

[L.]
16
200-25-7-95

Legislative (1897) Department.

ORDINARY MS.

G.O., No. 4

DATED 17. 1. 98

INDEXED

(on file)
5/5

[Despatch Abstract.]

Malabar Marriage Act Amendment Bill

Recording notes on the subject of referring to a
Select Committee the ———— passed into law at the Council
meeting of 23rd Nov last, in view of the additional
amendments ~~proposed~~ ^{suggested} referred to
and accepted by Mr. R. S. Sankaran Nayan

BACK PAPERS.

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

FURTHER PAPERS.

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

18.
75
1,000-25-11-30.

no. 814

O.2.

Settlement of Sub-
committee (on the 20. Nov 1897)

NOTE FOR THE Secretary, Dy. Dept.

The D.O. from the ad. General
on the subject of the Malabar
marriage bill was sent to Babu, as
the suggestions of the Hon. Mr. Sankaran
Nair were under consideration here.
Please see note of P.S. of
22.11.97, from which it will
be seen that no action is to
be taken on those suggestions
at present.

The D.O. is therefore
returned to Dy. for disposal.
Please keep the file
intact, & return when done
with.

MCC
15
8

Order No. 4 Leg. Dy. 17.1.98
MCC

Recorded

17/1/98

Re 45
17/1/98

As the copy of the file kept intact
will be returned to Public
Dy. Dept.

(1897) Department.

D. O. No. 817

From
The Honble. V. B. Acharya
Sengar -

D. O.
For orders

No.

The question of referring the Bill
to Select Committee or not, is closely connected
with the order that may be passed ^{in the Public Dept.} upon
Mr. R. Sankaran Nayar's ^{D.O.} accepting certain
suggestions as to several other amendments.
The D.O. is still under consideration in the
Public Dept.

Dated 7th November 1897
Received }
Registered } 8th Nov. 1897.
Enclosures
Spare copies

If the Public Dept. decides that no further
amendments are called for at present
after considering the above D.O., the
bill need not be referred to a select
Committee; It may be passed as ^{proposed to be} amended in the bill & that on receipt
by the Honble member at the next meeting of a reply, he would read
of the Journal by suspending the Journal a draft of the bill as
rule 46, not any subsequent he proposed to revise it
concerning without such suspension.

SUBJECT.

May the Public Dept. be therefore asked

to order on Mr. R. S.

H.R. to Govt.

Pub. Sept
I understand
there is no intention of
delaying this bill to
insert other suggestions
made by Sankara Nayar

8th Nov 97

to Govt.

The other papers with Mr.
Sankara Nayar's suggestions
have been circulated to
H.R. to Govt.

Had hardly do to propose
suspending the rules & passing
Mr. Krishnam Iyengar's Bill
if Mr. Sankara Nayar is likely
to oppose the motion in order
to bring in his proposals -
unless Govt is prepared to
negotiate these proposals.

11.8.11.97

BACK PAPERS.

G.O.	No.	Department.	Date

FURTHER PAPERS.

G.O.	No.	Department.	Date

Mr. Krishnam Iyengar's Bill has been
circulated to the members of the
Council. It is suggested that the
Bill should be passed at once.
The Bill is a very good one and
it is hoped that it will be passed
at once.

7.9.11.97

When
When
When
When

HAD A

CURREN

ENCLOS

ORDER

LET

STATEMEN

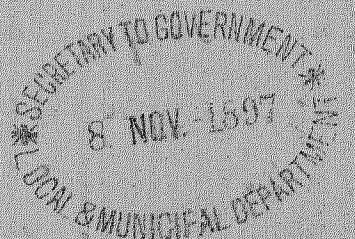
PAPERS NO

N.B.

80.81

Lakshmi Narayan, Mysore
7th Nov 1897

Bill no 4 of 1897.



My dear Sir,

With reference to G.O. no 88, Legislative
dated 4th Nov 1897, I wish to know whether after
I introduce the Bill, and the motion that the
same be read in Council is carried, I
am to move for the appointment of a
select Committee to consider the Bill (rule 34),
or I am to move that it is not necessary to
refer it to a select Committee (rule 46). The
latter course should be adopted only if it is
the intention of Government that I should
move for the suspension of the rules in view
to the Bill being taken into consideration
at the same meeting and passed into law
at once.

The

H.R. to Govt.

Pub. Dept

I understand there is no intention of delaying this bill to insert other suggestions made by Sankara Nayan

8.11.97

to Govt

BACK PAPERS.

G.O.	No.	Department.	Date

FURTHER PAPERS.

