881-82 are shown in the margin. The following figures exhibit, under the chief heads, the

work done during the years 1882-83 and 1883-84:—

	Affecting immoveable property.		Affecting moveable property.	Wills and authorities to adopt.	Total.
	Compulsory.	Optional.			
1882-83	307,609	146,531	99,092	1,919	555,141
1883-84	331,706	163,964	103,543	1,789	601,002

Thus every head contributed to the general increase, except that of wills and authorities to adopt, the number of which class of documents registered was 130 less than during the previous year. Compulsory registrations affecting immoveable property show a considerable advance, viz., of 24,097 documents, or 7.8 per cent. Optional registrations, affecting both immoveable and moveable property, advanced by 21,894 documents, or by 8.9 per cent.

The number of deeds of sale and of deeds of mortgage under the head of compulsory registration relating to immoveable property again increased—the former from 41,337 in 1882-83 to 42,951 in 1883-84, or by 3.9 per cent., the latter from 44,798 in the previous year to 48,295 in the year under review, or by 7.8 per cent. The number of perpetual leases registered also advanced, being 75,552 against 70,764 in 1882-83. The increase under this last head was most noticeable in the Districts of Chittagong and Noakholly, where, taking the two places together, it represented no less than 63.7 per cent. of the total increase throughout the province. The number of perpetual leases registered during 1880-81 was stated to have been 102,512. With regard to this, however, the Lieutenant-Governor remarks—

The Inspector General considers the figures for 1880-81 to be incorrect, as he believes that in that year no distinction was made between permanent and indefinite leases. In support of this view, he adduces the fact that, if the totals of the two kinds of leases for the five years, between 1879 and 1884, are combined and looked at together, the divergence is not very remarkable, considering that the years 1879-80 and 1880-81 (more particularly the former) were years marked by general activity throughout the Department. There do not seem to be sufficient materials for a definite opinion on this point, but the report shows a steady increase in the number of perpetual leases registered during the last three years. The Inspector General does not, however, state whether it is quite certain that

leases for an indefinite period, determinable by the proprietor at will, are not now registered in any office as perpetual leases. The attention of officers inspecting subordinate offices should be drawn to the advisability of inquiring into this point.

The number of term leases registered rose from 141,156 in 1882-83 to 154,571 in 1883-84, or by 9.5 per cent. The explanations supplied by the District Registrars regarding the fluctuations in the operations under the head of leases are very conflicting, for, as noticed by the Lieutenant-Governor, while, on the one hand, the increase of 1,605 registrations under the head of perpetual leases in the District of Noakholly is assigned partly to the rise in the price of food-grains, stimulating tenants to enter into engagements for land, on the other hand, a considerable decrease in the registration of leases of all kinds in the District of Burdwan is attributed to the same cause. Again, as remarked by the Lieutenant-Governor—"While in Dacca "an increase is ascribed to the desire of landholders to get a hand- "some *salami* in addition to a slightly increased rate of rent, a de- "crease in Moorshedabad is explained by the assertion that the "zemindars have learned to practise economy and to discontinue the "improvident course of discounting the future by accepting nuzzers "on the creation of encumbrances." The view of the Bengal Government that it is desirable to impress upon subordinate officers the importance of ascertaining and reporting with more exactness than at present the causes of increase and decrease under this and other heads is fully endorsed by the Governor General in Council.

The proportion of leases to counterparts registered was 28.16 per cent. in 1883-84 against 26.78 in 1882-83. In Behar, the percentage was 47.11, in Bengal 20.29, and in Chota Nagpur 58.29. In Behar the high percentage is stated to be mainly due to the taking and granting of leases by indigo-planters, and it is added that the causes assigned for the disproportion generally may be resolved into the reluctance of the zemindar to bind himself by a registered pottah or to attend the Registration Offices, and to the reliance of the tenant on being able to get a copy of his *kabuliyat* from the Registration Office.

In optional registrations relating to immoveable property, there was a large increase of 11,349 (or 12.7 per cent.) in the number of deeds of sale registered of the value of less than Rs. 100. Instruments of mortgage also advanced by 6,123 deeds, or 13.3 per cent. Under leases for one year or less there was an increase of 418 documents, or 9.2 per cent. The number of miscellaneous documents fell off by 447, or 6.7 per cent.

The value of property affected by the registrations of the year aggregated Rs. 12,79,49,818 against Rs. 12,74,13,584 in 1882-83—an increase of 4.2 per cent. The value of immoveable property registered rose from Rs. 10,86,35,971 in 1882-83 to Rs. 11,01,55,323 in 1883-84, or by 1.4 per cent., while that of moveable property fell from Rs. 1,87,77,613 in the previous year to 1,77,94,525 in the year under review, or by 5.2 per cent.

There was an increase both in the receipts and the expenditure of the Department, the former having amounted to Rs. 9,74,711 in 1883-84 against Rs. 9,43,104 in 1882-83, an increase of 2.8 per cent., and the latter to Rs. 5,04,755 in the year under review against Rs. 4,95,180 in the previous year, an increase of 1.9 per cent. The net surplus, after deducting the cost of stationery and printing, amounted to Rs. 4,24,993 against Rs. 3,93,004 in 1882-83, thus representing an increase of 8.1 per cent. The number of offices

open at the close of the year (284) was one less than the number working at the commencement of the year. Eighteen offices were converted from *ex-officio* to rural sub-registry offices. The system under which these rural offices are being gradually extended promises to be a success, provided that proper care is taken in the selection of the Sub-Registrars and that the offices are regularly and sufficiently inspected. With a view to secure the services of men acquainted with the rules and procedure of the Department, the Lieutenant-Governor has directed the Inspector General to submit proposals for a scheme to provide a course of training for candidates for rural Sub-Registrars in the sudder registry office. The number of inspections still remains at a lower figure than should be the case, and the Government of India agrees with the Lieutenant-Governor that much more can and should be done in regard to inspections by the local officers in the course of their tours.

No mention is made either in the report or in the review by the Local Government of the working of the Muhammadan Marriage Registration Act during the year.

5. *The North-Western Provinces and Oudh.*—There was again a decline in the total number of registrations, the figures being 176,259 in 1883-84 against 183,457 in 1882-83, a decrease of 3.9 per cent.

In the following table the work done during the past two years is compared:—

North-Western Provinces.					
	Affecting immovable property.		Affecting moveable property.	Wills and authorities to adopt.	Total.
	Compulsory.	Optional.			
1882-83 ...	75,335	33,721	23,475	812	138,343
1883-84 ...	73,936	32,215	27,559	729	134,412
Oudh.					
1882-83 ...	18,316	11,953	14,573	272	45,114
1883-84 ...	17,036	10,684	13,860	237	41,817

It will thus be seen that there was a falling off under every head. In the North-Western Provinces, compulsory registrations relating to immovable property declined by 1,399 transactions (1.8 per cent.), and optional registrations by 1,503 transactions (4.4 per cent.). The number of instruments relating to moveable property decreased by 916 (3.2 per cent.). The falling off in Oudh under the three heads noted above was respectively 1,280 (6.9 per cent.), 1,269 (10.6 per cent.), and 713 (5.1 per cent.). Taking the two provinces together, the number of compulsory transactions fell off by 2,679 (2.8 per cent.), and the number of optional documents, relating both to immovable and moveable property, by 4,401 (4.9 per cent.). The number of wills and authorities to adopt registered was 83 less than the number registered last year in the North-Western Provinces, and 35 less in Oudh. During the early months of the year all the districts of the combined province. The transactions, however, during the latter months showed an improvement, and in a few of the districts the number of instruments entered increased as compared with the number of registrations effected during the corresponding period of the previous year; while in other divisions the decline continued, though in a less degree than in the early months. These fluctuations are to a great extent attributed to the generally good spring harvest of the year 1883 on the one hand, and to the partial failure of the

rain crops on the other. Perpetual leases again increased slightly in the North-Western Provinces and declined in Oudh. Regarding the registration of documents of this class, His Honor the Lieutenant-Governor remarks—"It is probable that a large number of leases registered are not for the cultivation of land, but for the collection of rents. In the two districts which showed the largest value of registered leases, Gorakhpur and Bahraich, the average lease was for Rs. 400 and Rs. 1,000 respectively, and in the district with the largest number of leases, Meerut, the average rent was Rs. 100. These figures are much higher than the rents of ordinary farms."

Of the total transactions relating to immovable property, the registration of 78.9 per cent. in the North-Western Provinces and of 66.2 in Oudh fell under the compulsory heading, the percentage of optional to the total number of registrations was 44.9 in the North-Western Provinces and 59.3 in Oudh, as against 45.5 per cent. and 59.4 per cent., respectively, in the previous year. In the North-Western Provinces there has been a marked decrease during the last decade in optional registrations of obligations for the payment of money other than obligations on account of agricultural advances, the number (10,901) of such obligations registered in 1883-84 having been less than half of the number of similar instruments which were presented for registration during the year 1874-75. This falling off is attributed partly to apprehensions entertained by money-lenders, who are deterred from entering such obligations in the belief that they are furnishing material for their own assessment to the license-tax, as the Tahsildar is both the registering and the assessing officer. The absence of such an arrangement in Oudh, where there are non-official Sub-Registrars, is one of the reasons stated by the Inspector General for the high proportion of optional to compulsory registrations having been maintained in that province. Two other causes for this are said to be,—(1) that the Sub-Registrars in Oudh, being dependent on their fees, and not burdened with other work, are more attentive and accessible to the public, and (2) that the agricultural classes have not, to the same extent as in the North-Western Provinces, landed security to offer for the re-payment of their loans. Their deeds accordingly take the form of bonds, the registration of which is optional, rather than of mortgages, the registration of which is frequently compulsory. In regard to the last of the causes above mentioned, His Honor the Lieutenant-Governor and Chief Commissioner notices the disproportion which continues to exist in the number of mortgages of low value in Oudh as compared with the North-Western Provinces, the ratio of mortgages to sales being 1½ to 1 in the North-Western Provinces, whereas in Oudh it is 3 to 1. His Honor further notices the fact that the proportion of mortgages in transactions of low value to the population is higher in Oudh (60 to 100,000) than in the North-Western Provinces (53 to 100,000). "The very circumstance," His Honor remarks "which has been accepted as an explanation of the larger number of optional registrations in Oudh gives the greater unexpectedness and importance to these figures. Excluding the District of Lucknow, in which the conveyances of house property no doubt contribute largely to the returns, the proportion of petty mortgages to the population becomes identical with that for the North-Western Provinces." The Inspector General has again been desired to examine the duration and character of these transactions registered in Oudh, the people by whom such conveyances are made, and the period during which the transactions have continued.

The aggregate value of the property entered increased both in the North-Western Provinces and in Oudh. In the former province it stood at Rs. 6,50,73,137 against Rs. 5,48,13,412 in the previous year, and in Oudh at Rs. 1,91,84,651 against Rs. 1,77,17,439. The excess of 102 lakhs of rupees in the value of property affected by the instruments registered in the North-Western Provinces is accounted for by a comprehensive document executed in Moradabad, by which a dower amounting to Rs. 1,00,00,000 and 50,000 goldmohurs was relinquished.

The receipts and expenditure of the Department during the years 1882-83 and 1883-84 are shown below:—

North-Western Provinces.					
		Receipts. Rs.	Expenditure. Rs.	Surplus. Rs.	
1882-83	...	2,65,583	1,44,289	1,21,279	
1883-84	...	2,60,171	1,46,076	1,14,095	
Oudh.					
1882-83	...	81,924	43,421	36,503	
1883-84	...	78,705	47,238	31,467	

It will be seen from the above comparison that in both the provinces, while the receipts declined, the expenditure slightly increased. In the North-Western Provinces, the receipts fell off by Rs. 5,397 (2.03 per cent.), and the expenditure rose by Rs. 1,787 (1.2 per cent.). In Oudh, the decrease and increase were, respectively, Rs. 3,219 (3.9 per cent.), and Rs. 1,817 (4.0 per cent.). The surplus, taking the two provinces together, amounted to Rs. 1,45,562 in 1883-84 against Rs. 1,57,782 in 1882-83, a decline of Rs. 12,220 (7.7 per cent.). The percentage of expenditure to receipts was 56.1 during the year under review against 54.3 in the previous year. The increase of expenditure in the North-Western Provinces was due to urgent requirements having been met for improved accommodation and office furniture; in Oudh, it is attributed to the fact that the military pay of the Registrar of Lucknow was debited to the Registration Department. The Inspector General, in remarking on the increase of expenditure under the head of "Establishment," shows that it is owing largely to the increase in the combined offices of the Inspector General of Registration and the Commissioner of Excise and Stamps. The combination of the two offices, it appears, has not resulted in any advantage to the Registration Department; but, on the contrary, registration has been paying for the establishment employed in the work of Excise and Stamps. The Inspector General has been desired by the Local Government to submit separately for orders, if necessary, the question of the proper apportionment of the cost of his own office.

The results of the working of the Department in the North-Western Provinces and Oudh during 1883-84 appear to confirm the opinion expressed by the Governor General in Council in reviewing the Report for the previous year, viz., that the officers on whom the duties of registration at present devolve are either ill-paid or absorbed in other work, and that to this circumstance must be ascribed in great part the steady decline of registration in these provinces. The Board of Revenue have been consulted by the Local Government on the proposal to transfer to special officers the duties of registration in certain large centres, where, in consequence of heavy revenue work, Tahsildars can only exercise a superficial control over their registration work.

