

Marine (1899) Department.

G.O., No. 117 Marine

DATED 6th Feb 1899.

[Despatch Abstract.]
Rules for the transmission of Memorials to
the Govt of India

Pro. Public Dept. Recording letter
from the Govt of India with drawing of same
which was placed upon Rule 3 (12) See III of
the communication to the
Pro. Secy. to Govt.

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G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	1002	Mar.	8-11-99				

Recording letter from the Government of India withdrawing certain limitation which was placed upon Rule 3 (12), Section III, of the —.

50

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper :—

From A. H. L. FRASER, Esq., c.s.i., Officiating Secretary to the Government of India, Home Department (Public), to the Chief Secretary to the Government of Madras, dated Calcutta, 29th December 1898, No. 2584.

I am directed to refer to the letter from the Department of Revenue and Agriculture, No. 1327—125-4, dated the 6th July 1898, in which it was stated that the

• “Local Governments are vested with discretionary power to withhold petitions addressed to the Government of India in the following cases :—

“When a petition is an appeal against the non-exercise by the Local Government of a dispensatory discretion vested in it by law or rule.”

question of altering the wording of Rule 3 (12) *, Section III of the Rules for the transmission of memorials to the Government of India with a view to remove all

doubts as to its meaning was under separate consideration.

2. In the letter from the Foreign Department, No. 2757-I., dated the 18th August 1890, it was said that this rule could only be applied to cases in which a discretion was reserved to Government by some law or rule to dispense with some requirement or qualification. In a subsequent letter from the Department of Revenue and Agriculture, No. 1077—1-55 R., dated the 3rd October 1890, it was further explained that for the rule to apply there must be a discretion vested in the Local Government by a law or rule to waive or dispense with some qualification or condition, and the Local Government must have declined to waive such qualification or condition. The Governor-General in Council is now pleased to withdraw this limitation of the rule and directs that the rule should not be interpreted in the restricted sense conveyed in the letters above cited.

ORDER—No. 52, Public, dated 14th January 1899.

Recorded.

(True Extract.)

for Chief Secretary.

To the Departments of the Secretariat.

Government {1899} of Madras.
PUBLIC.

Recd.

Enclosures

1899.

Regd.

Spare copies

G.O., No. 52, 14th January 1899.

No. 117 Mand 6.2.9
communicated to

JANUARY. the Presidency Post Office.
(2d) A.S. R.

The P.P.O.

Rules for the transmission of Memorials to the
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Ed. P. Seetharam.

Government {1899} of Madras.

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G.O., No. 52, 14th January 1899.

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JANUARY.

No. 117 Madras 6.2
Communicated
The Presidency Board
(H) A.S.P.

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