L. 16 —28-7-96

Legislative (1899) Department.

ORDINARY MS.

G.O., No. 28

DATED 11. 3. 99

INDEXED.

[Despatch Abstract.]

Recording notes &c in connection with the amendments proposed by the Hon'ble Rao Bahadur Subbaraya Pillai and Bhagyam aiyangar in the Madras Registration of Births and Deaths Bill

BACK PAPERS.

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

FURTHER PAPERS.

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

P.J.
27/2/99

The Madras Registration of Births & Deaths Bill
No. 5 of 1898.

The Hon'ble P. Ratnasabhapati Pillai begs to give notice that he will move the following amendments when the Madras Registration of Births and Deaths Bill No. 5 of 1898 is taken into consideration at the ensuing Meeting of the Council on the 9th March 1899.

I In Section 14 to substitute the words "a birth or death" for the words "the birth of a child", and to substitute the word "event" for the word "birth" in the last line.

II. After the proviso to Section 18 to add the following:—

"Provided also that for first offences the Magistrate may on conviction dismiss the accused with a warning."

III After Section 19 to add the following sub-sections:— Number 19 being numbered as 19(1):

"19.(2) In prosecutions under this Act the accused persons shall have the option of appearing before the Magistrate either in person or by duly authorized agent."

"19(3) No investigation in Criminal proceedings under this Act shall be made by a police officer."

IV. After Section 20 to add the following Sub-Section:— number 20 being numbered as 20(1):

"20(2) An appeal shall lie to the Board of Revenue from such orders of suspension, dismissal, or removal"

V. In Section 21 after clause (5) to add:—

"cl (6) for the remuneration of the registrars" and to number present cl (6) as "cl (7)".

Negapatam
25th February 1899

Additional Member, Legislative Council

To Rev. ms

Will Revenue kindly take orders on the accompanying papers

1. Hon'ble Ratnasabapati Pillai — amendments of the Registration of Births & Deaths Bill

2. { Hon'ble Thomson requests to be allowed to be absent from next Legislative Meeting, if it is linked)

HT
27-2-99.

Hon'ble,

Orders are requested as to the action which Govt will take on the proposed amendments? They are:—

I. To include the free grant to the informant of a copy of a death registration as well as of a birth registration under sec. 14.

The omission was intentional. The grant free of charge of the copy of a registration is an onerous duty & it was thought that the burden should be restricted to birth registrations. There is more likely to be the means of meeting the work—small as it be—on the occasion of a

I have already recorded my opinion on this Sec 14 — & the appeal thereunder is wholly superfluous & objectionable — I think all that can be said is that the Madras & Dist. Municipalities Acts contain a similar provision which we have followed, & that we are not prepared to go further in the direction of supplying extracts free of cost

WS —
28-2-99 —

HA
4.3.99

death, which frequently involves devolution of property or the removal of a chaser, than on the occasion of a birth.
If deaths be included the work will be doubled nearly.
A copy a part can always be had under S. 17.

There is not much I think in this. A death among natives costs more than a birth. Money MR.

II. To add to sec. 18 a proviso permitting the Magte to discharge with a warning.
The proposal was negatived in Sel. Com..
In any family vital occurrences are not so very frequent.
If "warning" be allowed the Magte will be apt to resort to that mode in so large a portion of cases as to whittle away the deterrent effect of the penal provisions & so restrict the operation of the Act.
If a Magte wants to be lenient he may pass a nominal fine: but the smallest fine has more deterrent effect than the largest warning.

May be opposed as an unnecessary reinforcement of the Gen. law of the land — The Magte can always inflict imprisonment in default of a nominal fine —
Sec 562 Cr. P. C. — contemplates that the offender, when released with a warning, should enter into a bond to appear & receive sentence when called upon — The bond would give the Magte much more trouble than the nominal fine. MR.
28-2-89 —
MR 4.3.89

MR

not accurate I think. The sec. is applicable to all offences under the I.P.C. punishable with not more than 2 years' imprisonment MR.
Yes: I expect I omitted to notice this. SH

The proposal must be opposed as involving a quite unnecessary departure from the general law of the land, which vests in the Magte discretion to compel the attendance of the accused if he thinks necessary —
"Pleader" as defined in the C. P. C. includes "any person appointed with the permission of the Court" MR —
MR 4.3.89

"warning" clauses are introduced into the new Cr. P. C. — see S. 562 — but the power is restricted to cases connected with the youth, character & antecedents of the offender &c & to offences wh. wd. otherwise carry a life long stigma (theft &c). There is no particular stigma on a conviction for non-reg. of a birth or death, so the fundamental principle underlying sec. 562 Cr. P. C. is wanting.

III If the third proposed amendt wd. give the option to the defendant of appearing by duly authorized agent — see sec. 19
The proposal was not accepted by the Sel. Com. ~~Read the notice of the proposed amendment to be given to the Magte by the defendant of his intention to appear by pleader under sec. 205 Cr. P. C. Code~~ In summons cases under the Cr. P. Code the Magte may (sec. 205) dispense with the personal attendance of the accused & permit him to appear by pleader. Sec. 205 will apply to prosecutions under this Bill, but the amt.

would authorize permit a (i.e. anybody) duly authorized agent to appear, not necessarily a "pleader"; Hence the option not with the party but with the Court.

The Govt will have to decide whether they will adhere to the Cr. Pro. Code, or relax it in the direction proposed

(2) Another amt of the same sec. 19 would bar the employt of a police officer in making investigations in connection with crim. proc. under this act.

There will no doubt be considerable feeling against police officers being employed in connection with inquiries into the occurrence of domestic events. If the amt is accepted, it is to be remembered that the village officers will be available for the investigation.

IV. An amt of sec. 20 to give specifically an appeal to the Board from the following orders

the largest measure

Vide my remarks above - The Court may allow any person to appear as pleader

MS

The Court may allow.

MS.

To be opposed on the same grounds as the above viz that it involves an unnecessary curtailment of the discretion vested in the magistracy by the general law of the Country (sec. 202 C.P.C.)

MS

M 4.3.98

Sec 16 (3) of the Proprietary Estates Village Service Act (II of 94), and Sec 23 (1) of the Madras Hereditary Village Offices Act, 1895, both specifically give the right of appeal.

I think we may accept the proposal by allowing an appeal as in sec 23 (1) of Act III of 95 — MS —

M

After providing in sec 18 that the Registrar shall register "without fee a record", I do not see much use in taking power to frame rules for his remuneration.

MS

M 4.3.98 : 29-2-98 -

* Under sec 16(2) act II of 1894 a village officer may be dismissed for misconduct, neglect of duty &c." as such village officer." Now the

of dismissal &c affecting registrars

The amt seems unnecessary since under sec. 5 leg III of 1803 "Members shall be under the immediate "control of the B. of R. & shall "obey all orders communicated "to them by the authority of "that Board".

Is it desirable to allow specifically appeals.

V. The last amt proposed is of sec. 21 so as to enable Govt to make rules "for the remuneration of registrars".

It is not intended at present to give special remuneration: but there seems no harm in providing a power to make rules for the same if the clause is sufficiently guarded so as not to imply an obligation to remunerate.