6. *Punjab*.—During the year under review, the results of the working of the Department were more favourable than during the previous year, the total number of registrations being 66,877 against 63,565, thus representing an increase of 3,312 instruments, or 5.2 per cent. The number of transactions during the years 1882-83 and 1883-84 may be compared thus:—

	Affecting immoveable property.			Affecting moveable property.	Wills and Authorities to adopt.	Total.
	Compulsory.	Optional.	Total.			
1882-83	41,507	11,290	52,797	10,391	377	63,565
1883-84	43,604	12,317	55,921	10,572	354	66,877

From the figures given above, it will be seen that both compulsory and optional registration advanced, the former by 2,096 documents, or 5.04 per cent., and the latter by 1,216 instruments, or 5.51 per cent. As regards registrations affecting immoveable property, the number of transactions increased by 3,154 (5.97 per cent.); towards which increase optional registration contributed 1,057 instruments (9.36 per cent.). The number of (optional) transactions relating to moveable property advanced by 181 (1.74 per cent.). There were no "Authorities to adopt" entered against one in 1882-83. The number of Wills registered declined by twenty-two.

The decline which occurred in 1882-83 in the case of documents relating to immoveable property was mainly confined to sales and mortgages of agricultural land. During the year under review, there was an increase in this direction—that under the head of mortgages being the more marked—which is ascribed to agricultural depression. The scanty harvests in 1883-84 are said to have created an increased demand for money, which necessarily resulted in an increase in the number of sales and mortgages of agricultural land. The registrations relating to these two classes of documents during the years 1882-83 and 1883-84 are compared below:—

	1882-83.			1883-84.		
	Compulsory.	Optional.	Total.	Compulsory.	Optional.	Total.
Sales (agricultural)	7,173	1,505	8,678	7,555	1,527	9,082
Mortgages (agricultural)	20,161	5,079	25,240	21,397	6,104	27,501

The above figures show an increase in the total number of documents of 404 (4.65 per cent.) in the case of sales, and of 2,261 (8.93 per cent.) in the case of mortgages. Documents relating to mortgages, the registration of which was compulsory, advanced by 1,236 (6.13 per cent.) and those the registration of which was optional by 1,025 (20.18 per cent.). The fluctuations under other classes of documents were unimportant. It may be noticed, however, that under two heads only was there a falling off in the number of registrations in Books I. and IV.; but the figures are below the averages for the two quinquennial periods ending respectively in 1876-77 and 1881-82.

One of the reasons previously ascribed for the depression in optional registrations relating to immoveable property has been the security furnished by the mutation of names in the revenue records, and the fact that people are naturally unwilling to undergo additional expense and trouble in registering deeds of transfer in the absence of any substantial advantage to be gained therefrom. An additional reason has this year been adduced by the Inspector General, viz., the hostile attitude of the Courts, which are said to give little or no value to the fact of registration. As regards the operations of the Revenue Department, the advisability of amalgamating the

procedure of attestation in a registry office with the mutation of names in revenue records is still under the consideration of the Local Government. In this connection His Honor the Lieutenant-Governor remarks:—"The fact that the Transfer of Property Act is not in force in the Punjab is to be borne in mind in comparing registration operations in this Province with those of places to which that Act has been extended. Under the provisions of the Act in question, transfers of immoveable property of the value of Rs. 100 and upwards can only be made by registered conveyances; and, even in cases below that value, if an instrument is drawn up, it must be registered. In the Punjab, the registration of instruments, transferring immoveable property of a less value than Rs. 100 is absolutely optional; while, if the value be Rs. 100 or upwards, there is nothing to compel the parties to reduce the transaction to writing; and, at the same time, the Revenue Department offers every facility for the record of transfers without any registered deed." In regard to the imputed action of the Courts, His Honor the Lieutenant-Governor has rightly remarked that a general charge of this nature should not be made unless it can be sufficiently proved, and has pointed out that it is open to the Inspector General to bring to the separate notice of Government any cases in which the Registration Law is found to have been disregarded.

The main defect of the departmental staff is said to be that Treasury Officers and Tahsildars are overweighted with work in other departments, while they are not now, as formerly, paid by results. As to this point it is observed that seven especially selected non-official Sub-Registrars have been appointed to relieve Treasury Officers in the more important stations. The Governor General in Council trusts that this step will lead to satisfactory results, and that it may be gradually found possible to introduce a thoroughly efficient agency for the proper carrying on of the work of the Registration Department. On this point attention is invited to the remarks made by the Government of India in reviewing the reports for the year 1882-83. As regards the policy of introducing non-official agency, the Governor General in Council fully endorses the view of His Honor the Lieutenant-Governor that "the right course is not to abandon this policy, but to guard it by care in initial selection, by insisting on the principle that public duties even when voluntarily undertaken must be efficiently and conscientiously performed, and by firmly withdrawing, no matter at what cost of injured dignity, powers which are misused or privileges which are neglected."

The aggregate value of the property affected by the transactions executed during the year was Rs. 2,59,35,167 against Rs. 2,40,51,282 in 1882-83, an increase of about 19 lakhs of rupees, or 7.83 per cent. The total value of immoveable property transferred amounted to Rs. 2,34,89,365 and of moveable property to Rs. 24,45,802, thus representing an advance of more than fifteen and a half lakhs of rupees (7.09 per cent.), and three and a quarter lakhs of rupees (15.5) per cent., respectively. Obligations for the payment of money increased from 4,008 transactions in 1882-83 to 4,234 in 1883-84, and the average amount secured on each instrument from Rs. 364 in the previous year to Rs. 397 in the year under review.

The inspection work was, on the whole, fairly performed, but more inspection is needed. The question of appointing an Inspector of Registration Offices in the Punjab will be further considered when the increased cost. On this point separate orders have been issued by the Government of India.

Both the receipts and the expenditure of the Department increased, the former from Rs. 1,63,142 in 1882-83 to Rs. 1,73,111 in 1883-84, or by 4.82 per cent., and the latter from Rs. 86,652 in the previous year to Rs. 88,030, or by 1.59 per cent. The surplus was thus Rs. 85,081 against Rs. 78,490 in the previous year; this large balance being partly due to the abolition of the special allowances previously granted to Treasury Officers acting as Sub-Registrars.

7. *Central Provinces.*—The results of the year's operations do not show any appreciable advance in the registration business of these provinces. The total number of registrations was 22,380 against 22,304 in 1882-83, representing an increase of only 76 transactions, or .3 per cent.

The following figures compare the registrations under the principal heads with those of the previous year:—

	Affecting immoveable property.			Affecting moveable property.	Wills and authorities to adopt.	Total.
	Compulsory.	Optional.	Total.			
1882-83	13,603	4,783	18,481	3,673	150	22,304
1883-84	14,232	4,176	18,408	3,825	147	22,380

It will thus be seen that compulsory registration affecting immoveable property increased by 539 documents; and that optional registrations, relating both to immoveable and moveable property, declined by 460 transactions. For this decline optional registrations affecting immoveable property are responsible, the transactions under this head having fallen off by 612 documents, or 12.7 per cent. Registrations relating to moveable property advanced by 152 transactions, or 4.1 per cent. The rise in the number of compulsory registrations was chiefly due to an increase in the number of leases other than perpetual leases. The number of transactions under this head increased from 3,152 in 1882-83 to 3,535 in 1883-84, or by 12.1 per cent. The number of instruments of mortgage of the value of Rs. 100 or upwards fell from 7,040 in the previous year to 6,937 in the year under review. In ten districts there was an increase in compulsory registrations affecting immoveable property, and in eight districts there was a decrease. The rise in the Districts of Narsinghpur, Hoshangabad, Sconi, Damoh, Nimar, and Bilaspur was considerable, amounting, respectively, to 146, 153, 108, 178, 156, and 117 instruments.

In the Narsinghpur and Bilaspur Districts, the increase is due to leases other than perpetual, under which head the transactions rose from 180 and 42 in the year 1882-83 to 344 and 157 in the year 1883-84. In Narsinghpur the increase is explained by the Chief Commissioner to be nominal, as such leases are not ordinary cultivating ones, but are of the nature of mortgages, and would in previous years have been shown as such. In Bilaspur the increase was due chiefly to the registration of leases granted by the Collector as manager of two estates.

In Hoshangabad, the increase was most conspicuous under the head of instruments of mortgage of the value of Rs. 100 and upwards; the number of such transactions amounting to 931, or 105 more than last year. Taking the provinces as a whole, however, registration under this head fell off during the year under review, the decline having been most conspicuous in the District of Warda, where it amounted to 123. The retrogression in this dis-

strict as well as that which occurred under the head of leases compulsorily registrable is attributed by the Registrar—(1) to the presence of cholera for five months of the year, (2) to the easier circumstances of the people giving less occasion to raise money on mortgages, and (3) to the restriction imposed by the Central Provinces Tenancy Act on the power of absolute occupancy-tenants to sub-let or alienate.

The number of miscellaneous operations increased from 7,350 to 7,651, or by 4 per cent. The number of wills presented fell from 146 in 1882-83 to 141 in the year under review; while the number of "authorities to adopt" registered rose from 4 to 6.

Two noticeable features in the operations of the year are—(1) the small number of instruments registered, and (2) the little esteem in which optional registration is held by the people. As regards the first of these points, the Chief Commissioner refers to the marked disproportion, which exists between the number of written obligations sued on in the Civil Courts every year and the number of such instruments which appear to be registered. It is moreover observed that those instruments which are registered belong chiefly to the class which agriculturists and landholders execute on obtaining loans from bankers and money-lenders. With reference to the second feature, it is noted that in 1867-68 the proportion of optionally to compulsorily registered deeds was 67.1 per cent.; in 1876-77 it had fallen to 59.7 per cent.; in the present year it is 36 per cent. The Chief Commissioner was of opinion that some Registrars are mistaken in considering that the Transfer of Property Act and the Central Provinces Tenancy Act have exercised any influence on registration operations. The Tenancy Act only came into force on the 1st of January 1884, while neither of the Acts is said to be known sufficiently widely to affect the returns. The Chief Commissioner (Mr. Jones) was disposed to attribute the depression to the starved condition in which the Department has been maintained, and orders have accordingly been issued to provide for the multiplication, where necessary, of Registration Offices, and also for the breaking up of the present excessive registration areas and for the provision of Rural Sub-Registrars. These orders appear judicious, and the Governor General in Council has little doubt that, if properly carried out, they will produce a marked effect on the operations of the Registration Department.

Refusals to register advanced from 159 in 1882-83 to 163 in the present year; the number of appeals was 26 against 31 in 1882-83, of which 9 were dismissed against 10 in the previous year. The Chief Commissioner's review is silent on the subject of the enquiry noticed by the Government of India in reviewing the previous year's report, regarding the practice of certain registering officers in declining to register on grounds into which it is not their province, but that of the Civil Courts, to investigate.

The increase in the income of the Department was slight, the receipts for the year having been Rs. 68,536 against Rs. 68,508 in 1882-83. The expenditure increased from Rs. 28,735 to Rs. 28,987, or by Rs. 252 (.87 per cent.). The percentage of expenditure to receipts remains about the same, viz., 42 per cent.

8. *British Burma*.—The total number of registrations increased from 8,025 in the previous year to 8,176 in the year under review, thus showing an advance of 151 documents, or 1.88 per cent.

The following table compares the figures for 1882-83 and 1883-84:—

	Affecting immovable property.		Affecting moveable property.	Wills and authorities to adopt.	Total.
	Compulsory.	Optional.			
1882-83	6,237	471	1,283	34	8,025
1883-84	6,582	492	1,075	27	8,176

It will be seen from the above figures that the increase in the year's transactions is due to the rise in the number of transactions relating to immovable property, compulsory registrations under this head having advanced from 6,237 in the previous year to 6,582 in the year under review, or by 5.53 per cent., and optional transactions from 471 to 492. Optional registrations affecting moveable property fell from 1,283 in 1882-83 to 1,075 in 1883-84, or by 16.21 per cent. Taking both heads together, optional registrations decreased by 187 instruments, or 10.66 per cent., the number of such registrations being 1,567 in the present year against 1,754 in the previous year. Deeds of sale and deeds of mortgage affecting immovable property increased, the former from 2,858 to 2,984, and the latter from 2,923 to 3,113. These two classes taken together formed, as in the previous year, about 86 per cent. of the total number of registered documents affecting immovable property.

The aggregate value of property affected by registrations during 1882-83 and 1883-84 is shown below:—

	Affecting immovable property.	Affecting moveable property.	Total.
	Rs.	Rs.	Rs.
1882-83	64,07,389	23,43,729	87,51,118
1883-84	1,02,57,173	22,45,516	1,25,02,689

The value of immovable property affected was thus nearly 38½ lakhs of rupees, or 60 per cent., more than that recorded in the previous year. This increase is chiefly due to the high value of property affected by registration in the Town of Rangoon where the increase amounted to more than 23 lakhs of rupees, and in a less degree to registrations in Akyab and Moulmein.

The receipts of the Department increased from Rs. 17,755 in the previous year to Rs. 19,753 in the year under review, or by 11.3 per cent. The expenditure also increased from Rs. 9,940 to Rs. 10,347, or by 4.1 per cent. The increase under the latter head was caused by the strengthening of the establishment of the Rangoon Office. In commenting on the registration work carried out in Arakan during 1882-83, the Commissioner of that Division remarked on the carelessness of some of the Myokes in performing their functions as Sub-Registrars, and attributed the absence of all interest in their work to the fact that the extra duties entailed on them brought no pecuniary reward. In reviewing the previous year's report, the Government of India observed that this statement required explanation. It appears from the Chief Commissioner's review of the present report that the matter has received attention, and that orders have issued regarding the remuneration of registering offices and their clerks.

