

25TH JULY 1882, No. 778, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper :—

From A. MACKENZIE, Esq., C.S., Secretary to the Government of India, Home Department (Judicial), to the Secretary to the Government of Madras, dated Simla, 13th July 1882, No. 12-980.

I am directed to invite attention to Home Department Circular No. 1—137-147, dated the 24th January 1877, requesting that all rules to be issued under the provisions of any legislative enactments by Local Governments with the previous sanction of the Governor-General in Council might, before submission to the Government of India, be referred to the Legal Remembrancer, Government Advocate, or some other competent legal adviser for opinion as to their general legality, and also whether they were drawn up in proper form as regards wording and arrangement; and I am to request that the course prescribed therein may be invariably observed in future.

2. I am to add that in submitting such rules it should be distinctly stated that they have been settled in consultation with the Law Officer of Government. In several cases which have recently come before the Government of India, it has been manifest that drafts of rules had not been subjected to any professional revision, and much unnecessary work has thereby been thrown upon the Legislative Department, and considerable delay caused.

ORDER—dated 25th July 1882, No. 778, Judicial.

Communicated to all Departments in continuation of G.O., 31st January 1877, No. 261.

(True Extract.)

Andrew L. H. H.

for Chief Secretary.

To the Public Works Department. ✓

" Revenue do.
" Military do.
" Legislative do.
" Advocate-General.
" Government Pleader.
" Government Solicitor.

Exd. W. J. Lewis.

B. No. 154 - 9-2-77.

P. M. C. N.

Govt. of 1882 Madras.

JUDICIAL.

2117 W d/17 Aug/82

B

Recorded in Con-

tinuation of G.O. No. 154

dated 9th February 1877.

C

14.8.82

Issued

Recd. 10th August/82 Encl.

S. S. C.

G.O., 25th July 1882, No. 778.

2117 W d/17 Aug/82

JULY.

Rules under Legislative enactments.

Communicating letter from the Government of India requesting that all rules to be issued under the provisions of any legislative enactments by Local Governments with the previous sanction of the Governor-General in Council might, before submission, be referred to the Government legal adviser for opinion.

Entd in Receipt Reg.

22ND NOVEMBER 1887, No. 2664, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper:—

From A. P. MACDONNELL, Esq., Secretary to the Government of India, Home Department (Judicial), to the Chief Secretary to the Government of Madras, dated Simla, 3rd November 1887, No. 27-1765.

By Home Department Circular Nos. 1-137 to 147, dated the 24th January 1877, it was enjoined on local Governments and Administrations that all rules to be issued under the provisions of any legislative enactments with the previous sanction of the Governor-General in Council should, before submission to the Government of India, be referred to the Legal Remembrancer, Government Advocate, or some other competent legal adviser for opinion as to their general legality, and also whether they were drawn up in proper form as regards wording and arrangement. Although attention was invited to these orders by a subsequent Circular (Nos. 12-980 to 989, dated 13th July 1882), the Governor-General in Council notices with regret that they have been frequently overlooked. His Excellency in Council therefore desires me to call renewed attention to the matter, and to express a hope that the instructions conveyed in the circular of the 24th January 1877 will be duly observed in future. In submitting draft rules for sanction, it should, as directed in paragraph 2 of the second circular, be distinctly stated that they have been settled in consultation with the legal advisers of the Government concerned.

ORDER—dated 22nd November 1887, No. 2664, Judicial.

Communicated to all departments in continuation of G.O., dated 25th July 1882, No. 778, Judicial.

(True Extract.)

H. E. Stokes

Chief Secretary.

To the Public Works Department.
" Revenue Department.
" Military Department.
" Legislative Department.
" Local and Municipal Department.
" Advocate-General.
" Government Pleader.
" " Solicitor.

Exd. S. J. Pereira.

P.M.C. No 9820

Govt. of (1887) Madras.

JUDICIAL.

No. 3313 of 3rd Dec 87

Recorded in con-
tinuation of G.O. 2117 W.
of 17 August 1882.

13.50

Issued

Recd. 2-12-87 Encl.

2.12.87. 2/12/87.

G.O., 22nd November 1887, No. 2664.

No. 3313 of 3rd Dec 87

NOVEMBER.

Legislative Enactments.

Communicating to all departments letter from Government of India drawing attention to the orders requiring that rules to be issued under — with the previous sanction of the Government of India should, before submission, be submitted to the Government Advocate.

for 12

for the order