S.R. 28/4/98

to the ws

May the notes be transferred

to the Legislative Dept?

Secy
ns
2/3/99

3/3/99

H.O. No. 25 dt 3.3.99

29 dft ns

Hon'ble Mr. Arundel

ns
4/3/99.

Thr. 4.3.99

Registrar under the Bill
is not required to be a village officer
∴ his dismissal as Registrar could
not involve his dismissal as
village officer. Consequently every
Zemindari Karnum can snap his
fingers at the penal provisions or may
try to get himself dismissed as Registrar
to escape the trouble for wh. he is
not paid.

Under Sec 7 of Act III of 1895 the
vill. officer may be dismissed for
"misconduct or neglect of duty"
generally, and might apparently be
dismissed for neglecting any duty
thrown on him. But as it is intended
to make the Karnum registrar it
seems queer to say nothing about
the vill. officer all through the
Bill. It might be questioned whether
the duty can legitimately be thrown
on a vill. officer when no mention
is made of him.

I think it wd be well to amend
Sec. 5 by adding after the word
"a person" in each place
the words "who shall ordinarily
be a village officer".

SA 4.3.99.

Secy.
Please send V.N. to Rev. &

Yes, I think this
is so - We also
propose to omit
Sec. 20 altogether on
Mr. Bhashyam's
assurance that the
right of the reporting
officer to fine, suspend
dismiss or remove a
servant from an office
wh. is not hereditary
is beyond question &
dispute -
Please see that this matter
is brought up at the
next Ex. Council
meeting -
I note that under Sec. 32
(v) of Act II of 1894
the Board of Rev. may
prescribe the duties of
the several village officers,
& the registration of births &
deaths can then be
specifically included in their
duties if necessary SA
5-3-99 -

Thr.

Under one of the Hon'ble
Bhashyam Iyengar's
amdts applts are to be made
"by name & by virtue of
office" : & this with I think
sufficiently meet the Hon'ble
Mr. Arundel's point

I am afraid there is
no time now to give notice
of any further amdt.

573/9

I send this to Dy. Sec.
Rev. Will it then please
return same so that
I may bring it up in
Council

3/3/99

Dy Sec ns

Rev. Secy
ns
4.3.99.

O/C 8/3/99 Dy Sec ns

Hon'ble 4.3.99

Council Bill

...no 5 of 1898.

...e of amendments.

...cl. 6, substitute (7) for ...
...insert a new cl (6) as follo...
...ges and allowances of ...
"

P Subbarayan

To His

A similar amendment proposed by the Hon'ble P. Ratnasabhapati Pillai has been considered by the Secy & the Hon. in the notes transferred U. O. to the Legislative Dept. this morning. The Legislative Dept. may be referred to those notes.

Secy
4/3/99

RS
3-3-99

Taken to Council

To His

May the file be now returned to the Legislative Dept.?

Secy
4/3/99

...-3-99

Yes
8/4 8/3/99

Bill no 5 of 1898.

Notice of amendments.

In sec 21, in cl. 6, substitute (7) for (6) and ~~the~~ insert a new cl (6) as follows

"(6) for the salaries and allowances of registrars."

To Rec. a.o.
in cont^n of note forwarding other amendments.

H T
23 99

These have gone to the Hon^ble M^r Arundel.

PJS
4/3/99

Secy
ARe
4/3/99

H T
6 3 99

S Subbarayan

To Lis

A similar amendment proposed by the Hon'ble P. Ratnasabhapati Pillai has been considered by the Secy to the Hon. in the notes lately forwarded A. O to the Legislative Dept this morning. The Legislative Dept may be referred to those notes.

RS
3-3-99

Secy
4/3/99

4/3/99

LAKSHMI VILAS,
MYLAPORE 4. 3. 1897

My dear Sir

Accompanying is the proof copy of my proposed amendments which I return with 2 corrections I am just going out to meet the Hon'ble Mr Whitcombe at 6 A.M instead of at 3. P.M as originally

GOVERNMENT OF FORT ST. GEORGE.

LEGISLATIVE DEPARTMENT.

NOTICE of amendments in the Bill to make provision for the Registration of Births and Deaths in Rural Tracts.

Section 2.

(1) *For* the words "from a date to be specified in such notification to any district or village situated outside", *substitute* "to any local area beyond".

or portion of a district or village

(2) To the same section add the following words "and may also by notification exclude any such local area from the operation of the Act or any portion thereof".

Section 3.

(1) Between the words "local area", and "now recognized" insert the following: "which for purposes of revenue administration is".

(2) *For* the words "district or portion of a district to which the provisions of this Act have been extended", *substitute* "local area in which this Act or any portion thereof is in force".

Section 3.

(3) Omit the last three words of this section, viz., "of this Act".

Section 4.

(1) In lieu of the words "of this Act", substitute "extending this Act or any portion thereof to any local area".

(2) Insert the word "appropriate" between "the" and "vernacular"; for the words "the area so notified", *substitute* "such area".

(3) *For* the word "that" between the words "District Gazette" and "registration", *substitute* the words "the date from which".

(4) For the word "is" between "deaths" and "compulsory" substitute "will be"

Section 5.

(1) *For* the words "from the date on which such notification comes into force," *substitute* the words "on the publication of such notification".

(2) Omit the word "district" between the words "the" and "Collector".

(3) In lines 3 and 6 of sub-section 1, between the words "a person" and "to be" insert the words "either by name or by virtue of any office he may hold".

Section 6.

Between the words "the" and "vernacular" insert the word "appropriate".

Section 7.

(1) Insert the following as sub-section 2 to section 7:—

"(2) A copy of such form in the appropriate vernacular language shall be posted in some conspicuous place on or near the outer door of the dwelling house of every registrar".

[If the above amendment be carried insert (1) immediately after figure 7 in the above section.]

arranged

yours sincerely

W B Lashyaire

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[If the above amendment be carried insert (1) immediately after figure 7 in the above section.]

Section 8.

(1) Between the words "of every child" and "or in case" insert the words "born in a village".

(2) Between the words "resident in the house" and "and any person" insert the words "in which the child was born".

(3) *For* the word "person" occurring between the words "and any" and "having charge" *substitute* the words "adult male".

(4) *For* the word "complete" occurring between the words "required to" and "the forms" *substitute* the words "be entered in".

(5) In the first proviso omit the words "it is shown that" occurring between the words "under this Act if" and "he had reasonable cause".

(6) To the same proviso add the following words, viz., "by such other person".

(7) In the second proviso between the words "it shall" and "be the duty of" insert the words "in the first instance".

(8) In the same proviso between the words "child and" and "such person" insert the word "unless".

(9) In the same proviso omit the words "in such case" occurring between the words "such persons shall" and "sign the register".

Section 9.

(1) Between the words "found exposed" and "it shall be" insert the words "in a village".

(2) Between the words "to the Registrar" and "within seven days" insert the words "of the village or ward thereof as the case may be."

Section 10.

For the word "the" occurring between the words "dying in" and "village" *substitute* the word "a".