The Governor General in Council notices with satisfaction that the Chief Commissioner has impressed on Commissioners of Divisions the desirability of introducing certain reforms with a view to encouraging people to resort more freely to the registration offices; and His Excellency in Council trusts that these reforms will exercise a beneficial effect both in the direction of increasing the existing facilities for registration and of ensuring closer attention to registration work on the part of subordinate officers.

9. *Assam*.—The total number of documents registered again rose, being 15,738 in 1883-84 compared with 14,316 in 1882-83, an increase of 9.93 per cent. The following table compares the number of registrations with that for the previous year :—

	Affecting immoveable property.		Affecting moveable property.	Wills and authorities to adopt.	Total.
	Compulsory.	Optional.			
1882-83	7,769	3,753	2,639	125	14,316
1883-84	8,593	4,255	2,749	111	15,738

These figures show that compulsory registrations affecting immoveable property increased by 10.6 per cent.; and that optional registrations, relating both to immoveable and moveable property, advanced by 9.5 per cent. The number of wills and authorities to adopt registered was 14 less than the number registered during 1882-83. As in the previous year, the largest number of registrations occurred in the Sylhet and Cachar Districts, where they represented 80.47 of the total number of transactions. The increase in the District of Sylhet is attributed to (1) a rise in the price of crops, (2) the settlement of disputes between landlord and tenant, resulting in the execution of *kabaliyats*, and (3) a general increase in all transactions of sale and mortgage. In the Cachar District, the rise is ascribed to the losses caused by floods, and to the enhanced assessment of the land revenue.

The increase in the number of leases of all kinds registered was maintained, the number of such documents entered being 2,223 in the year under review against 1,768 in the previous year, an increase of more than 25.7 per cent. The largest increase under this head again occurred in the District of Sylhet.

The aggregate value of property affected rose approximately from 40½ lakhs of rupees in 1882-83 to 42½ lakhs in 1883-84. The value of instruments affecting immoveable property increased by 3½ lakhs of rupees, while those affecting moveable property declined in value by nearly 2 lakhs.

The financial results were satisfactory. The receipts of the Department amounted to Rs. 27,767 against Rs. 26,414 in 1882-83, representing an increase of 5.1 per cent., while the expenditure fell from Rs. 16,552 to Rs. 16,315. The net surplus was Rs. 11,452 in the year under review against Rs. 9,862 in the previous year.

10. *Coorg*.—The total number of registrations increased by 35, being 575 in 1882-83 against 610 during the year under review. The number of documents registered relating to immoveable property was 519, and the number relating to moveable property, 85. Compulsory registrations increased by 4 transactions, and optional registrations by 25. There were 4 wills registered.

The aggregate value of property affected increased from 9½ lakhs of rupees in 1882-83 to 12½ lakhs in 1883-84, of which 5 lakhs represented the value of registrations relating to moveable property, and 7 lakhs that relating to immoveable property, against 3 and 6½ lakhs respectively, in 1882-83. The increase of 2 lakhs of rupees in the value of moveable property affected is ascribed to the large advances made by merchants on the coffee crop of the season, which was exceptionally good. The Chief Commissioner does not see any reason to doubt the truth of this explanation, but remarks that, as pointed out last year, the statistics show that the increase, both in the number of documents registered and in their value, took place, not under the head of obligations for the payment of money, as

might be expected from the nature of the transactions, but under the head of "other documents." As a solution of the matter, the Chief Commissioner suggests that the crop itself is assigned.

The receipts of the Department rose from Rs. 3,270 in 1882-83 to Rs. 3,789 in 1883-84, or by 15.8 per cent. The expenditure also increased from Rs. 1,715 in the previous year to Rs. 2,042 in the year under review, or by 19 per cent. The surplus was thus Rs. 1,747, and the percentage of expenditure to receipts was 53.9 against 52.4 in 1882-83.

11. *Hyderabad Assigned Districts*.—Excluding the work done in the Cantonment of Secunderabad, the total number of registrations effected during the year amounted to 37 documents more than the total of the previous year, being 21,873 in 1883-84 against 21,836 in 1882-83. The following table compares the figures for the two years :—

	Affecting immoveable property.		Affecting moveable property.	Wills and authorities to adopt.	Total.
	Compulsory.	Optional.			
1882-83	14,904	4,887	2,010	35	21,836
1883-84	14,709	5,094	2,035	35	21,873

There was thus a decline of 195 in transactions (or 1.3 per cent.) under the head of compulsory registrations affecting immoveable property; while optional registrations, relating both to immoveable and moveable property, advanced by 232 documents, or 3.3 per cent. The improvement noticed under the last head was due chiefly to the increase in the number of deeds of mortgage of the value of less than Rs. 100, which rose from 1,383 in the previous year to 1,552 in the year under review, or by 169 transactions (12.2 per cent.). It will thus be seen that the business of the Department has been almost stationary, notwithstanding the fact that two new offices were opened during the year. The prevalence of cholera and the abnormal rainfall of the season are assigned as the causes which stood in the way of advancement.

In the aggregate value of the property affected, there was only a nominal increase of Rs. 17,923. The value of immoveable property entered rose from Rs. 45,48,453 to Rs. 46,23,742; while that of moveable property fell from Rs. 3,43,830 to Rs. 2,86,465.

Both the receipts* and the expenditure* of the Department were in excess of last year—the former amounting to Rs. 52,136 against Rs. 50,838 in the previous year, and the latter to Rs. 31,549 against Rs. 30,300. The receipts increased by 2.5 per cent. against 6.9 per cent. in 1882-83, and the expenditure by 4.1 per cent. as compared with 3.4 per cent. in the previous year. The excess under the head of expenditure was due to the substitution of Sub-Registrars on fixed salaries for Sub-Registrars paid by commission, and to the provision of furniture for their offices. The surplus was Rs. 20,587, and the percentage of expenditure to receipts was 60.5 against 59.6 in 1882-83.

The Department has, since the 1st of January 1884, been working upon revised principles. The offices in charge of salaried Sub-Registrars have been classified according to the amount of business done in each: Tahsildars and Honorary Magistrates have been relieved of registration work by the appointment of special officers in certain cases, and salaried officers have been substituted for Sub-Registrars, previously paid

by commission, in all offices which register more than 500 documents per annum. The rate of commission allowed to *ex-officio* Sub-Registrars has also been increased from 10 to 20 per cent. of the fees realized. It is hoped that these charges will, when they have had time to take effect, lead to a considerable development in the operations of the Registration Department.

In Secunderabad the transactions numbered 191 against 382 in the previous year. The receipts increased from Rs. 1,230 to Rs. 1,632, and the expenditure from Rs. 679 to Rs. 711.

12. *General Remarks.*—The following statement shows for the several Provinces the general results of the operations of the Registration Department during the year under review :—

Province.	Number of registrations per 1,000 of population.		Percentage of increase or decrease of total number of compulsory and optional registrations over previous year.				Percentage of registrations affecting immovable property to total number of registrations during the year.		Percentage to total number of registrations during the year.		Percentage of increase or decrease.						Number of offices not self-supporting.
			Compulsory.		Optional.						Receipts.	Expenditure.	Surplus.				
			Increase.	Decrease.	Increase.	Decrease.											
Madras	15.4	7.6	...	10.7	...	92.9	49.6	51.4	8.6	...	7.45	...	27.31	...	74		
Bombay	5.9	15.1	...	13.3	...	91.9	74.05	22.95	10.96	...	4.85	...	50.45	...	54		
Bengal	9.01	7.8	...	8.7	...	82.4	55.2	44.0	2.90	...	1.93	...	3.76	...	6		
North-Western Provinces.	4.1	...	1.3	...	3.8	78.9	35.01	64.99	...	2.03	1.23	...	...	6.02	33		
Oudh	3.6	...	7.07	...	7.3	66.2	40.7	53.3	...	3.12	4.0	...	...	11.05	7		
Punjab	3.64	5.05	...	...	...	43.6	65.2	34.9	4.52	...	1.80	...	8.75	...	44		
Central Provinces	2.3	8.9	...	...	5.4	82.2	63.6	39.4	...	...	...	...	...	...	2		
British Burma	2.1	5.5	...	...	10.66	96.5	90.7	14.3	11.25	...	4.10	...	20.54	...	5		
Assam	3.2	10.5	...	9.1	...	51.8	64.8	45.4	5.12	...	1.48	...	16.12	...	...		
Coorg	3.4	1.27	...	23.7	...	68.08	78.7	21.3	18.97	...	10.06	...	12.34	...	1		
Hyderabad Assigned Districts.	8.3	...	...	3.2	...	80.4	67.5	32.5	2.54	...	4.19	...	23	...	7		

As in previous years, the number of registrations per 1,000 of the population was greatest in Madras (15.4), Bengal (9.01) and Berar (5.3). In the cases of these Provinces there is a decided and satisfactory increase as compared with the previous year, when the number of registrations per 1,000 of the population was 13.9, 7.9 and 8.3 respectively.

In Bombay, the Punjab, Assam and Coorg a small advance was made; in the Central Provinces and British Burma the figures are identical with those of 1882-83, while in the North-Western Provinces and Oudh there was a slight decline. The total number of registrations, therefore, shows an increase more or less decided in every province except the North-Western Provinces and Oudh, where there was a decline: in the North-Western Provinces from 138,343 documents registered to 134,412, and in Oudh from 45,114 to 41,817.

Compulsory registrations showed an advance in all Provinces except the North-Western Provinces and Oudh, and Berar. The increase was greatest in Bombay and Assam, where the percentage

respectively was 15.1 and 10.5. The largest increase in this class of registrations took place in Oudh, where it represented a percentage of 7.07. Registrations of the optional class increased in all provinces except the North-Western Provinces and Oudh, the Central Provinces having been most marked (13.3 per cent.), and Madras (10.7 per cent.). The largest falling off took place in British Burma (10.66 per cent.) and Oudh (7.5 per cent.).

The percentage of registrations affecting immovable property was, as in previous years, largest in Bombay (91.9 per cent.) and Madras (92.9 per cent.) and smallest in Oudh (66.2 per cent.) and the North-Western Provinces (78.9 per cent.).

Registration was most evenly distributed under the heads of compulsory and optional in Madras, Bengal, Punjab, Central Provinces, and Assam. In Bombay, the number of compulsory registrations largely exceeded those of the optional class. In Madras and Oudh only did optional registrations exceed compulsory heading. These results correspond closely with those of the previous year.

The gross receipts increased in every province except the North-Western Provinces and Oudh, the advance having been most marked in Coorg (15.87 per cent.), British Burma (11.25 per cent.) and Bombay (10.95 per cent.). In the North-Western Provinces and Oudh there was a falling off in the receipts which represented a percentage of 2.03 and in Oudh a percentage of 3.92.

The expenditure increased in all provinces except Assam, where it fell by 1.43 per cent. The increase was most considerable in Coorg (19.06 per cent.), Madras (7.85 per cent.) and Bombay (4.93 per cent.).

The net surplus on the operations of the year rose in all provinces except the North-Western Provinces and Oudh and Central Provinces. The advance was most marked in Bombay (50.45 per cent.), Madras (50.85 per cent.), and British Burma (20.54 per cent.). The falling off in Oudh was the most considerable (11.05 per cent.). The number of offices which were not self-supporting was largest in Madras (76), Bombay (56), Punjab (48) and North-Western Provinces (33).

The total of the aggregate value of property transferred advanced by nearly 200 lakhs.

13. The figures given in column 5 of the statement appended to this Resolution show that in the larger provinces the percentage of expenditure to receipts was smallest in the Punjab (50.8), Bengal (56.1). The actual net surplus during the year under review was Rs. 85,081, 4,69,957, and 1,14,095, respectively. These figures appear to shew that the principle which has been more than once affirmed by the Government of India that registration receipts should not be primarily regarded as a source of revenue has not in some cases, especially in Bengal, been sufficiently kept in mind.

14. On the whole it may be said that the results of the year under review were more or less progressive in the case of all provinces except the North-Western Provinces and Oudh.

In the majority of cases the reports show that the remarks made by the Government of India in reviewing the statistics of previous years have not been lost sight of.

(350/10)

increasing the number of registering offices and in other ways to facilitate recourse to registration; and the Governor General in Council is especially glad to notice that a real beginning has been made in many provinces in the direction of entertaining special officers for the performance of registration work. On this point the Governor General in Council observes that the reports for the year under review amply confirm the opinion previously expressed by the Government of India as to the importance of introducing special departmental agency and thereby relieving executive district officials from registration duties which it is impossible to expect that they can satisfactorily perform. The steps which should, in the opinion of the Government of India, be taken to place the Registration Department on a satisfactory footing have been so fully described in previous Resolutions that the Governor General in Council considers it only necessary to invite renewed attention to the remarks there recorded, and to express his hope that Local Governments and Administrations will continue to supervise carefully the working of the Department and to provide for the proper development of registration operations by opening out new offices, introducing a special and efficient departmental agency, and insisting on adequate inspection both by District Officers and by the heads of the Registration Department. It should, however, be understood that the remarks contained in this Resolution regarding the benefits to be anticipated from the introduction of special departmental agency are made without prejudice to any decision which may hereafter be arrived at as to the possibility of combining in one and the same officer registration duties under the Registration Act and the duties which concern those registrations of land transfers which are at present carried out by Revenue Officers. This latter question is being separately considered by the Government of India. But it is manifest that where the Revenue Staff is not sufficiently numerous or overburdened with its proper work, the development of registration must be entrusted to special departmental agency.

