

Colonel Antikreege

Legislative Dept

Papers

(No. 67)

Relative to

A Bill for the amendment

Madras Act No. 1865

(Communicated to the hon. Council)

G.O. No. 3349 of 3.4.97

[
16
100-25-7-96

Legislative (1897) Department.

ORDINARY MS.

G.O., No. 34

DATED 3.4.97

INDEXED.

3/4

[Despatch Abstract.]

Madras Survey Bill

Recording, letter from the Govt of India Revenue & Agricultural Dept., stating that the Govt in Council has full power to repeal Act XXVII of 1860 under Section 42 of the Indian Councils Act 1861, & suggesting an amendment to Section 42 of the ———.

BACK PAPERS.

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

FURTHER PAPERS.

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

[L. 16]
250-25-17-90.

Legislative (1897) Department.

CURRENT No. 90

From The Govt. of India
R. and C. Dept.

Order No 34 Legre dt 3.4.97
his

Recorded.

No. 682
27-5

Dated 29.3.97

Received } 3-97

Registered

Enclosures -

Spare copies -

SUBJECT.

Stating that the Madras Govt. has full power to repeal Act XXVIII in so far as it affects the Madras Presidency

CRV
3/4/97

Note The amendment suggested by the Govt. of India in the latter part of the latter has been adopted by the Select Committee. The sanction of the Govt. of India for repeal of Act XXVIII of 1860 is not necessary under Sec 42 of the Madras Councils Act 1861. A telegram to the same effect has been received before & will be found recorded in No 27 Legre dt 17.3.97.

CRV
3/4/97

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 682
27-5

FROM

DENZIL IBBETSON, Esq., C.S.I.,

Secretary to the Government of India,

To

The Secretary to the Government of Madras,

Legislative Department.

Simla, the 29th March 1897.

Department of Revenue
and Agriculture.

Land
Surveys.

SIR,

I am directed to acknowledge the receipt of your letter No. 5, Legislative, dated 3rd ultimo in which you request the sanction of the Governor-General to the repeal of Act XXVIII of 1860 in view to the passing in the Madras Legislative Council of a Bill to amend the law relating to Survey and the Settlement of boundary disputes in the Madras Presidency.

2. In reply I am to say that the fact that the Act of the Governor-General in Council which is to be repealed was passed before the Indian Councils Act of 1861 came into operation removes the necessity imposed by Section 5 of the Councils Act of 1892 of obtaining the previous sanction of the Governor-General. The Governor-in-Council has therefore full power under Section 42 of the Indian Councils Act of 1861 to himself repeal Act XXVIII in so far as it affects the Madras Presidency.

3.

3. I am however to observe that it appears to the Government of India that it would be an improvement to the last clause of Section 42 of the Draft Bill if it were made to follow more closely the wording of Section 4 of the recent Epidemic Diseases Act III of 1897 and provide protection for any thing "done or in good faith intended to be done" under the proposed Act.

I have the honour to be,

Sir,

Your most obedient servant,

W. H. H. H.

Secretary.

When given for copying _____
 When examined _____
 When signed _____

189 .

READ AGAIN G.O., No.
 189 ,

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

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