(2) Between the words "the Registrar" and "according to" insert the words "of the village or ward thereof as the case may be".

(3) *For* the word "complete" occurring between the words "required to" and "the forms" *substitute* the words "be entered in".

(4) In the proviso to the same section omit the words "it is shown that" occurring between the words "under this Act if" and "he had reasonable cause".

(5) To the said proviso add the following words "by such other person".

Section 11.

For the words "any place or under any" occurring between the words "found dead in" and "circumstances not covered" *substitute* the words "a village under".

(2) Omit the words "in which the body is found or the officer in charge of the Police station within the limits of which the village is included" occurring between the words "head of the village" and "to give forthwith".

(3) Between the words "the Registrar" and "such information" insert the words "of the village or ward thereof as the case may be".

Section 12.

Omit the words "of this Act" occurring after the words and figures "sections 8 and 10".

(2) In sub-section 1 between the words "the Registrar" and "a notice" insert the words "of the village or ward thereof in which the hospital is situate".

(3) In the same sub-section *for* the word "complete" occurring between the words "required to" and "the forms" *substitute* the words "be entered in".

(4) In sub-section 2 between the words "public resort" and "it shall be" insert the words "in any village".

yet if the father be at
a time residing in a village
in which the Act is in force,
he will have to register such
birth in that village. More-
over the use of the words "The
Registrar" in the above
sections will be appropriate
only if reference be made
to a village in those sections.
In sels 10 + 11 which are the
corresponding sections relating
to death, reference is made to it
as taking place "in a village".
There is no reason why in the
sections relating to birth, it
should not similarly be referred
to as taking place in a village. WB
5-3-99

On reconsideration, I think
it necessary that in Sels. 8, 9
and 12 (non-compliance with
which is rendered penal),
the words "born in a village",
"in a village" and "in any village"
should be respectively inserted
to make it clear that where
the Act is extended to any
local area, the birth itself
should be within that area.
As Sec. 8 now stands, it
may possibly be contended
that though the birth
be outside such local

[illegible] Dept.
11-2-99.]

[illegible] FOR THE

Ref-ee

the Legve

File this (original) with G.O. ~~No.~~

Recording notes in Connection with the amendments proposed by the Hon. Mr. M. Ry. P. Ratna Sabhapati Pillai & the Hon. Mr. M. Ry. Bhashyam Ayangar

VR.
13.3.99.

24/3/99

[illegible] 2

[illegible]
NOT

my dear Sir,

Bill no: 5 of 1898.

I have just gone through the above as amended by the Select Committee. I find that several amendments, chiefly verbal, some of which are necessitated by the Madras General Clauses Act (Sec. 22), will have to be proposed at the next meeting of the Council when the Bill is taken into consideration. Enclosed is a list of amendments in the first 7 sections of the Bill. A list of the amendments in the remaining sections of the Bill will be sent to you tomorrow if I can possibly find time to do so. If the amendments are approved by the Hon: member in charge of the Bill

My dear Sir.

Bill no 5 of 1898

Enclosed I send a list of further amendments to be proposed in the above Bill. I have arranged to meet the hon. member in charge of the Bill at 3. P.m tomorrow at his house in connection with this Bill and the Court of Wards Regulation Amendment Bill. The hon Mr Forbes has also promised to attend. I think it will be well if you can also find it convenient to attend. Please cause

sent by me
this amendments to be
filed in the course of the day
and send 1 copy to the Hon.
member in charge of the Bill,
1 Copy to the Hon. Mr Forbes and
2 copies to myself.

yours truly

W Bhashyam Iyengar

Do 90

11 1

3399

…bill …opt them and I …ld … not move them myself at the …eeting. But if the Hon: member … in charge of the Bill prefers that I should move them, I have no objection to do so. and you may treat the enclosed as formal notice of amendments.

yours truly,

C V Bhashyam Iyengar

To J. H. A. Tremenheere Esq I. C. S.
Secy to the
Legislative Council
Fort St: George.

them and I

elf at the

ember

t

my dear Sir

Since returning to you this morning with 3 or 4 additions the revised proof of my proposed amendments in Bill No. II of 1898 I received the agenda paper for the meeting of the 9th to the additional amendments proposed are not absolutely necessary though desirable they may be dispensed with it being now too late to include them in the agenda paper.

I would suggest

Yours &c. George.

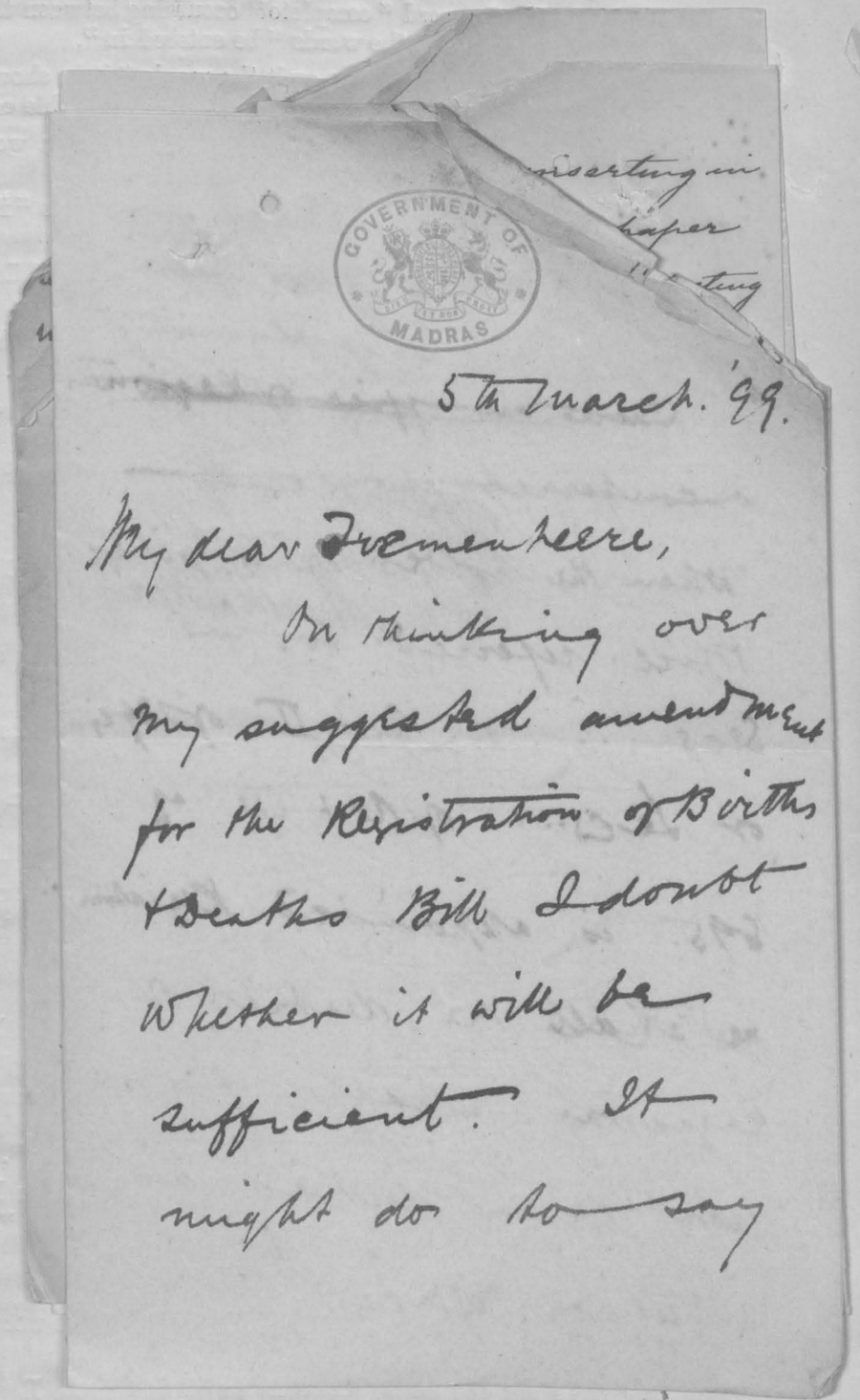
[illegible] ability of inserting in
[illegible] in the agenda paper
not only the date of the meeting
but also the hour of meeting