ORDER.—Ordered that

Madras,
Bombay,
Bengal,
North-Western Pro-
vinces and Oudh,
Hyderabad.

Punjab,
Central Province
British Burma,
Assam,
Coorg.

Ordered also, that the Resolution be published in the *Gazette of India*.

a copy of this Resolution be forwarded to the Local Governments and Administrations marginally noted, and to the Foreign and Revenue and Agricultural Departments for information.

Resolution be published in the *Gazette of*

(True Extract.)

Mird

Captain,

for Secretary to the Government of India.

D. N. M.—11/11/1901

11/11/1901

To The Chief Secy to the Govt of Madras

1 PROVINCE.	2 Total number of registrations.			3 Receipts.			4 Expenditure.			5 Percentage of column 4 to column 3.			6 AGGREGATE VALUE OF PROPERTY TRANSFERRED BY REGISTERED DOCUMENTS.									7 PROPORTION OF OFFICES TO AREA AND POPULATION.				
													Affecting immovable property.			Affecting moveable property.			Total of aggregate value.			Area in square miles.	Population.	Number of Registration Offices.	Average area in square miles to each Registration Office.	Average population to each Registration Office.
	1881-82.	1882-83.	1883-84.	1881-82.	1882-83.	1883-84.	1881-82.	1882-83.	1883-84.	1881-82.	1882-83.	1883-84.	1881-82.	1882-83.	1883-84.	1881-82.	1882-83.	1883-84.	1881-82.	1882-83.	1883-84.					
				Rs.	Rs.	Rs.	Rs.	Rs.	Rs.				Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.					
Madras ...	427,402	435,381	478,434	5,82,951	5,74,710	6,21,613	4,81,603	5,50,353	5,93,545	82.8	90.	95.0	11,11,75,807	11,29,68,266	9,98,66,289	1,43,61,447	86,14,645	1,91,26,883	12,58,37,254	12,16,82,911	11,87,93,177	130,365	30,832,849	312	445	98,823
Bombay ...	78,416	84,903	97,342	2,16,870	2,56,513	2,84,624	2,12,014	2,22,839	2,33,530	55.8	82.0	88.1	4,55,40,800	4,78,42,817	5,12,23,191	21,16,650	22,30,397	25,81,403	4,76,57,450	5,00,73,214	5,38,04,594	124,122	16,454,414	251	494	65,555
Bengal ...	537,084	555,141	601,002	9,11,020	9,48,104	9,74,712	4,98,514	4,95,180	5,01,745	64.6	62.2	61.3	11,23,06,932	10,86,35,971	11,01,55,323	1,79,43,253	1,87,77,613	1,77,91,525	13,02,30,185	12,74,13,584	12,79,49,848	193,198	69,536,861	285	677	243,988
North-Western Provinces ...	138,559	138,343	134,442	2,58,177	2,65,568	2,60,171	1,41,602	1,44,289	1,46,076	54.8	51.3	50.	4,87,54,012	4,90,79,649	4,82,83,657	68,34,023	67,33,763	1,67,89,491	5,45,88,035	5,48,13,412	6,50,73,137	81,865	32,720,128	220	372	148,727
Oudh ...	45,835	45,114	41,817	82,947	81,924	78,705	45,332	45,421	47,248	54.6	55.4	57.	1,50,33,965	1,45,55,193	1,51,77,277	32,02,242	31,62,246	40,07,374	1,82,38,164	1,77,17,439	1,91,84,651	24,246	11,387,741	126	192	90,378
Punjab ...	67,328	63,585	66,877	1,74,146	1,65,142	1,73,111	1,06,256	86,652	88,040	61.	62.4	63.3	2,19,34,595	2,19,34,595	2,34,89,365	27,03,676	21,16,687	24,45,802	2,61,52,850	2,40,51,282	2,59,35,167	106,632	18,850,437	202	527	93,318
Central Provinces ...	20,048	22,304	22,380	62,363	68,508	68,536	28,449	28,735	29,987	45.6	42.5	41.2	67,04,209	75,64,904	75,05,664	4,75,588	5,76,536	8,72,518	71,79,797	81,41,441	83,78,180	84,445	9,838,791	74	1,141	132,956
British Burma ...	6,844	8,025	8,176	16,341	17,755	19,753	9,628	9,940	10,347	58.8	55.9	52.3	67,21,433	64,07,389	1,02,57,173	16,24,246	23,43,729	22,84,516	83,45,679	87,51,118	1,25,41,689	87,220	3,736,771	79	1,104	48,566
Assam ...	12,163	14,316	15,739	25,134	26,414	27,767	16,620	16,552	16,345	66.1	62.6	60.7	35,15,577	29,01,748	32,61,518	8,60,107	11,66,409	9,75,021	43,75,684	40,68,157	42,36,539	46,341	4,881,426	22	2,106	221,883
Coorg ...	576	575	610	4,204	3,270	3,789	1,669	1,715	2,042	39.7	62.4	50.9	11,28,034	6,67,287	7,08,590	2,00,895	3,07,615	5,05,805	13,38,929	9,74,902	12,14,395	1,583	178,302	10	158	17,830
Hyderabad (including Secunderabad).	20,765	22,218	22,367	47,550	50,838	52,136	29,290	30,300	31,549	61.5	59.6	57.5	43,76,823	47,26,245	48,79,929	3,48,878	3,77,074	3,08,252	47,57,701	51,03,319	51,88,181	17,711	2,672,673	57	311	45,660
Total ...	1,355,120	1,389,885	1,489,185	24,12,583	24,58,746	25,67,917	15,70,977	16,31,976	17,02,710	65.1	66.3	66.3	37,87,06,796	37,72,84,064	37,46,07,976	4,96,71,005	4,54,06,714	6,76,91,583	42,83,99,728	42,26,90,778	44,23,99,558	9,06,728	201,090,392	1,638	553	122,780

* In the Report for the year 1882-83 the amount shown is Rs. 29,123.

CURRENT NO.

rel. of India.

Home Dept.

No. 15
617-29

rel. 22nd April

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Subject

Forwarding Resolution on
Registration Reports of Local
Govts. for 1883-84

19 May 1885
Communicated to the Secy
of Registration

File

19 May 1885

Madras

19TH MAY 1885, No. 1307, JUDICIAL.

1307

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper:—

Extract from the Proceedings of the Government of India in the Home Department (Public), under date Simla, the 22nd April 1885, No. 15—617-29.

Read—

Home Department Resolution, No. 12—438-50, dated the 8th March 1884, reviewing the Registration Reports of the several provinces for the year 1882-83.

Read also—

The Registration Reports of the several Local Governments and Administrations for the year 1883-84.

RESOLUTION.

OBSERVATIONS.—The statement annexed shows for the several provinces the total number of registrations, the receipts and expenditure of the Registration Department, and the aggregate value of property transferred by registered documents in the years 1881-82 to 1883-84, as well as the proportion of registration offices to area and population. The total number of documents registered increased from 1,389,885 in 1882-83 to 1,489,185 in the year under review. The receipts of the department rose from Rs. 24,58,746 to Rs. 25,67,917, and the expenditure from Rs. 16,31,976 to Rs. 17,02,760. There was thus, compared with the previous year, an advance of 99,300 in the total number of transactions, of Rs. 1,09,171 in the receipts, and of Rs. 70,784 in the expenditure of the department. The percentage of expenditure on receipts was the same as last year, viz., 66.3.

The registrations affecting immovable and movable property were as follow:—

	Number of registrations affecting immovable property.			Number of other registrations.	Grand total.
	Compulsory.	Optional.	Total.		
1882-83	764,763	429,808	1,194,571	195,314	1,389,885
1883-84	815,976	465,596	1,281,572	207,613	1,489,185

The following figures show the aggregate value of property transferred by registered documents during the years 1882-83 and 1883-84:—

	Affecting immovable property.	Affecting movable property.	Total.
	RS.	RS.	RS.
1882-83	37,72,84,064	4,54,06,714	42,26,90,778
1883-84	37,46,07,976	6,76,91,583	44,22,99,558

2. Madras.—The department again did good work during the year under review. There was a substantial advance in the total number of documents registered, being 478,434 in 1883-84 against 435,381 in 1882-83, thus representing an increase of 43,053 instruments, or 9.8 per cent., and 124 per cent., during the last ten years, the

total number of registrations in the statement given below the transactions and 1883-84 are compared:—

	Affecting immovable property.		Affecting movable property.	Wills and authorities to adpt.	Total.
	Compulsory.	Optional.			
1882-83 ..	215,953	189,408	30,051	969	435,381
1883-84 ..	232,519	212,041	32,774	1,100	478,434

It will thus be seen that every head contributed to the general increase. Registrations affecting immovable property advanced, in the case of documents compulsorily registered, by 16,566 transactions, or 7.6 per cent., and in the case of those the registration of which is optional, by 23,633, or 12.5 per cent. The increase in the number of transactions affecting movable property was 2,723, or 9 per cent. The number of wills registered advanced from 961 to 1,092; the number of authorities to adopt remained the same (8) as last year. The percentage of optional to total registrations for the last five years is, respectively, 44, 47, 49, 50, and 51.

Turning to the nature of the documents entered, it is seen that, with two small exceptions, viz., a decrease from 2,511 to 2,347 of perpetual leases, and from 124 to 76 of certified copies of decrees and orders of court, there was an increase under all heads over the figures for the previous year. The operations effected during 1882-83 and 1883-84 under some of the more important heads of registration are compared below:—

	Instruments of sale and mortgage affecting immovable property.		Leases (Book T).	
	Compulsory.	Optional.	Compulsory.	Optional.
1882-83 ..	161,677	149,264	34,361	22,056
1883-84 ..	172,610	167,772	37,342	24,544

The number of instruments registered affecting the sale and mortgage of properties valued at Rs. 100 and upwards increased by 10,933, or 6.8 per cent. The increase in the operations relating to instruments of the same class affecting properties under Rs. 100 in value was 18,508, or 12.4 per cent. The increase in the total number of leases, both compulsorily and optionally registered, was 5,469, or 9.7 per cent. Deeds of gift advanced from 1,496 instruments to 1,574, or by 5 per cent.

The falling off under the head of perpetual leases was chiefly in South Canara and Salem; in the former place, where more than half the total number of registrations under this head took place, the transactions fell from 1,482 to 1,273, or by 209 documents, and in the latter place by 104. In South Canara the decline appears to be due to the belief that when the owner once leases his land under a perpetual lease, he is debarred for ever after from raising the rent. The decline which occurred in Salem is attributed to the fact that in 1882-83 an unusually large number of perpetual leases were registered owing to the lessees of a certain property having failed to pay their rent, when fresh leases had in consequence to be issued. The advance made in the registration of instruments relating to gifts is likely to continue, as the High Court of Madras have decided upon the precise interpretation to be put upon "settlement," under which head many gifts have hitherto been erroneously classified. As regards registrations in Book IV, the number of deeds of sale and the number of bonds registered during the year increased—the former from 1,525 to 1,699, and the latter from 18,742 to 19,424.

The aggregate value of the property affected by the transactions of the year, as evidenced by the documents registered, again fell from 1,215 lakhs of rupees in 1882-83 to 1,187 lakhs of rupees in 1883-84, or by 2.3 per cent. There was a considerable increase in the value of movable property transferred. The value of such instruments advanced from 86 lakhs of rupees in 1882-83 to 191 lakhs in 1883-84, or by 105 lakhs (122.0 per cent.). This increase is chiefly due to the rise from Rs. 1,30,717 to Rs. 1,01,00,876 of the aggregate value of property transferred under the head "other documents registered in Book IV" in the North Arcot district—an increase for which no explanation is given. On the other hand, the value of immovable

property affected fell by 133 lakhs of rupees, or by 11.7 per cent. No importance, however, attaches to this decline, as in 1882-83 the sale of the property belonging to the Madras Irrigation and Canal Company added more than 178½ lakhs of rupees to the value of property affected by registrations in Book I, and this fact accounts also for the decrease of 166 lakhs of rupees, which occurred during the year under review in the value of lands transferred by sales.

The income of the department rose from Rs. 5,74,710 in 1882-83 to Rs. 6,24,613 in 1883-84, or by 8.6 per cent. The expenditure also increased from Rs. 5,50,353 in the previous year to Rs. 5,93,595 in the year under review, or by 7.8 per cent. The surplus, therefore, was Rs. 31,018 against Rs. 24,357, and the percentage of expenditure to receipts, 95 against 96 in 1882-83.

The revised scale of salaries of registrars and sub-registrars is responsible for almost half of the increase which occurred in the expenditure of the year, the revised scale having been in force during the whole of 1883-84 against six months in 1882-83. Other causes which tended to enhance the disbursements were the opening of five new offices, the substitution of nine special sub-registrars for as many *ex-officio* officers, the payment of a larger percentage of commission to the establishments on the larger collections realised, and the fact that the new establishments employed during the year and those entertained in 1882-83 drew their pay for the whole year in 1883-84. The expenditure on office buildings again rose from Rs. 45,226 in 1882-83 to Rs. 53,909 in the year under notice, the increase of Rs. 8,683 being due to the large outlay upon the new buildings which are being erected in accordance with the plan of having detached accommodation for registration offices.