G.O.	No.	Department.	Date

The other papers with Mr. Sankara Nayan's suggestions have been circulated to

H.R. to Govt

It will hardly do to propose suspending the rules & passing Mr. Bhaskaran Nayan's Bill if Mr. Sankara Nayan is likely to oppose the motion in order to bring in his proposals - unless Govt is prepared to negative these proposals.

8.11.97

Mr. Bhaskaran Nayan's Bill should be considered in the Bill Committee. It is not a Bill. It is a motion. It should be considered in the Bill Committee. It is not a Bill. It is a motion. It should be considered in the Bill Committee.

8.11.97

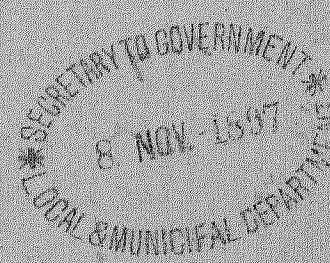
D.O.

10.81

Lakshmi Nayan, Mysore

7th Nov 1897

Bill no 4 of 1897



My dear Sir

With reference to G.O. no 88, Legislative dated 4th Nov 1897, I wish to know whether after I introduce the Bill, and the motion that the same be read in Council is carried, I am to move for the appointment of a select Committee to consider the Bill (rule 34), or I am to move that it is not necessary to refer it to a select Committee (rule 46). The latter course should be adopted only if it is the intention of Government that I should move for the suspension of the rules in view to the Bill being taken into consideration at the same meeting and passed into law at once.

The

The wording of the Bill especially section 2 requires alteration. In the Madras General Clauses Act, the expression 'city of Madras' is defined with reference to the Municipality of Madras. (vide section 3, (f) and section 4 of Madras Act I of 1884), and that definition will apply to the Madabar Marriage Act 1896, which is a local Act. But under the 'Madras City Civil Courts Act 1891' which is an Act of the Governor-General in Council, 'city of Madras' means the area within the local limits of the ordinary original civil jurisdiction of the High Court of Madras. The expression 'City of Madras' should therefore be avoided in the Bill. I propose to amend sec. 19 by simply adding the following explanation:—

"Explanation. For the purposes of this section, the 'Madras City Civil Court' shall be deemed

3
deemed to be the Court of a District Munsif in respect of the area within the local limits for the time being of the ordinary original civil jurisdiction of the High Court of Madras."

I have also to propose a few merely verbal amendments in sections 14 & 3 of the Bill. If the Bill is to be referred to a select committee, the amendments which I have to propose may be reserved for the consideration of the select committee; but if the Bill is not to be referred to a select committee and is intended to be passed into law at the next meeting, I shall on hearing from you send you a draft of the Bill as I propose to revise it.

I am
yours sincerely
H. B. Shastri

To J. E. Forbes Esq. J. C. S.
Secretary to Council

NOTE FOR THE CHIEF SECRETARY.

Should this be sent to
H. E. the Governor, as the
other papers, including the Hon.
Sankaran Nair's suggestions,
were sent to him on
circulation on the 4th inst.?

MCP
8/11/97

Yes
MCP
8.11.97

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

189

HAD AGAIN G.O., No.
 189

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BRING WANT FOR DEBATCH
 IN ORIGINAL

N.B. --
 A = Copy in full.
 B = Not to be copied.
 P = Copy abstract only.
 Q = Copy heading only.

To
 Pub. Sept
 I understand
 there is no intention of
 delaying this bill to
 insert other suggestions
 made by Saml. H. Napa

G.O.	No.	Department.	Date

G.O.	No.	Department.	Date.

The other papers with Mrs. Sankara's ^{many} suggestions have been circulated to

I should hardly do to propose
 suspending the rules & passing
 Mr. Cheskyam Lyngens Bill
 if Mr. Sanders train is likely
 to oppose the motion in order
 to bring in his proposals —
 unless Govt is prepared for
 negative these proposals.

At 8.11.97

Mr. Wheeler says ^{at} present we shall be asked to
consult much about private gentleness as he
was put back up on the point of having all?
Spokane River fishermen should be
included in this bill, or kept in a future
occasion - we need to report the result of
the consultation.

1944

D. O.

Lakshmi Vilas, Mysore
7th Nov 1897.

Bill no. 4 of 1897

My dear Sir

With reference to G.O. no 88, Legislative dated 4th Nov^r 1897, I wish to know whether after I introduce the Bill, and the motion that the same be read in Council is carried, I am to move for the appointment of a select Committee to consider the Bill (rule 34), or I am to move that it is not necessary to refer it to a select Committee (rule 46). The latter course should be adopted only if it is the intention of Government that I should move for the suspension of the rules in view to the Bill being taken into consideration at the same meeting and passed into law at once.

74

STATEMEN

PAPERS N

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