Yours truly

V Bhashyam Ayyangar

[illegible] be done

HT
6399



inserting in
paper
sting

5th March. '99.

My dear Fremantle,

On thinking over my suggested amendment for the Registration of Births & Deaths Bill I doubt whether it will be sufficient. It might do to say

~~"Where the office of Registrar is conferred upon~~

"When the holder of a village office referred to in Secs ... of Act II of 1894 or Secs ... of Act III of 1895 is appointed Registrar, he shall the duties of Registrar shall form part of his duties as a Village officer".

The Adv. Genl. will no doubt be asked to advise.

Yours sincerely

R Arundell

Section 13.

1. *For* the word "orally", occurring between the words "has" and "given", substitutes the word "directly".

2. Between the words "a registrar" and "any information" insert the word "orally".

Section 13.

Between the words "his name" and "description and" insert the words "adding his".

Section 14.

Between the words "the Registration" and "has been completed" insert the words "of the birth of a child".

(2) *For* the word "gives" occurring between the words "who" and "information" *substitute* the words "has given".

(3) *For* the word "a" occurring between the words "of" and "child" *substitute* the word "the".

Section 15.

Omit the words "after the coming into operation of the aforesaid notification" occurring between the words "his village or ward" and "and he shall ascertain".

(2) *For* the words "registered according to" occurring between the words "required to be" and "the forms," *substitute* the words "entered in".

(3) Omit the words "as the case may be" occurring between the words "and death" and "which has".

Section 16.

Between the words "of such child" and "may within" insert the words "and in the case of an illegitimate child the mother or guardian of such child".

(2) Between the words "registration of" and "birth" insert the word "its".

Section 17.

Between the words "may make" and "any person" insert the words "under section 21".

(2) *For* the word "and" occurring between the words "births" and "deaths" *substiute* the word "or".

Section 18.

(1) *For* the words "neglects or refuses" in sub-section (1) *substitute* the words "fails without reasonable cause".

(2) In the same sub-section *for* the words and figure "and sub-section (2) of section" occurring between the figures "10" and "12", *substitute* the word and figure "11 and".

(3) In the same sub-section omit the words "of this Act" occurring after the figure "12".

(4) In sub-section 3 omit the words "description and place of abode" occurring between the words "his name" and "or to".

(5) In the same sub-section omit the words "to such particulars" occurring between the words "in the register" and "in contravention of".

(6) In sub-section 3 *for* the words "in contravention of" occurring between the words "such particulars" and "section 13", *substitute* the words "as required by".

(7) In the same sub-section omit the words "of this Act" occurring immediately after the word and figure "section 13".

Section 18.

(8) Omit the proviso to this section.

If the amendment to omit the proviso be not carried, substitute the following for the said proviso: "provided that when more persons than one are guilty of an offence under sub-section 1, in respect of one and the same birth or death only one of such persons shall be liable to be prosecuted for the offence."

Section 19.

For section 19, *substitute* the following:—

"No prosecution in respect of any offence punishable under this Act shall be instituted except under the order or without the sanction of the Tahsildar having jurisdiction over the village in which the offence was committed or of an officer to whom such Tahsildar is subordinate.

The District Collector or any officer generally or specially empowered by him in this behalf may stay such prosecution."

Section 20.

Omit this section.

If this amendment be not carried, substitute the following for section 20: "The Collector may of his own motion or on complaint and after enquiry, fine, suspend, dismiss or remove any Registrar if in his opinion such Registrar is guilty of misconduct or neglect of duty or is incapable of performing his duties or if, without the permission of the Collector, he resides outside the village or ward thereof as the case may be of which he is the Registrar; and shall record his reasons for so doing.

Section 21.

For the words "Governor in Council" *substitute* the words "Local Government.

(2) *For* the words "from time to time" occurring between the words "may" and "make rules" *substitute* the words "after previous publication."

V. BHASHYAM AIYANGAR.

2nd March 1899.

To

THE HONOURABLE THE COUNCIL OF THE GOVERNOR OF
FORT ST. GEORGE FOR MAKING LAWS AND REGULATIONS.

We, the undersigned members of the Select Committee on the Bill to make provision for the registration of births and deaths in rural tracts, have considered the Bill and the * papers contained in the proceedings of Government noted on the margin, and have now the honour to submit this our report with the Bill as amended by us annexed thereto.

G.O., No. 274, Public, dated 28th February 1881 (Paper No. 1).
G.O., Nos. 1419, 1420, Public, dated 18th October 1881 (Paper No. 2).
G.O., No. 1166, Public, dated 14th June 1883 (Paper No. 3).
G.O., No. 476, Revenue, dated 21st September 1896 (Paper No. 4).
G.O., No. 27, Revenue, dated 15th January 1898 (Paper No. 5).
G.O., Nos. 214, 215, Revenue, dated 21st April 1898 (Paper No 6).
G.O., No. 595, Revenue, dated 13th October 1898 (Paper No. 7).
G.O., No. 77, Revenue, dated 22nd November 1898 (Paper No. 8).

2. *Section* 2.—We have inserted the words "or village" after the word "district," so as to render it clear that the Act may be extended to a single village or portion of a village.

3. *Section* 5 has been recast so as to throw upon the registrars the duty of keeping the registers.

4. *Section* 8.—Two material alterations have been made in this section. In the first place, the duty of reporting a birth is imposed in the first instance on the father, and only on other persons, as seems reasonable, in case of his death, illness, absence or inability. In the second place, the duty is made to devolve upon the mother only on the default of the father, the midwife and certain relations. The latter change has been made in view of the general ignorance of women in rural tracts and the physical and social disabilities entailed on them by child birth.

5. *Section* 10 (*Original Section* 11).—The duty of reporting a death has been generally restricted to males, as, with males present, we considered it undesirable to impose it on females. We have also extended to four days the time within which information should be given to the registrar, especially in consideration of the funeral rites to be performed in the case of Hindus. In the Bengal Act IV of 1873 the period is eight days, but this seemed to us unduly long.