The above figures point to the efficient working of the department and to the satisfactory and increasing improvement in the registration work of the Madras presidency. The proportion, however, of one office to every 445 square miles of country, and to every 98,823 persons of the population, shows that there is room for further development. This is admitted by the local Government, and the work of opening new offices, thereby affording greater facilities for registration, is proceeding in every direction throughout the presidency. The offices still in charge of *ex-officio* officers will, it is hoped, before long be transferred to special officers.

3. *Bombay.*—There was again an advance in the total number of registrations, which stood at 97,342 in 1883-84 against 84,902 in 1882-83, thus representing an increase of 12,439 documents, or 14.65 per cent. Compulsory registrations amounted to 72,095 transactions in the year under review against 62,622 in the previous year, and optional registrations, relating both to immovable and movable property, to 25,247 transactions against 22,281, the percentage of increase under each head being 15.12 and 13.31 respectively. The optional registrations effected were 25.9 per cent. of the total registrations against 26.3 in the previous year. The total number of instruments registered during the year is the largest ever reached in the Bombay presidency except in the year 1878-79, i.e., before the Deccan Agriculturists' Relief Act, 1879, came into operation, when 97,559 documents were entered.

The work done by the department during the two years 1882-83 and 1883-84 under the chief heads may be compared thus:

	Affecting immovable property.		Total.	Affecting movable property.	Wills.	Grand Total.
	Compulsory.	Optional.				
1882-83 ..	62,622	17,643	80,265	3,910	728	84,903
1883-84 ..	72,095	20,303	92,398	4,147	797	97,342

The total registrations increased in every district except in Bombay, Thana, and Satara, the falling off in those districts being very slight, viz., 176, 376, and 69 documents respectively. The decline in Bombay was due to the fact that in the previous year an abnormally large number of documents of certain classes were registered. In Thana, the decrease was neutralised by the increase of 1,037 instruments which occurred in Kolaba, to which district two registration sub-districts were, during the year, transferred from the Thana district. The plan of substituting special officers in the place for *ex-officio* registrars appears thus far to have proved a success. There are still 18 offices worked by *ex-officio* registrars, viz., 15 in Sind, 1 in each of the Bombay

and Nasik districts, and 1 at Aden. The system of registration by a peripatetic agency was tried in four districts, but does not appear to have been altogether satisfactory in its results. It is observed that the Inspector-General promises a special report on this subject, and the Governor-General in Council would be glad to receive a copy of this report in due course with a copy of any orders which may be passed thereon by the Bombay Government.

Under the head of compulsory registration, deeds of mortgage of immovable property of the value of Rs. 100 and upwards increased from 27,551 documents in 1882-83 to 31,401 in 1883-84, or by 13.9 per cent., while the aggregate value of the property affected by these documents increased from 143½ lakhs to 173½, or by 21.3 per cent. Deeds of sale of the same value rose from 23,749 documents in the previous year to 26,556 in the year under review, or by 11.8 per cent., and their value from 184½ to 188½ lakhs (21.9 per cent.). Perpetual leases increased from 1,755 to 2,033 (15.8 per cent.), and leases for terms exceeding one year, from 5,756 to 6,232 (8.2 per cent.). The transactions falling under the head of "other instruments" relating to immovable property rose by 2,084 documents, or 4.8 per cent. The operations under this head include notices of relinquishment of land of the value of Rs. 100 and upwards. The question whether these notices, required under section 74 of the Bombay Land Revenue Code, should not, in the interest of cultivators, be removed from the operation of section 17 of the Registration Act, and thereby be exempted from registration, was lately considered by the Government of India, and it was decided that, in amending the Registration Act, provision should be made for exempting such notices from registration.

Turning next to optional registrations relating to immovable property, the registration both of deeds of sale and of mortgages of less value than Rs. 100 increased—the former from 8,857 instruments to 10,134 (14.4 per cent.), and the latter from 5,984 instruments to 6,863 (14.6 per cent.). The proportion of optionally to compulsorily registrable documents relating to immovable property remained about the same (22 per cent.) as last year. In remarking on the increase in the operations of the department during the year, the Inspector-General assigns as the main cause the large number of marriages contracted in consequence of the impending Hindu calendar year of 360 days, when it is held that marriages should not take place. On this point the Government of Bombay makes the following observations:—

"The Inspector-General considers that the chief cause of the almost universal increase is to be found in the large number of marriages which took place among the Hindu population during the year under review. As these ceremonies necessarily involve a large amount of borrowing and lending, the explanation seems reasonable. In Khandesh it is reported that the damage done to the cotton crops by late rains of October 1883 compelled many cultivators to borrow money, and a similar result is attributed to the damage caused by the rains to houses in Ahmednagar, and in Ratnagiri to the ravages of locusts. In the latter district and in Canara the settlements which have lately been effected are said to have resulted in the execution of a greater number of leases and mortgages."

The rise in the number of leases for terms exceeding one year registered during the year is attributed in part to a ruling of the High Court in 1882 that such leases are exempt from stamp duty when the annual rent is less than Rs. 100.

As regards registrations in Book IV, the number of bonds registered increased from 888 to 1,071 (20.6 per cent.), while miscellaneous documents fell from 2,078 transactions to 2,059. As in the previous year, no authorities to adopt were registered. The number of wills registered increased from 728 to 797 (9.4 per cent.).

In accordance with a suggestion made by the Government of India, the Inspector-General is collecting statistics from the records of his department bearing on the price of land in the presidency proper in successive years, with the object of furnishing precise information on the question whether a depreciation in the value of land has had a prejudicial effect on compulsory registration. The result of the Inspector-General's investigation into this matter is awaited by the Government of India with interest. The question regarding the time allowed under section 24 of the Registration Act for the admission of documents to registration with or without fine will be considered in connection with the amendment of the Act.

During the year under review 682 Parsi marriages were registered under the Parsi Marriage Registration Act against 618 in the previous year; only one marriage was registered under Act III of 1872.

The following figures compare the aggregate value of the property affected by the transactions during 1882-83 and 1883-84:—

	Immovable property.	Movable property.	Total.
	RS.	RS.	RS.
1882-83	4,78,42,817	22,30,397	5,00,73,214
1883-84	5,12,23,191	25,81,403	5,38,04,594

The average registration fees for the different classes of documents during the two years were as follow:—

	Compulsory.	Optional.	All classes.
	RS. A. P.	Immovable. Miscellaneous. RS. A. P.	RS. A. P.
1882-83	2 2 6	0 7 8 1 13 9	1 12 8
1883-84	2 1 6	0 6 7 1 11 11	1 11 11

The gross receipts of the department were Rs. 2,84,624 against Rs. 2,56,513 in 1882-83, representing an increase of 10.9 per cent. The expenditure also increased, having been Rs. 2,33,826 in the year under review against Rs. 2,22,839 in the previous year, thus representing an advance of 4.9 per cent. The surplus was therefore Rs. 50,798, or 50.8 per cent. more than that in the previous year. The receipts increased in all the districts except in

Ahmednagar. Aden. Thana, Satara, and the Upper Sind Frontier. In five districts* the expenditure exceeded the income.

The increase in expenditure was chiefly due to enhanced charges attending the advance made in the total number of documents entered, to the payment of full instead of acting salary to the Inspector-General, and to the revival of the office of Inspector of the Fourth Division.

4. Bengal.—The total number of registrations was 601,002 in 1883-84 against 555,141 in 1882-83, thus representing an increase of 45,861 documents, or 8.26 per cent. The totals for the years 1879-80 to 1881-82 are shown in the margin. The following figures exhibit, under the chief heads, the work done during the years 1882-83 and 1883-84:—

	Affecting immovable property.	Affecting movable property.	Wills and authorities to adopt.	Total.
	Compulsory. Optional.			
1882-83	307,609 146,521	99,092	1,919	555,141
1883-84	331,706 163,964	103,543	1,789	601,002

Thus every head contributed to the general increase, except that of wills and authorities to adopt, the number of which class of documents registered was 130 less than during the previous year. Compulsory registrations affecting immovable property show a considerable advance, viz., of 24,097 documents, or 7.8 per cent. Optional registrations, affecting both immovable and movable property, advanced by 21,894 documents, or by 8.9 per cent.

The number of deeds of sale and of deeds of mortgage under the head of compulsory registration relating to immovable property again increased—the former from 41,337 in 1882-83 to 42,951 in 1883-84, or by 3.9 per cent.; the latter from 44,798 in the previous year to 48,295 in the year under review, or by 7.8 per cent. The number of perpetual leases registered also advanced, being 75,552 against 70,764 in 1882-83. The increase under this last head was most noticeable in the districts of Chittagong and Noakholly, where, taking the two places together, it represented no

less than 63·7 per cent. of the total increase throughout the province. The number of perpetual leases registered during 1880-81 was stated to have been 102,512. With regard to this, however, the Lieutenant-Governor remarks:

"The Inspector-General considers the figures for 1880-81 to be incorrect, as he believes that in that year no distinction was made between permanent and indefinite leases. In support of this view, he adduces the fact that, if the totals of the two kinds of leases for the five years between 1879 and 1884 are combined and looked at together, the divergence is not very remarkable, considering that the years 1879-80 and 1880-81 (more particularly the former) were years marked by general activity throughout the department. There do not seem to be sufficient materials for a definite opinion on this point, but the report shows a steady increase in the number of perpetual leases registered during the last three years. The Inspector-General does not, however, state whether it is quite certain that leases for an indefinite period, determinable by the proprietor at will, are not now registered in any office as perpetual leases. The attention of officers inspecting subordinate offices should be drawn to the advisability of inquiring into this point."

The number of term leases registered rose from 141,156 in 1882-83 to 154,571 in 1883-84, or by 9·5 per cent. The explanations supplied by the district registrars regarding the fluctuations in the operations under the head of leases are very conflicting, for, as noticed by the Lieutenant-Governor, while, on the one hand, the increase of 1,605 registrations under the head of perpetual leases in the district of Noakholly is assigned partly to the rise in the price of food-grains, stimulating tenants to enter into engagements for land, on the other hand a considerable decrease in the registration of leases of all kinds in the district of Burdwan is attributed to the same cause. Again, as remarked by the Lieutenant-Governor, "While in Dacca an increase is ascribed to the desire of landholders to get a handsome *salami* in addition to a slightly increased rate of rent, a decrease in Moorshedabad is explained by the assertion that the zemindars have learned to practice economy and to discontinue the improvident course of discounting the future by accepting nuzzers on the creation of encumbrances." The view of the Bengal Government that it is desirable to impress upon subordinate officers the importance of ascertaining and reporting with more exactness than at present the causes of increase and decrease under this and other heads is fully endorsed by the Governor-General in Council.

The proportion of leases to counterparts registered was 28·16 per cent. in 1883-84 against 26·78 in 1882-83. In Behar the percentage was 47·11, in Bengal 20·29, and in Chota Nagpur 53·29. In Behar the high percentage is stated to be mainly due to the taking and granting of leases by indigo-planters, and it is added that the causes assigned for the disproportion generally may be resolved into the reluctance of the zemindar to bind himself by a registered pottah or to attend the registration offices, and to the reliance of the tenant on being able to get a copy of his *kabuliyat* from the registration office.

In optional registrations relating to immovable property, there was a large increase of 11,349 (or 12·7 per cent.) in the number of deeds of sale registered of the value of less than Rs. 100. Instruments of mortgage also advanced by 6,123 deeds, or 13·3 per cent. Under leases for one year or less there was an increase of 418 documents, or 9·2 per cent. The number of miscellaneous documents fell off by 447, or 6·7 per cent.

The value of property affected by the registrations of the year aggregated Rs. 12,79,49,848 against Rs. 12,74,13,584 in 1882-83—an increase of 42 per cent. The value of immovable property registered rose from Rs. 10,86,35,971 in 1882-83 to Rs. 11,01,55,323 in 1883-84, or by 1·4 per cent., while that of movable property fell from Rs. 1,87,77,613 in the previous year to 1,77,94,525 in the year under review, or by 5·2 per cent.

There was an increase both in the receipts and the expenditure of the department, the former having amounted to Rs. 9,74,711 in 1883-84 against Rs. 9,48,104 in 1882-83, an increase of 2·8 per cent., and the latter to Rs. 5,04,755 in the year under review against Rs. 4,95,180 in the previous year, an increase of 1·9 per cent. The net surplus, after deducting the cost of stationery and printing, amounted to Rs. 4,24,993 against Rs. 3,93,004 in 1882-83, thus representing an increase of 8·1 per cent. The number of offices open at the close of the year (284) was one less than

the number working at the commencement of the year. Eighteen offices were converted from *ex-officio* to rural sub-registry offices. The system under which these rural offices are being gradually extended promises to be a success, provided that proper care is taken in the selection of the sub-registrars and that the offices are regularly and sufficiently inspected. With a view to secure the services of men acquainted with the rules and procedure of the department, the Lieutenant-Governor has directed the Inspector-General to submit proposals for a scheme to provide a course of training for candidates for rural sub-registrarships in the sudder registry office. The number of inspections still remains at a lower figure than should be the case, and the Government of India agree with the Lieutenant-Governor that much more can and should be done in regard to inspections by the local officers in the course of their tours.

No mention is made either in the report or in the review by the Local Government of the working of the Muhammadan Marriage Registration Act during the year.

5. *North-Western Provinces and Oudh.*—There was again a decline in the total number of registrations, the figures being 176,259 in 1883-84 against 183,457 in 1882-83, a decrease of 3·9 per cent.

In the following table the work done during the past two years is compared:—

North-Western Provinces.					
	Affecting immovable property.		Affecting movable property.	Wills and authorities to adopt.	Total.
	Compulsory.	Optional.			
1882-83	75,335	33,721	28,475	812	138,343
1883-84	73,936	32,218	27,559	729	134,442
Oudh.					
1882-83	18,316	11,953	14,573	272	45,114
1883-84	17,036	10,684	13,860	237	41,817

It will thus be seen that there was a falling off under every head. In the North-Western Provinces compulsory registrations relating to immovable property declined by 1,399 transactions (1·8 per cent.), and optional registrations by 1,503 transactions (4·4 per cent.) The number of instruments relating to movable property decreased by 916 (3·2 per cent.) The falling off in Oudh under the three heads noted above was respectively 1,280 (6·9 per cent.), 1,269 (10·6 per cent.), and 713 (5·1 per cent.) Taking the two provinces together, the number of compulsory transactions fell off by 2,679 (2·8 per cent.), and the number of optional documents, relating both to immovable and movable property, by 4,401 (4·9 per cent.) The number of wills and authorities to adopt registered was 83 less than the number registered last year in the North-Western Provinces, and 35 less in Oudh. During the early months of the year there is said to have been a falling off more or less considerable in almost all the districts of the combined province. The transactions, however, during the latter months showed an improvement, and in a few of the districts the number of instruments entered increased as compared with the number of registrations effected during the corresponding period of the previous year, while in other divisions the decline continued, though in a less degree than in the early months. These fluctuations are to a great extent attributed to the generally good spring harvest of the year 1883 on the one hand, and to the partial failure of the rain crops on the other. Perpetual leases again increased slightly in the North-Western Provinces and declined in Oudh. Regarding the registration of documents of this class, His Honor the Lieutenant-Governor remarks: "It is probable that a large number of leases registered are not for the cultivation of land, but for the collection of rents. In the two districts which showed the largest value of registered leases, Gorakhpur and Bahraich, the average lease was for Rs. 400 and Rs. 1,000 respectively, and in the district with the largest number of leases, Meerut, the average rent was Rs. 100. These figures are much higher than the rents of ordinary farms."

Of the total transactions relating to immovable property, the registration of 78·9 per cent. in the North-Western Provinces and of 66·2 in Oudh fell under the

compulsory heading, the percentage of optional to the total number of registrations was 44.9 in the North-Western Provinces and 59.3 in Oudh as against 45.5 per cent. and 59.4 per cent., respectively, in the previous year. In the North-Western Provinces there has been a marked decrease during the last decade in optional registrations of obligations for the payment of money other than obligations on account of agricultural advances, the number (10,901) of such obligations registered in 1883-84 having been less than half of the number of similar instruments which were presented for registration during the year 1874-75. This falling off is attributed partly to apprehensions entertained by money-lenders, who are deterred from entering such obligations in the belief that they are furnishing material for their own assessment to the license-tax, as the talisildar is both the registering and the assessing officer. The absence of such an arrangement in Oudh, where there are non-official sub-registrars, is one of the reasons stated by the Inspector-General for the high proportion of optional to compulsory registrations having been maintained in that province. Two other causes for this are said to be—(1) that the sub-registrars in Oudh, being dependent on their fees and not burdened with other work, are more attentive and accessible to the public; and (2) that the agricultural classes have not, to the same extent as in the North-Western Provinces, landed security to offer for the repayment of their loans. Their deeds accordingly take the form of bonds, the registration of which is optional, rather than of mortgages, the registration of which is frequently compulsory. In regard to the last of the causes above mentioned, His Honor the Lieutenant-Governor and Chief Commissioner notices the disproportion which continues to exist in the number of mortgages of low value in Oudh as compared with the North-Western Provinces, the ratio of mortgages to sales being $1\frac{1}{2}$ to 1 in the North-Western Provinces, whereas in Oudh it is 3 to 1. His Honor further notices the fact that the proportion of mortgages in transactions of low value to the population is higher in Oudh (60 to 100,000) than in the North-Western Provinces (53 to 100,000). "The very circumstance," His Honor remarks, "which has been accepted as an explanation of the larger number of optional registrations in Oudh gives the greater unexpectedness and importance to these figures. Excluding the district of Lucknow, in which the conveyances of house property no doubt contribute largely to the returns, the proportion of petty mortgages to the population becomes identical with that for the North-Western Provinces." The Inspector-General has again been desired to examine the duration and character of these transactions registered in Oudh, the people by whom such conveyances are made, and the period during which the transactions have continued.

The aggregate value of the property entered increased both in the North-Western Provinces and in Oudh. In the former province it stood at Rs. 6,50,73,137 against Rs. 5,48,13,412 in the previous year, and in Oudh at Rs. 1,91,84,651 against Rs. 1,77,17,439. The excess of 102 lakhs of rupees in the value of property affected by the instruments registered in the North-Western Provinces is accounted for by a comprehensive document executed in Moradabad, by which a dower amounting to Rs. 1,00,00,000 and 50,000 goldmohurs was relinquished.

The receipts and expenditure of the department during the years 1882-83 and 1883-84 are shown below:—

North-Western Provinces.		
	Receipts.	Expenditure.
	RS.	RS.
1882-83	2,65,568	1,44,280
1883-84	2,60,171	1,46,076
		Surplus.
		RS.
		1,21,279
		1,14,095
Oudh.		
1882-83	81,924	45,421
1883-84	78,705	47,238
		36,503
		31,467

It will be seen from the above comparison that in both the provinces, while the receipts declined, the expenditure slightly increased. In the North-Western Provinces, the receipts fell off by Rs. 5,397 (2.03 per cent.), and the expenditure rose by

Rs. 1,787 (1.2 per cent.) In Oudh the decrease and increase were, respectively, Rs. 3,219 (3.9 per cent.) and Rs. 1,817 (4.0 per cent.) The surplus, taking the two provinces together, amounted to Rs. 1,45,562 in 1883-84 against Rs. 1,57,782 in 1882-83, a decline of Rs. 12,220 (7.7 per cent.) The percentage of expenditure to receipts was 56.1 during the year under review against 54.3 in the previous year. The increase of expenditure in the North-Western Provinces was due to urgent requirements having been met for improved accommodation and office furniture; in Oudh, it is attributed to the fact that the military pay of the Registrar of Lucknow was debited to the Registration Department. The Inspector-General, in remarking on the increase of expenditure under the head of "establishment," shows that it is owing largely to the increase in the combined offices of the Inspector-General of Registration and the Commissioner of Excise and Stamps. The combination of the two offices, it appears, has not resulted in any advantage to the Registration Department; but, on the contrary, registration has been paying for the establishment employed in the work of excise and stamps. The Inspector-General has been desired by the Local Government to submit separately for orders, if necessary, the question of the proper apportionment of the cost of his own office.

The results of the working of the department in the North-Western Provinces and Oudh during 1883-84 appear to confirm the opinion expressed by the Governor-General in Council in reviewing the report for the previous year, viz., that the officers on whom the duties of registration at present devolve are either ill-paid or absorbed in other work, and that to this circumstance must be ascribed in great part the steady decline of registration in these provinces. The Board of Revenue have been consulted by the Local Government on the proposal to transfer to special officers the duties of registration in certain large centres, where, in consequence of heavy revenue work, talisildars can only exercise a superficial control over their registration work.

6. *Punjab.*—During the year under review the results of the working of the department were more favorable than during the previous year, the total number of registrations being 66,877 against 63,565, thus representing an increase of 3,312 instruments, or 5.2 per cent. The number of transactions during the years 1882-83 and 1883-84 may be compared thus:

	Affecting immovable property.			Affecting movable property.	Wills and authorities to adopt.	Total.
	Compulsory.	Optional.	Total.			
1882-83	41,507	11,290	52,797	10,391	377	63,565
1883-84	43,604	12,347	55,951	10,572	354	66,877

From the figures given above it will be seen that both compulsory and optional registration advanced, the former by 2,096 documents, or 5.04 per cent., and the latter by 1,216 instruments, or 5.51 per cent. As regards registrations affecting immovable property, the number of transactions increased by 3,154 (5.97 per cent.), towards which increase optional registration contributed 1,057 instruments (9.36 per cent.) The number of (optional) transactions relating to movable property advanced by 181 (1.74 per cent.) There were no "authorities to adopt" entered against one in 1882-83. The number of wills registered declined by twenty-two.

The decline which occurred in 1882-83 in the case of documents relating to immovable property was mainly confined to sales and mortgages of agricultural land. During the year under review there was an increase in this direction—that under the head of mortgages being the more marked—which is ascribed to agricultural depression. The scanty harvests in 1883-84 are said to have created an increased demand for money, which necessarily resulted in an increase in the number of sales and mortgages of agricultural land. The registrations relating to these two classes of documents during the years 1882-83 and 1883-84 are compared below:—

	1882-83.			1883-84.		
	Compulsory.	Optional.	Total.	Compulsory.	Optional.	Total.
Sales (agricultural)	7,173	1,505	8,678	7,555	1,527	9,082
Mortgages (agricultural)	20,161	5,079	25,240	21,397	6,104	27,501

The above figures show an increase in the total number of documents of 401 (4.65 per cent.) in the case of sales, and of 2,261 (8.95 per cent.) in the case of mortgages. Documents relating to mortgages, the registration of which was compulsory, advanced by 1,236 (6.13 per cent.) and those the registration of which was optional by 1,025 (20.18 per cent.) The fluctuations under other classes of documents were unimportant. It may be noticed, however, that under two heads only was there a falling off in the number of registrations in Books I and IV, but the figures are below the averages for the two quinquennial periods ending respectively in 1876-77 and 1881-82.

One of the reasons previously ascribed for the depression in optional registrations relating to immovable property has been the security furnished by the mutation of names in the revenue records, and the fact that people are naturally unwilling to undergo additional expense and trouble in registering deeds of transfer in the absence of any substantial advantage to be gained therefrom. An additional reason has this year been adduced by the Inspector-General, viz., the hostile attitude of the courts, which are said to give little or no value to the fact of registration. As regards the operations of the Revenue department, the advisability of amalgamating the procedure of attestation in a registry office with the mutation of names in revenue records is still under the consideration of the Local Government. In this connection His Honor the Lieutenant-Governor remarks: "The fact that the Transfer of Property Act is not in force in the Punjab is to be borne in mind in comparing registration operations in this province with those of places to which that Act has been extended. Under the provisions of the Act in question, transfers of immovable property of the value of Rs. 100 and upwards can only be made by registered conveyances; and, even in cases below that value, if an instrument is drawn up, it must be registered. In the Punjab, the registration of instruments transferring immovable property of a less value than Rs. 100 is absolutely optional, while, if the value be Rs. 100 or upwards, there is nothing to compel the parties to reduce the transaction to writing, and at the same time the Revenue department offers every facility for the record of transfers without any registered deed." In regard to the imputed action of the courts, His Honor the Lieutenant-Governor has rightly remarked that a general charge of this nature should not be made unless it can be sufficiently proved, and has pointed out that it is open to the Inspector-General to bring to the separate notice of Government any cases in which the registration law is found to have been disregarded.

The main defect of the departmental staff is said to be that treasury officers and tahsildars are overweighted with work in other departments, while they are not now, as formerly, paid by results. As to this point, it is observed that seven specially selected non-official sub-registrars have been appointed to relieve treasury officers in the more important stations. The Governor-General in Council trusts that this step will lead to satisfactory results, and that it may be gradually found possible to introduce a thoroughly efficient agency for the proper carrying on of the work of the registration department. On this point attention is invited to the remarks made by the Government of India in reviewing the reports for the year 1882-83. As regards the policy of introducing non-official agency, the Governor-General in Council fully endorses the view of His Honor the Lieutenant-Governor that "the right course is not to abandon this policy, but to guard it by care in initial selection, by insisting on the principle that public duties even when voluntarily undertaken must be efficiently and conscientiously performed, and by firmly withdrawing, no matter at what cost of injured dignity, powers which are misused or privileges which are neglected."

The aggregate value of the property affected by the transactions executed during the year was Rs. 2,59,35,167 against Rs. 2,40,51,282 in 1882-83, an increase of about 19 lakhs of rupees, or 7.83 per cent. The total value of immovable property transferred amounted to Rs. 2,34,89,365 and of movable property to Rs. 24,45,802, thus representing an advance of more than fifteen-and-a-half lakhs of rupees (7.09 per cent.), and three-and-a-quarter lakhs of rupees (15.5 per cent.) respectively. Obligations for the payment of money increased from 4,008 transactions in 1882-83 to 4,234 in 1883-84, and the average amount secured on each instrument from Rs. 361 in the previous year to Rs. 397 in the year under review.

The inspection work was, on the whole, fairly performed, but more inspection is needed. The question of appointing an Inspector of Registration offices in the Punjab will be further considered when the provincial revenues are able to afford to bear their proper share of the increased cost. On this point separate orders have been issued by the Government of India.