6. *Section* 12 (*Original Section* 13).—Sub-section 2 of this section imposes the duty of reporting births and deaths occurring in choultries, hotels, &c., on the keepers thereof. There seemed no necessity to allow these persons as long a period as is allowed to relatives, and in the case of deaths this seemed particularly inexpedient. We have now given them 48 hours to make their report.

7. *Section* 13 (*Original Section* 14).—The proviso to this section we have omitted as unnecessary, as it is only in the case of oral information that the person giving the information is bound to attend and sign the register. As a matter, of course, in all cases the registration is completed when the particulars are registered, and no special mention thereof was considered desirable.

8. *Section* 15 (*Original Section* 8).—Sections 8 to 14 having laid down the duties of the public in giving information, we have transferred to this place the section laying down the duties of the registrar, and have made it clear not only that he shall register, but that it shall also be his duty to inform himself of the occurrence of every birth and death within his jurisdiction, and ascertain the particulars to be registered regarding it.

9. *Section* 16.—The elaborate provisions of this section we have thought unnecessary, it being sufficient to provide for cases in which a birth has been registered without a name, alterations of names being of very rare occurrence.

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* *Note.*—These papers have been furnished to the Honourable Members of the Legislative Council, prior to the introduction of the Bill.

10. *Section* 17.—Under the section as it originally stood, the registrar was the custodian of the birth and death registers and he was empowered to give extracts therefrom. The registrars under the Act will for the most part be the village officials—karnams, &c.—while the registers will sometimes at least be kept in the taluk office. The section has therefore been recast, empowering the Local Government to make rules on the subject.

11. *Section* 18.—We have thought it safer to confine the offence of giving false information to such information as is known or believed to be false. A proviso has also been added to this section on the lines of that in section 7 of Bengal Act IV of 1873 to the effect that only one person shall be punishable for an offence under clause (1) of this section.

12. *Section* 19.—By specially mentioning a discretionary power, we have endeavour to make it clear that a prosecution need not be ordered merely because there is sufficient evidence, but only when good policy requires it.

13. The other amendments we have made are either unimportant or drafting amendments.

14. We do not think that the measure has been so altered as to require republication and we recommend that it be passed as amended.

(Signed) H. M. WINTERBOTHAM.
(„) G. S. FORBES.
(„) C. ARNOLD WHITE.
(„) P. RATNASABHAPATI PILLAI.
10*th February* 1899. („) C. JAMBULINGAM MUDALIYAR.

MINUTES.

I have taken part in the deliberations of the Select Committee, and signified my concurrence in its conclusions by signing its report. At the same time, I desire the Council to take into consideration the following suggestions which I and one or two colleagues of mine urged on the Committee, but which did not commend themselves to it. The suggestions, which are three, relate to the penal provisions of the Bill. One, that in enquiries under this Act, the interference of the Police should be prohibited. Two, that accused persons in prosecutions under this Act shall have the option of appearing either in person or by agent. Three, that for first offences the Magistrate may dismiss the accused with a warning, a principle, which is on the lines of Section 562 of the Code of Criminal Procedure, as amended last year. My object in pressing the above suggestions is to make the proposed compulsory law acceptable to the mass of the people, by rendering its working as *smooth* as possible.

(Signed) P. RATNASABHAPATI PILLAI.

The Select Committee has rejected by a majority the amendment to insert in the Bill a section enabling accused persons in prosecutions under its provisions to appear by agents. The majority appeared to have thought that the discretionary power vested in Magistrates by the Code of Criminal Procedure to dispense with the personal attendance of accused persons would quite suffice without any special provision in the Bill in that behalf. I am, however, of a different opinion and consider a special provision in the Bill essential. I should be loth to trust to the discretion of Magistrates the exercise of a power very often fruitful of the gravest annoyance, especially in the absence in the Criminal Procedure Code of definite rules for their guidance in the proper exercise of their discretion. We are all familiar with cases of flagrant abuse of the power, and I need only instance the well-known case of the Raja of Mymensingh not by any means as a solitary but as a remarkable example. In a trivial case of nuisance the Raja was actually compelled to stand in the dock along with a menial servant of his, notwithstanding that the trying officer was a European Magistrate with first-class powers. This would be incredible if it were not true, so true indeed as to call forth the indignant protest of Sir Richard Garth, the late Chief Justice of the High Court

of Calcutta. Nextly, let us remember that under the provisions of the Bill women are as liable to be prosecuted as men. In my opinion, it would be altogether undesirable to leave it to Magistrates to compel in their discretion the attendance of women in these prosecutions. There is yet another objection. The provisions of the Criminal Procedure Code empower Magistrates to permit accused persons, where they do not insist on their personal attendance, to appear only by their *pleaders*, abrogating the old law on the subject under which an accused person could be permitted to appear by authorized agent. The word "pleader" as defined in the Code means persons authorized under law to practise in courts and also persons who, in the opinion of Magistrates, are fit to conduct particular cases before them. This latter class known popularly as "private pleaders" are for reasons not necessary to mention here rapidly disappearing; so that in prosecutions for petty technical offences under the Bill, if the Criminal Procedure Code were followed, the parties, where they are not compelled to attend in person, should undertake the cost of employing "pleaders"—a very great hardship, it seems to me, especially considering that the persons most likely to offend against the provisions of the Bill are exactly those whom to take away from their work even for a day would be depriving them of the labour which earns their bread for the day. It may be they shall have to attend several days at a court situate, may be, miles away. The alternative is therefore a cruel one; while even solitary instances of careless exercise of the discretion by Magistrates in the case of women belonging to higher orders, especially purdanashin women and women who do not ordinarily appear in public, would make the proposed law in the highest degree unpopular. Besides, a fear that Magistrates might compel personal appearance would create facilities for the levying of black mail by the petty and ill-paid village officers, especially in factious villages. I am of opinion therefore that having regard to the feelings and convenience of all classes of people, it is absolutely necessary to give accused persons the right to appear by agents without the permission of the Magistrates. I would move an amendment to this effect in Council when the Bill is taken into consideration.

(Signed) C. VIJIARAGHAVACHARY.

Government of Fort St. George.

LEGISLATIVE DEPARTMENT.

Report of the Select Committee on the Bill to make provision for the Registration of Births and Deaths in rural tracts.

120—21-2-99

My dear T. Herewith the corrected Notice of Bill as amended by us. Remember the Act to date

GOVERNMENT OF FORT ST. GEORGE.

LEGISLATIVE DEPARTMENT.

8/3/21/37

NOTICE of amendments in the Bill to make provision for the Registration of Births and Deaths in Rural Tracts.

Section 2.

(1) *For* the words "from a date to be specified in such notification to any district or village situated outside", *substitute* "to any local area beyond".

(2) To the same section add the following words "and may also by notification exclude any such local area from the operation of the Act or any portion thereof".

Section 3.

(1) Between the words "local area", and "now recognized" insert the following: "which for purposes of revenue administration is".

(2) *For* the words "district or portion of a district to which the provisions of this Act have been extended", *substitute* "local area in which this Act or any portion thereof is in force".

Section 3.

(3) Omit the last three words of this section, viz., "of this Act".

Section 4.

(1) In lieu of the words "of this Act", substitute "extending this Act or any portion thereof to any local area".

(2) Insert the word "appropriate" between "the" and "vernacular"; for the words "the area so notified", *substitute* "such area".

(3) *For* the word "that" between the words "District Gazette" and "registration", *substitute* the words "the date from which".

Section 5.

(1) *For* the words "from the date on which such notification comes into force," *substitute* the words "on the publication of such notification".

(2) Omit the word "district" between the words "the" and "Collector".

(3) In lines 3 and 6 of sub-section 1, between the words "a person" and "to be" insert the words "either by name or by virtue of any office he may hold".

Section 6.

Between the words "the" and "vernacular" insert the word "appropriate".

Section 7.

(1) Insert the following as sub-section 2 to section 7:—

"(2) A copy of such form in the ~~appropriate~~ vernacular language shall be posted in some conspicuous place on or near the outer door of the dwelling house of every registrar".

[If the above amendment be carried insert (1) immediately after figure 7 in the above section.]

Section 8.

(1) Between the words "of every child" and "or in case" insert the words "born in a village".

(2) Between the words "resident in the house" and "and any person" insert the words "in which the child was born".

(3) *For* the word "person" occurring between the words "and any" and "having charge" *substitute* the words "adult male".

(4) *For* the word "complete" occurring between the words "required to" and "the forms" *substitute* the words "be entered in".

(5) In the first proviso omit the words "is shown that" occurring between the words "under this Act if" and "he had reasonable cause".

(6) To the same proviso add the following words, viz., "by such other person".

(7) In the second proviso between the words "it shall" and "be the duty of" insert the words "in the first instance".

(8) In the same proviso between the words "child and" and "such person" insert the word "unless".

(9) In the same proviso omit the words "in such case" occurring between the words "such persons shall" and "sign the register".

Section 9.

(1) Between the words "found exposed" and "it shall be" insert the words "in a village".

(2) Between the words "to the Registrar" and "within seven days" insert the words "of the village or ward thereof as the case may be."

Section 10.

For the word "the" occurring between the words "dying in" and "village" *substitute* the word "a".

(2) Between the words "the Registrar" and "according to" insert the words "of the village or ward thereof as the case may be".

(3) *For* the word "complete" occurring between the words "required to" and "the forms" *substitute* the words "be entered in".

(4) In the proviso to the same section omit the words "it is shown that" occurring between the words "under this Act if" and "he had reasonable cause".

(5) To the said proviso add the following words "by such other person".

Section 11.

For the words "any place or under any" occurring between the words "found dead in" and "circumstances not covered" *substitute* the words "a village under".

(2) Omit the words "in which the body is found or the officer in charge of the Police station within the limits of which the village is included" occurring between the words "head of the village" and "to give forthwith".

(3) Between the words "the Registrar" and "such information" insert the words "of the village or ward thereof as the case may be".

Section 12.

Omit the words "of this Act" occurring after the words and figures "sections 8 and 10".

(2) In sub-section 1 between the words "the Registrar" and "a notice" insert the words "of the village or ward thereof in which the hospital is situate".

(3) In the same sub-section *for* the word "complete" occurring between the words "required to" and "the forms" *substitute* the words "be entered in".

(4) In sub-section 2 between the words "public resort" and "it shall be" insert the words "in any village".

Section 13.

1. *For* the word "orally", occurring between the words "has" and "given", substitutes the word "directly".

2. Between the words "a registrar" and "any information" insert the word "orally".

Section 13.

Between the words "his name" and "description and" insert the words "adding his".

Section 14.

Between the words "the Registration" and "has been completed" insert the words "of the birth of a child".

(2) *For* the word "gives" occurring between the words "who" and "information" *substitute* the words "has given".

(3) *For* the word "a" occurring between the words "of" and "child" *substitute* the word "the".

Section 15.

Omit the words "after the coming into operation of the aforesaid notification" occurring between the words "his village or ward" and "and he shall ascertain".

(2) *For* the words "registered according to" occurring between the words "required to be" and "the forms," *substitute* the words "entered in".

(3) Omit the words "as the case may be" occurring between the words "and death" and "which has".

Section 16.

Between the words "of such child" and "may within" insert the words "and in the case of an illegitimate child the mother or guardian of such child".

(2) Between the words "registration of" and "birth" insert the word "its".

Section 17.

Between the words "may make" and "any person" insert the words "under section 21".

(2) *For* the word "and" occurring between the words "births" and "deaths" *substitute* the word "or".

Section 18.

(1) *For* the words "neglects or refuses" in sub-section (1) *substitute* the words "fails without reasonable cause".

(2) In the same sub-section *for* the words and figure "and sub-section (2) of section" occurring between the figures "10" and "12", *substitute* the word and figure "11 and".

(3) In the same sub-section omit the words "of this Act" occurring after the figure "12".

(4) In sub-section 3 omit the words "description and place of abode" occurring between the words "his name" and "or to".

(5) In the same sub-section omit the words "to such particulars" occurring between the words "in the register" and "in contravention of".

(6) In sub-section 3 *for* the words "in contravention of" occurring between the words "such particulars", and "section 13", *substitute* the words "as required by".

(7) In the same sub-section omit the words "of this Act" occurring immediately after the word and figure "section 13".

Section 18.

(8) Omit the proviso to this section.

If the amendment to omit the proviso be not carried, substitute the following for the said proviso: "provided that when more persons than one are guilty of an offence under sub-section 1, in respect of one and the same birth or death only one of such persons shall be liable to be prosecuted for the offence."

Section 19.

For section 19, *substitute* the following:—

"No prosecution in respect of any offence punishable under this Act shall be instituted except under the order or without the sanction of the Tahsildar having jurisdiction over the village in which the offence was committed or of an officer to whom such Tahsildar is subordinate.

The District Collector or any officer generally or specially empowered by him in this behalf may stay such prosecution."

Section 20.

Omit this section.

If this amendment be not carried, substitute the following for section 20: "The Collector may of his own motion or on complaint and after enquiry, fine, suspend, dismiss or remove any Registrar if in his opinion such Registrar is guilty of misconduct or neglect of duty or is incapable of performing his duties or if, without the permission of the Collector, he resides outside the village or ward thereof as the case may be of which he is the Registrar; and shall record his reasons for so doing.

Section 21.

For the words "Governor in Council" *substitute* the words "Local Government.

(2) *For* the words "from time to time" occurring between the words "may" and "make rules" *substitute* the words "after previous publication."

2nd March 1899.

V. BHASHYAM AIYANGAR.

SECRETARY TO GOVERNMENT
COMMUNICATIONS DEPT
6 SEP 1955

High Court
Madras 6th Sept 1955

My dear Tremlett,

I enclose a note with reference to V. Bhashyam Aiyangar's amendment which affects me & to be open to criticism. I approve of the other amendments proposed by him.