Both the receipts and the expenditure of the department increased, the former from Rs. 1,65,142 in 1882-83 to Rs. 1,73,111 in 1883-84, or by 4.82 per cent., and the latter from Rs. 86,652 in the previous year to Rs. 88,030, or by 1.59 per cent. The surplus was thus Rs. 85,081 against Rs. 78,490 in the previous year, this large balance being partly due to the abolition of the special allowances previously granted to treasury officers acting as sub-registrars.

7. *Central Provinces.*—The results of the year's operations do not show any appreciable advance in the registration business of these provinces. The total number of registrations was 22,380 against Rs. 22,304 in 1882-83, representing an increase of only 76 transactions, or .3 per cent.

The following figures compare the registrations under the principal heads with those of the previous year:—

	Affecting immovable property.			Affecting movable property.	Wills and authorities to adopt.	Total.
	Compulsory.	Optional.	Total.			
1882-83	13,693	4,788	18,481	3,673	150	22,304
1883-84	14,232	4,176	18,408	3,825	147	22,380

It will thus be seen that compulsory registration affecting immovable property increased by 539 documents; and that optional registrations, relating both to immovable and movable property, declined by 460 transactions. For this decline optional registrations affecting immovable property are responsible, the transactions under this head having fallen off by 612 documents, or 12.7 per cent. Registrations relating to movable property advanced by 152 transactions, or 4.1 per cent. The rise in the number of compulsory registrations was chiefly due to an increase in the number of leases other than perpetual leases. The number of transactions under this head increased from 3,152 in 1882-83 to 3,535 in 1883-84, or by 12.1 per cent. The number of instruments of mortgage of the value of Rs. 100 or upwards fell from 7,040 in the previous year to 6,987 in the year under review. In ten districts there was an increase in compulsory registrations affecting immovable property, and in eight districts there was a decrease. The rise in the districts of Narsinghpur, Hoshangabad, Seoni, Damoh, Nimar, and Bilaspur was considerable, amounting, respectively, to 146, 153, 108, 178, 186, and 117 instruments.

In the Narsinghpur and Bilaspur districts, the increase is due to leases other than perpetual, under which head the transactions rose from 180 and 42 in the year 1882-83 to 344 and 157 in the year 1883-84. In Narsinghpur the increase is explained by the Chief Commissioner to be nominal, as such leases are not ordinary cultivating ones, but are of the nature of mortgages, and would in previous years have been shown as such. In Bilaspur the increase was due chiefly to the registration of leases granted by the Collector as manager of two estates.

In Hoshangabad, the increase was most conspicuous under the head of instruments of mortgage of the value of Rs. 100 and upwards; the number of such transactions amounting to 931, or 105 more than last year. Taking the provinces as a whole, however, registration under this head fell off during the year under review, the decline having been most conspicuous in the district of Warda, where it amounted to 123. The retrogression in this district as well as that which occurred under the head of leases compulsorily registrable is attributed by the Registrar (1) to the presence of cholera for five months of the year, (2) to the easier circumstances of the people giving less occasion to raise money on mortgages, and (3) to the restriction imposed by the Central Provinces Tenancy Act on the power of absolute occupancy-tenants to sub-let or alienate.

The number of miscellaneous operations increased from 7,350 to 7,651, or by 4 per cent. The number of wills presented fell from 146 in 1882-83 to 141 in the

year under review, while the number of "authorities to adopt" registered rose from 4 to 6.

Two noticeable features in the operations of the year are—(1) the small number of instruments registered, and (2) the little esteem in which optional registration is held by the people. As regards the first of these points, the Chief Commissioner refers to the marked disproportion which exists between the number of written obligations sued on in the civil courts every year and the number of such instruments which appear to be registered. It is, moreover, observed that those instruments which are registered belong chiefly to the class which agriculturists and landholders execute on obtaining loans from bankers and money-lenders. With reference to the second feature, it is noted that in 1867-68 the proportion of optionally to compulsorily registered deeds was 67.1 per cent.; in 1876-77 it had fallen to 50.7 per cent.; in the present year it is 36 per cent. The Chief Commissioner was of opinion that some registrars are mistaken in considering that the Transfer of Property Act and the Central Provinces Tenancy Act have exercised any influence on registration operations. The Tenancy Act only came into force on the 1st of January 1884, while neither of the Acts is said to be known sufficiently widely to affect the returns. The Chief Commissioner (Mr. Jones) was disposed to attribute the depression to the stunted condition in which the department has been maintained, and orders have accordingly been issued to provide for the multiplication, where necessary, of Registration offices, and also for the breaking up of the present excessive registration areas and for the provision of rural sub-registrars. These orders appear judicious, and the Governor-General in Council has little doubt that, if properly carried out, they will produce a marked effect on the operations of the Registration department.

Refusals to register advanced from 150 in 1882-83 to 165 in the present year; the number of appeals was 26 against 31 in 1882-83, of which 9 were dismissed against 10 in the previous year. The Chief Commissioner's review is silent on the subject of the inquiry noticed by the Government of India in reviewing the previous year's report regarding the practice of certain registering officers in declining to register on grounds into which it is not their province, but that of the civil courts, to investigate.

The increase in the income of the department was slight, the receipts for the year having been Rs. 68,536 against Rs. 68,508 in 1882-83. The expenditure increased from Rs. 28,735 to Rs. 28,987, or by Rs. 252 (.87 per cent.). The percentage of expenditure to receipts remains about the same, viz., 42 per cent.

8. *British Burma*.—The total number of registrations increased from 8,025 in the previous year to 8,176 in the year under review, thus showing an advance of 151 documents, or 1.88 per cent.

The following table compares the figures for 1882-83 and 1883-84:—

	Affecting immovable property.		Affecting movable property.	Wills and authorities to adopt.	Total.
	Compulsory.	Optional.			
1882-83	6,237	471	1,283	31	8,025
1883-84	6,582	492	1,075	27	8,176

It will be seen from the above figures that the increase in the year's transactions is due to the rise in the number of transactions relating to immovable property, year to 6,582 in the year under review, or by 5.53 per cent., and optional transactions in 1882-83 to 1,075 in 1883-84, or by 16.21 per cent. Taking both heads together, such registrations being 1,567 in the present year against 1,754 in the previous year. Deeds of sale and deeds of mortgage affecting immovable property increased, the former from 2,858 to 2,984, and the latter from 2,923 to 3,113. These two classes taken together formed, as in the previous year, about 86 per cent. of the total number of registered documents affecting immovable property.

The aggregate value of property affected by registrations during 1882-83 and 1883-84 is shown below:—

	Affecting immovable property.	Affecting movable property.	Total.
	RS.	RS.	RS.
1882-83	64,07,389	23,43,729	87,51,118
1883-84	1,02,57,173	22,84,516	1,25,41,689

The value of immovable property affected was thus nearly 38½ lakhs of rupees, or 60 per cent. more than that recorded in the previous year. This increase is chiefly due to the high value of property affected by registration in the town of Rangoon where the increase amounted to more than 23 lakhs of rupees, and in a less degree to registrations in Akyab and Moulmein.

The receipts of the department increased from Rs. 17,755 in the previous year to Rs. 19,753 in the year under review, or by 11.3 per cent. The expenditure also increased from Rs. 9,940 to Rs. 10,347, or by 4.1 per cent. The increase under the latter head was caused by the strengthening of the establishment of the Rangoon office. In commenting on the registration work carried out in Arakan during 1882-83, the Commissioner of that division remarked on the carelessness of some of the Myokes in performing their functions as sub-registrars, and attributed the absence of all interest in their work to the fact that the extra duties entailed on them brought no pecuniary reward. In reviewing the previous year's report, the Government of India observed that this statement required explanation. It appears from the Chief Commissioner's review of the present report that the matter has received attention, and that orders have issued regarding the remuneration of registering officers and their clerks.

The Governor-General in Council notices with satisfaction that the Chief Commissioner has impressed on Commissioners of divisions the desirability of introducing certain reforms with a view to encouraging people to resort more freely to the Registration offices; and His Excellency in Council trusts that these reforms will exercise a beneficial effect both in the direction of increasing the existing facilities for registration and of ensuring closer attention to registration work on the part of subordinate officers.

9. *Assam*.—The total number of documents registered again rose, being 15,738 in 1883-84 compared with 14,316 in 1882-83, an increase of 9.93 per cent. The following table compares the number of registrations with that for the previous year:—

	Affecting immovable property.		Affecting movable property.	Wills and authorities to adopt.	Total.
	Compulsory.	Optional.			
1882-83	7,769	3,783	2,639	125	14,316
1883-84	8,593	4,285	2,749	111	15,738

These figures show that compulsory registrations affecting immovable property increased by 10.6 per cent., and that optional registrations, relating both to immovable and movable property, advanced by 9.5 per cent. The number of wills and authorities to adopt registered was 14 less than the number registered during 1882-83. As in the previous year, the largest number of registrations occurred in the Sylhet and Cachar districts, where they represented 80.47 of the total number of transactions. The increase in the district of Sylhet is attributed to (1) a rise in the price of crops, (2) the settlement of disputes between landlord and tenant, resulting in the execution of *kabūliyats*, and (3) a general increase in all transactions of sale and mortgage. In the Cachar district, the rise is ascribed to the losses caused by floods, and to the enhanced assessment of the land revenue.

The increase in the number of leases of all kinds registered was maintained, the number of such documents entered being 2,223 in the year under review against 1,768 in the previous year, an increase of more than 25.7 per cent. The largest increase under this head again occurred in the district of Sylhet.

The aggregate value of property affected rose approximately from 40½ lakhs of rupees in 1882-83 to 42½ lakhs in 1883-84. The value of instruments affecting immovable property increased by 3½ lakhs of rupees, while those affecting movable property declined in value by nearly 2 lakhs.

The financial results were satisfactory. The receipts of the department amounted to Rs. 27,767 against Rs. 26,414 in 1882-83, representing an increase of 5.1 per cent., while the expenditure fell from Rs. 16,552 to Rs. 16,315. The net surplus was Rs. 11,452 in the year under review against Rs. 9,862 in the previous year.

10. *Coorg*.—The total number of registrations increased by 35, being 575 in 1882-83 against 610 during the year under review. The number of documents registered relating to immovable property was 519, and the number relating to movable property 85. Compulsory registrations increased by 4 transactions and optional registrations by 25. There were 4 wills registered.

The aggregate value of property affected increased from 9½ lakhs of rupees in 1882-83 to 12½ lakhs in 1883-84, of which 5 lakhs represented the value of registrations relating to movable property, and 7 lakhs that relating to immovable property, against 3 and 6½ lakhs, respectively, in 1882-83. The increase of 2 lakhs of rupees in the value of movable property affected is ascribed to the large advances made by merchants on the coffee crop of the season, which was exceptionally good. The Chief Commissioner does not see any reason to doubt the truth of this explanation, but remarks that, as pointed out last year, the statistics show that the increase, both in the number of documents registered and in their value, took place, not under the head of obligations for the payment of money, as might be expected from the nature of the transactions, but under the head of "Other documents." As a solution of the matter, the Chief Commissioner suggests that the crop itself is assigned.

The receipts of the department rose from Rs. 3,270 in 1882-83 to Rs. 3,789 in 1883-84, or by 15.8 per cent. The expenditure also increased from Rs. 1,715 in the previous year to Rs. 2,042 in the year under review, or by 19 per cent. The surplus was thus Rs. 1,747 and the percentage of expenditure to receipts was 53.9 against 52.4 in 1882-83.

11. *Hyderabad Assigned Districts*.—Excluding the work done in the cantonment of Secunderabad, the total number of registrations effected during the year amounted to 37 documents more than the total of the previous year, being 21,873 in 1883-84 against 21,836 in 1882-83. The following table compares the figures for the two years:—

	Affecting immovable property.		Affecting movable property.	Wills and authorities to adopt.	Total.
	Compulsory.	Optional.			
1882-83	14,904	4,887	2,010		21,836
1883-84	14,709	5,094	2,035	35	21,873

There was thus a decline of 195 in transactions (or 1.3 per cent.) under the head of compulsory registrations affecting immovable property; while optional registrations, relating both to immovable and movable property, advanced by 232 documents, or 3.3 per cent. The improvement noticed under the last head was due chiefly to the increase in the number of deeds of mortgage of the value of less than Rs. 100, which rose from 1,383 in the previous year to 1,552 in the year under review, or by 16.9 per cent. It will thus be seen that the business of the department has been almost stationary, notwithstanding the fact that two new offices were opened during the year. The prevalence of cholera and the abnormal rainfall of the season are assigned as the causes which stood in the way of advancement.

In the aggregate value of the property affected, there was only a nominal increase of Rs. 17,923. The value of immovable property entered rose from Rs. 45,48,453 to Rs. 46,23,742, while that of movable property fell from Rs. 3,43,830 to Rs. 2,86,465.

Both the receipts* and the expenditure* of the department were in excess of last year—the former amounting to Rs. 52,136 against Rs. 50,838 in the previous year, and the latter to Rs. 31,549 against Rs. 30,300. The receipts increased by 2.5 per cent. against 6.9 per cent. in 1882-83, and the expenditure by 4.1 per cent. as compared with 3.4 per cent. in the previous year. The excess under the head of expenditure was due to the substitution of sub-

* These figures include the cantonment of Secunderabad.

1307/19

registrars on fixed salaries for sub-registrars paid by commission, and to the provision of furniture for their offices. The surplus was Rs. 20,587 and the percentage of expenditure to receipts was 60.5 against 59.6 in 1882-83.