Yrs. sincerely
C. Anantakrishna

Proposed amendments by the Hon'ble Mr. V. Bhashyam Aiyangar

Section 2.(1) "Local area" is used in definition of "village" in Clause 3. Proposed amendment uses it as including "village" and "district". It is no doubt true that every "village" is a "local area", but that every "local area" is not a village. Still, I prefer clause as it stands. I don't like "local area" in different senses in two successive clauses.

Section 4. I can't see what useful purpose will be served by this provision, but I suppose it is harmless.

Section 8.(6) & (7) The amendments proposed to this section will effect a substantive alteration; but I suppose this has been considered.

The amendment would appear to require the father to sign the register before the name of the illegitimate child is entered in the register. Is this intended?

Section 14(2). It would be better simply to omit the words "of a child".

Section 18(2) This will effect a substantive alteration by making non-compliance with Clause 11 and clause 12(1) an offence under Clause 18. I suppose

suppose this is intended.

(4) I prefer the proviso in the Bill to the proposed proviso. Until prosecution, it is not known who is guilty. Proposed amendment presumes guilt before prosecution.

(Mr. Grant)
Advocate General

Madras
6th March
1899.

SECRETARY TO GOVERNMENT
LOCAL & MUNICIPAL DEPARTMENT

Notice of amendments in the Bill to make provision for the Registration of Births and Deaths in Rural Tracts.

Sec. 2. (1) for the words "from a date to be specified "in such notification to any district or village "situated outside" substitute "to any local area beyond".

(2) to the same section add the following words; "and may also by notification "exclude any such local area from the "operation of the Act or any portion thereof."

Sec. 3 (1) Between the words "local area" and "now recognised" insert the following: "which for purposes of revenue adminis= "=tration is"

(2) for the words "district or portion "of a district to which the provisions of this "Act have been extended", substitute "local "area in which this Act or any portion "thereof is in force".

Sec·3

(3) Omit the last 3 words of this section; viz:- "of this Act"

Sec: 4

(1) In lieu of the words "of this Act", substitute "extending this Act or any portion "thereof to any local area".

(2) Insert the word "appropriate" between "the" and "vernacular"; for the words "the area so notified", substitute "such area"

(3) for the word "that" between the words "District Gazette" and "registration" substitute the words "the date from which".

Sec: 5

(1) For the words "date" substitute "from the date on "which such notification comes into force" substitute the words "on the publication of such notification"

(2) omit the words "District" between the words "the" and "Collector"

(3) In lines 3 and 6 of sub section 1. between the words "a person" and "to be" insert the words "either by name or by "virtue of any office he may hold"

Sec: 6

Between the words "the" and "vernacular" insert the word "appropriate"

Sec: 7.

(1) Insert the following as sub sec: 2 to sec: 7.

2 A copy of such form in the appropriate vernacular language shall be posted in some conspicuous place on or near the outer door of the dwelling house of every Registrar.

[If the above amendment be carried insert (1) immediately after figure 7 in the above section].

B Bhadhyam
2-3-99

SECRETARY TO GOVERNMENT
LOCAL & MUNICIPAL DEPARTMENT

Notice of additional amendments
in Bill no: 5 of 1898.

Sec: 8

(1) Between the words "of every child" and "or in case" insert the words "born in a village"

(2) Between the words "resident in the house" and "and any person" insert the words "in which the child was born"

(3) For the word "person" occuring between the words "and any" and "having charge" substitute the words "adult male"

(4) For the word "complete" occuring between the words "required to" and "the forms" substitute the words "be entered in"

(5) In the first proviso ~~to Sec. 8~~ which the words "it is shewn that" occurring between the words "under this Act if" and "he had reasonable cause"

(6) To the same proviso add the following words viz: "by such other person"

(7) In the second proviso ~~after~~ between the words "it shall" and "be the duty of" insert the words "in the first instance"

(8) In the same proviso between the words "~~father of such~~ child and" and "such person ~~shall~~" insert the word "unless".

(9) In the same proviso omit the words "in such case" occurring between the words "such persons shall" and ~~assign~~ "sign the register"

Sec: 9.

(1) Between the words "found exposed" and "it shall be" insert the words "in a village"

(2) Between the words "to the Registrar" and "within seven days" insert the words "of the village or ~~the~~ ward thereof as the case may be"

Sec 10

For the word "the" occurring between the words "dying in" and "village" Substitute the word "a"

(2) Between the words "the Registrar" and "according to" insert the words "of the village or ~~the~~ ward thereof as the case may be"

(3) For the word "complete" occurring between the words "required to" and "the forms" Substitute the words "be entered in"

(4) In the proviso to the same section omit the words "it is shewn that" occurring between the words "under this Act if" and "he had reasonable cause"

(5) To the said proviso add the following words: "by such other person"

Sec 11

for the words "any place or underany" occurring between the words "found dead in" and "circumstances not covered" substitute the words "a village under"

(2) Omit the words "in which the body is found or the officer in charge of the Police Station within the limits of which the village is included" occurring between the words "head of the village" and "to give forthwith"

(3) Between the words "~~to~~ the Registrar" and "such information" insert the words "of the village or ward thereof as the case may be"

Sec 12

88

Omit the words "of this Act"
occurring after the words & figures
"Sections 8 and 10"

(2) In sub-section 1 between the words
"the Registrar" and "a notice" insert the
words "of the village or ward thereof in
which the hospital is situate"

(3) In the same subsection for the
word "complete" occurring between
the words "required to" and "the forms"
substitute the words "be entered in"

(4) In subsection 2 between the
words "public resort" and "it shall be"
insert the words "in any village"

Sec 13

1. For the word 'orally' occuring between the words 'has' and 'given', substitute the word 'directly'

2. Between the words "a registrar" and "any information" insert the word 'orally'

Sec. 13

Between the words "his name" and "description and" insert the words "adding his"

Sec. 14

Between the words "the Registration" and "has been completed" insert the words "of the birth of a child"

(2) for the word "gives" occurring between the words "who" and "information" substitute the words "has given"

(3) for the word "a" occurring between the words "of" and "child" substitute the word ~~the~~ "the"

Sec: 15

Omit the words "after the coming into operation of the aforesaid notification" occurring between the words "his village or ward" and "and he shall ascertain"

(2) for the words "registered according to" occurring between the words "required to be" and "the forms" substitute the words "entered in".

(3) omit the words "as the case may be" occurring between the words "and death" and "which has"

Sec. 16. Between the words "of such child" and "may within" insert the words "and in the case of an illegitimate child the mother or guardian of such child"

(2) Between the words "registration of" and "birth" insert the word "its"

Sec. 17. Between the words "may make" and "any person" insert the words "under section 21".

(2) For the word "and" occurring between the words "births" and "deaths" substitute the word "or"

Sec. 18

For the words "neglects or refuses" in subsection 1 substitute the words "fails without reasonable cause"

(2) In the same subsection for the words and figures "and subsection (2) of section" occurring between the figures '10' and '12' substitute the word and figure "11 and"

(3) In the same subsection omit the words "of this Act" occurring after the figure '12'.