The department has, since the 1st of January 1884, been working upon revised principles. The offices in charge of salaried sub-registrars have been classified according to the amount of business done in each: Tahsildars and Honorary Magistrates have been relieved of registration work by the appointment of special officers in certain cases, and salaried officers have been substituted for sub-registrars, previously paid by commission, in all offices which register more than 500 documents per annum. The rate of commission allowed to *ex-officio* sub-registrars has also been increased from 10 to 20 per cent. of the fees realized. It is hoped that these charges will, when they have had time to take effect, lead to a considerable development in the operations of the Registration department.

In Secunderabad the transactions numbered 494 against 382 in the previous year. The receipts increased from Rs. 1,230 to Rs. 1,632, and the expenditure from Rs. 679 to Rs. 711.

12. *General Remarks*.—The following statement shows for the several provinces the general results of the operations of the Registration department during the year under review:—

Province.	Number of registrations per 1,000 of population.	Percentage of increase or decrease of total number of compulsory and optional registrations over previous year.				Percentage of registrations affecting immovable property to total number of registrations during the year.	Percentage to total number of registrations during the year.	
		Compulsory.		Optional.			Compulsory.	Optional.
		Increase.	Decrease.	Increase.	Decrease.			
1	2	3	4	5	6	7	8	9
Madras	15.4	7.6	..	10.7	..	92.9	48.6	51.4
Bombay	6.9	15.1	..	13.3	..	94.9	74.05	25.95
Bengal	9.01	7.8	..	8.7	..	82.4	55.2	44.0
North-Western Provinces	4.1	..	1.8	..	3.9	78.9	55.01	44.99
Oudh	3.6	..	7.07	..	7.5	68.2	40.7	59.3
Punjab	3.54	5.05	..	5.5	..	83.6	65.2	34.8
Central Provinces	2.2	3.9	..	..	5.4	82.2	63.6	36.4
British Burma	2.1	5.6	..	..	10.66	86.5	80.7	19.3
Assam	3.2	10.6	..	9.1	..	81.8	54.6	45.4
Coorg	3.4	1.27	..	2.7	..	85.08	78.7	21.3
Hyderabad Assigned Districts	8.3	..	57	3.2	..	90.4	67.5	32.5

Province.	Percentage of increase or decrease.						Number of offices not self-supporting.
	Receipts.		Expenditure.		Surplus.		
	Increase.	Decrease.	Increase.	Decrease.	Increase.	Decrease.	
	10	11	12	13	14	15	
Madras	8.68	..	7.85	..	27.34	..	76
Bombay	10.95	..	4.93	..	50.85	..	56
Bengal	2.80	..	1.93	..	3.76	..	6
North-Western Provinces	..	2.03	1.23	..	..	5.92	33
Oudh	..	3.92	4.0	..	..	11.05	7
Punjab	4.82	..	1.69	..	8.36	..	48
Central Provinces	..	..	..	..	..	..	9
British Burma	11.25	..	4.09	..	20.35	..	5
Assam	5.12	..	..	1.43	16.12	..	..
Coorg	15.87	..	19.08	..	12.34	..	1
Hyderabad Assigned Districts	2.55	..	4.12	..	..	..	7

As in previous years, the number of registrations per 1,000 of the population was greatest in Madras (15.4), Bengal (9.01), and Berar (8.3). In the cases of these provinces there is a decided and satisfactory increase as compared with the previous year, when the number of registrations per 1,000 of the population was 13.9, 7.9, and 8.3, respectively. In Bombay, the Punjab, Assam and Coorg a small advance was made; in the Central Provinces and British Burma the figures are identical with those of 1882-83, while in the North-Western Provinces and Oudh there

	1882-83.	1883-84.
* Bombay	5.1	5.9
Punjab	3.3	3.54
Assam	2.9	3.2
Coorg	3.2	3.4

was a slight decline. The total number of registrations, therefore, shows an increase more or less decided in every province except the North-Western Provinces and Oudh, where there was a decline: in the North-Western Provinces from 138,343 documents registered to 134,442, and in Oudh from 45,114 to 41,817.

Compulsory registrations showed an advance in all provinces except the North-Western Provinces and Oudh and Berar. The increase was greatest in Bombay and Assam, where the percentage respectively was 15.1 and 10.5. The largest decline in this class of registrations took place in Oudh, where it represented a percentage of 7.07. Registrations of the optional class increased in all provinces except the North-Western Provinces and Oudh, the Central Provinces and British Burma, the advance having been most marked in Coorg (28.7 per cent.), Bombay (13.3 per cent.), and Madras (10.7 per cent.) The largest falling off took place in British Burma (10.66 per cent.) and Oudh (7.5 per cent.)

The percentage of registrations affecting immovable property was, as in previous years, largest in Bombay (94.9 per cent.) and Madras (92.9 per cent.) and smallest in Oudh (66.2 per cent.) and the North-Western Provinces (78.9 per cent.)

Registration was most evenly distributed under the heads of compulsory and optional in Madras, Bengal, the North-Western Provinces and Assam. In Bombay, the Punjab, Central Provinces, British Burma, Coorg and Berar the number of compulsory registrations largely exceeded those of the optional class. In Madras and Oudh only did optional registrations exceed those falling under the compulsory heading. These results correspond closely with those of the previous year.

The gross receipts increased in every province except the North-Western Provinces and Oudh, the advance having been most marked in Coorg (15.87 per cent.), British Burma (11.25 per cent.), and Bombay (10.95 per cent.) In the North-Western Provinces and Oudh there was a falling off in the receipts which represented 3.92.

The expenditure increased in all provinces except Assam, where it fell by 1.43 per cent. The increase was most considerable in Coorg (19.06 per cent.), Madras (7.85 per cent.), and Bombay (4.93 per cent.)

The net surplus on the operations of the year rose in all provinces except the North-Western Provinces and Oudh and Central Provinces. The advance was most marked in Bombay (50.85 per cent.), Madras (27.34 per cent.), and British Burma (20.35 per cent.) The falling off in Oudh was the most considerable (11.05 per cent.) The number of offices which were not self-supporting was largest in Madras (76), Bombay (56), Punjab (41), and North-Western Provinces (33).

The total of the aggregate value of property transferred advanced by nearly 200 lakhs.

13. The figures given in column 5 of the statement appended to this resolution show that in the larger provinces the percentage of expenditure to receipts was smallest in the Punjab (50.8), Bengal (51.8), and the North-Western Provinces (56.1). The actual net surplus during the year under review in these three provinces was Rs. 85,081, 4,69,957, and 1,14,095, respectively. These figures appear to show that the principle which has been more than once affirmed by the Government of India that registration receipts should not be primarily regarded as a source of revenue has not in some cases, especially in Bengal, been sufficiently kept in mind.

14. On the whole it may be said that the results of the year under review were more or less progressive in the case of all provinces except the North-Western Provinces and Oudh.

In the majority of cases the reports show that the remarks made by the Government of India in reviewing the statistics of previous years have not been lost sight of. Efforts have been made by increasing the number of registering offices and in other ways to facilitate recourse to registration; and the Governor-General in Council is especially glad to notice that a real beginning has been made in many provinces in the direction of entertaining special officers for the performance of registration work. On this point the Governor-General in Council observes that the reports for the year under review amply confirm the opinion previously expressed by the Government of India as to the importance of introducing special departmental agency and thereby relieving executive district officials from registration duties which it is impossible to expect that they can satisfactorily perform. The steps which should, in the opinion of the Government of India, be taken to place the Registration department on a satisfactory footing have been so fully described in previous resolutions that the Governor-General in Council considers it only necessary to invite renewed attention to the remarks there recorded, and to express his hope that local Governments and Administrations will continue to supervise carefully the working of the department and to provide for the proper development of registration operations by opening out new offices, introducing a special and efficient departmental agency, and insisting on adequate inspection both by district officers and by the heads of the Registration department. It should, however, be understood that the remarks contained in this resolution regarding the benefits to be anticipated from the introduction of special departmental agency are made without prejudice to any decision which may hereafter be arrived at as to the possibility of combining in one and the same officer registration duties under the Registration Act and the duties which concern those registrations of land transfers which are at present carried out by revenue officers. This latter question is being separately considered by the Government of India. But it is manifest that where the revenue staff is not sufficiently numerous or overburdened with its proper work, the development of registration must be entrusted to special departmental agency.

Order—

Madras.	Punjab.
Bombay.	Central Provinces.
Bengal.	British Burma.
North-Western Pro-	Assam.
vinces and Oudh.	Coorg.
	Hyderabad.

Ordered that a copy of this resolution be forwarded to the local Governments and Administrations marginally noted, and to the Foreign and Revenue and Agricultural departments for information.

Ordered, also, that the resolution be published in the *Gazette of India*.

(True Extract.)

(Signed) W. J. B. BIRD, Captain,
for Secretary to the Government of India.

To the Chief Secretary to the Government of Madras.

Province.	1		2		3		4		5	
	Total number of registrations.		Receipts.		Expenditure.		Percentage of column 4 on column 3.			
	1881-82.	1882-83.	1881-82.	1882-83.	1881-82.	1882-83.	1881-82.	1882-83.		
Madras ..	427,402	435,381	478,434	5,32,951	5,74,710	6,24,613	84.8	82.8		
Bombay ..	78,446	84,903	87,343	2,46,870	2,56,613	2,84,624	85.8	85.8		
Bengal ..	637,084	656,141	601,002	9,11,920	9,48,104	9,74,712	85.8	85.8		
North-Western Provinces ..	138,639	139,343	134,442	2,84,177	2,85,668	2,60,171	85.8	85.8		
Oudh ..	45,835	45,114	41,617	81,924	81,924	78,705	85.8	85.8		
Punjab ..	67,393	63,665	68,877	1,74,146	1,65,142	1,73,111	85.8	85.8		
Central Provinces ..	20,048	22,304	22,380	62,363	68,508	68,508	85.8	85.8		
British Burma ..	6,844	8,025	17,765	19,341	19,753	19,753	85.8	85.8		
Assam ..	12,163	14,316	16,738	25,134	26,414	27,767	85.8	85.8		
Cooch ..	578	575	610	4,204	3,270	3,789	85.8	85.8		
Hyderabad (including Secunderabad).	20,765	22,316	22,367	47,530	50,538	52,136	85.8	85.8		
Total ..	1,353,120	1,389,885	1,489,165	24,12,563	24,58,745	25,67,917	66.1	66.3		

Proportion of offices to area and population.

Province.	6		7		8		9		10	
	Aggregate value of property transferred by registered documents.		Total of aggregate value.		Area in square miles.		Population.		Average area in square miles to each office.	
	1881-82.	1882-83.	1881-82.	1882-83.	1881-82.	1882-83.	1881-82.	1882-83.	1881-82.	1882-83.
Madras ..	11,11,753,807	11,22,64,265	1,43,61,447	1,91,26,888	12,55,37,254	12,15,82,911	30,832,843	312	446	88,223
Bombay ..	4,65,40,800	4,78,42,817	21,16,659	25,81,401	4,70,67,450	6,00,73,214	16,451,414	251	494	62,555
Bengal ..	11,23,06,973	10,46,35,971	1,79,43,273	1,77,91,325	13,02,50,185	12,74,13,584	69,536,681	285	677	243,989
North-Western Provinces ..	4,87,64,012	4,90,79,619	54,34,023	57,33,753	6,45,58,035	6,45,13,412	32,720,124	220	372	148,727
Oudh ..	1,60,33,945	1,45,55,193	32,62,212	31,62,246	40,67,874	1,82,38,164	11,387,711	124	192	90,378
Punjab ..	2,34,49,174	2,19,34,595	27,03,676	24,45,502	2,61,62,850	2,40,61,282	18,650,437	202	527	93,318
Central Provinces ..	67,04,309	76,64,904	4,75,584	8,72,616	71,79,737	61,41,441	9,838,791	74	1,141	132,956
British Burma ..	67,21,433	64,07,392	10,24,248	22,84,516	83,45,679	87,51,118	3,730,771	79	1,104	48,506
Assam ..	36,15,577	32,01,144	8,66,107	9,79,021	43,75,684	40,55,157	4,881,426	22	2,106	221,843
Cooch ..	11,25,034	6,67,257	2,00,903	3,07,615	13,28,929	9,74,592	178,802	10	158	17,830
Hyderabad (including Secunderabad).	43,76,823	47,26,245	3,48,978	3,09,552	47,55,701	51,03,319	2,672,673	67	311	45,660
Total ..	37,87,06,796	37,72,81,664	37,46,07,976	4,96,71,005	4,54,06,714	42,26,90,775	201,060,392	1,638	553	122,730

* In the report for the year 1882-83 the amount shown is Rs. 29,123.

ORDER—dated 19th May 1885, No. 1307, Judicial.

Communicated to the Inspector-General of Registration.

(True Extract.)

H. A. STUART,
Ag. Asst. Secy. to Govt.

To the Inspector-General of Registration.

Exd. J. Henrious.

Govt. of (1885) Madras.

JUDICIAL.

Issued

Recd.

Encl.

G.O., 19th May 1885, No. 1307.

MAY.

Registration department.

Communicating to the Inspector-General
resolution of the Government of India reviewing
the Registration reports of the several local
Governments for 1883-84.

215/92/50/1000

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[Despatch Abstract.]

Regret^d Dept. - Coming to the
Lush^d Genl, a Des^d of the G.O.
Reviewing the Des^d - Reports
of the several local R.G.O.^s for
83/4.

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