(6) In subsection 3 for the words "in contravention of" occurring between the words "such particulars" and "section 13" substitute the words "as required by"

(7) In the same subsection omit the words "of this Act" occurring immediately after the word and figure "section 13"

(4) In subsection 3 omit the words "description and place of abode" occurring between the words "his name" and "or to"

(5) In the same subsection omit the words "to such particulars" occurring between the words "in the register" and "in contravention of"

In printing please print amendments (4) + (5) before amendments (6) + (7)

Sec. 18

(8) Omit the proviso to this section.

If the amendment to omit the proviso be not carried substitute the following for the said proviso: "provided that when more persons than one are guilty of an offence under subsection 1, in respect of one and the same birth or death only one of such persons shall be liable to be prosecuted for the offence"

Sec. 19.

For sec: 19 substitute the following:

"No prosecution in respect of any offence punishable under this Act shall be instituted except under the order or without the sanction of the Tahsildar having jurisdiction over the village in which the offence was committed or of an officer to whom such Tahsildar is subordinate

The District Collector or any officer generally or specially empowered by him in this behalf may stay such prosecution

Sec 20 - omit this section: If this amendment be not carried, Substitute the following for it:- The Collector may of his own motion or upon complaint and after enquiry fine, suspend, dismiss or remove any Registrar if in his opinion ~~of the Collector~~ such Registrar is guilty of misconduct or neglect of duty or is incapable of performing his duties or if without the permission of the Collector, he resides outside the village or ward thereof as the case may be of which he is the Registrar, and shall record his reasons for so doing :-

1340

Sec: 21

For the words "Governor in Council" substitute the words "Local Government"

(2) For the words "from to time" occurring between the words "may" and "make rules" substitute the words "after previous publication"

E.V. Bhashyam Iyengar
2-3-99

[L. M. 20 8-98.]

NOTE FOR THE ~~ASSISTANT~~ SECRETARY.

Printed copies of the Hon'ble
M.R.Ry V. Bhashyam Aiyangar's
amendments were sent to the Hon'ble
messrs Winterbotham, Forbes and
Bhashyam Aiyangar as soon as they
were received from the Press last night.
A Copy is herewith submitted to the
Secretary for perusal.

PTJ
4/3/99

Seen

Notice of amendments in the Bill to make provision for the Registration of Births and Deaths in Rural Tracts by the Hon'ble M.R.Ry. V. Bhashyam Aiyangar Avargal, C.I.E., Dewan Bahadur.

Section 2.

(1) *For* the words "from a date to be specified in such notification to any district or village or portion of a district or village situated outside", *substitute* "to any local area beyond".

(2) To the same section add the following words "and may also by notification exclude any such local area from the operation of the Act or any portion thereof".

Section 3.

(1) Between the words "local area", and "now recognized" insert the following: "which for purposes of revenue administration is".

(2) *For* the words "district or portion of a district to which the provisions of this Act have been extended", *substitute* "local area in which this Act or any portion thereof is in force".

Section 4.

(1) In lieu of the words "of this Act", substitute "extending this Act or any portion thereof to any local area".

(2) *For* the word "that" between the words "District Gazette" and "registration", *substitute* the words "the date from which".

(3) *For* the word "is" between "deaths" and "compulsory" *substitute* "will be."

Section 5.

(1) *For* the words "from the date on which such notification comes into force" *substitute* the words "on the publication of such notification".

(2) Omit the word "district" between the words "the" and "Collector".

(3) In lines 3 and 6 of sub-section 1, between the words "a person" and "to be" insert the words "either by name or by virtue of any office he may hold".

Revised proof

Approved with the additions noted in the margin

VB

Section 11.

(1) *For* the words "any place or under any" occurring between the words "found dead in" and "circumstances not covered" *substitute* the words "a village under".

(2) Omit the words "in which the body is found or the officer in charge of the Police station within the limits of which the village is included" occurring between the words "head of the village" and "to give forthwith".

Section 12.

In sub-section (1) *for* the word "complete" occurring between the words "required to" and "the forms" *substitute* the words "be entered in".

Section 13.

For the word "sign" between "shall" and "in" *substitute* the word "write".

Section 14.

(1) Between the words "the Registration" and "has been completed" insert the words "of the birth of a child".

(2) *For* the word "a" occurring between the words "of" and "child" *substitute* the word "the".

Section 15.

Omit the words "after the coming into operation of the aforesaid notification" occurring between the words "his village or ward" and "and he shall ascertain".

Section 17.

Between the words "may make" and "any person" insert the words "under section 21".

Section 18.

(1) *For* the words "neglects or refuses" in sub-section (1) *substitute* the words "fails without reasonable cause".

(2) In the same sub-section *for* the words and figure "and sub-section (2) of section" occurring between the figures "10" and "12", *substitute* the word and figure "11 and".

(3) *For* sub-section (3) *substitute* the following: "refuses to *write* his name, description and place of abode or to put his mark in the register as required by section 13."

(4) Omit the proviso to this section.

If the amendment to omit the proviso be not carried, substitute the following for the said proviso: "provided that when more persons than one are guilty of an offence under sub-section 1, in respect of one and the same birth or death only one of such persons shall be liable to be prosecuted for the offence."

Section 19.

For section 19, *substitute* the following:—

"No prosecution in respect of any offence punishable under this Act shall be instituted except under the order or with the sanction of the Tahsildar having jurisdiction over the village in which the offence was committed or of an officer to whom such Tahsildar is subordinate.

The District Collector or any officer generally or specially empowered by him in this behalf may stay such prosecution."

Section 20.

Omit this section.

If this amendment be not carried, substitute the following for section 20: "The Collector may of his own motion or on complaint and after enquiry, fine, suspend, dismiss or remove any Registrar if in his opinion such Registrar is guilty of misconduct or neglect of duty or is incapable of performing his duties or if, without the permission of the Collector, he resides outside the village or ward thereof as the case may be of which he is the Registrar; and shall record his reasons for so doing."

Section 21.

(1) *For* the words "Governor in Council" *substitute* the words "Local Government."

(2) *For* the words "from time to time" occurring between the words "may" and "make rules" *substitute* the words "after previous publication."

Office
H.T.
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Submitted to the Hon'ble
Mr Forbes.
CRV/613/29.

[11/10]

[E. & L. 1] 19-11-98.

DEPARTMENT.

Papers to be read in Proceedings :—

Again G.O., No. , dated 189 .

Again G.O , No. , dated 189 .

Current No. of 189 , dated , from

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Notice in Connection with the amendments proposed in the Madras Registration of Births & Deaths Bill by the Hon. Mr. Raja Rattia-Sutha pathi Pillai & Bhashyam Aiyangar

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DEPARTMENT.

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Note for the Secretary

Received the Hon'ble Mr
White's remarks on the amendments
proposed by the Hon'ble Mr Ry
Bhashyam Aiyangar on the
Madras Registration of Births
& Deaths Bill.

The remarks will be typed for
tomorrow's Council

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6/3/99.

And let Mr. Forbes
See them immediately
for Coms
office
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Submitted to the Hon'ble
Mr Forbes. Jew

Notes in connection with the amendments
proposed in the Madras Registration of Births &
Deaths Bill by the Hon. Mr. Ry Ratina-
R. - Sattapati Pillai & Bhashyam Aiyangar
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