

- (1) பக்கங்களின் எண்ணிக்கை 4
 (2) புதுக்கித் திருப்பிய நாள் 8/9/87
 (3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் 10/10

தமிழ்நாடு ஆவணக் காப்பகம்.

(16)

தமிழ்நாடு அரசு

P. W. O. துறை

அரசாணை எண். மு. கோப்புத் தாள் எண்.	922	அச்சகம் பலவகை
நாள் :	3 - 4 - 1891	1987

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

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PROCEEDINGS OF THE BOARD OF REVENUE
(LAND REVENUE).

THE HON. J. GROSE.
MR. G. MCWATERS.

READ—the following letter from J. N. ATKINSON, Esq., Acting Collector of North Arcot, to the Secretary to the Commissioners of Land Revenue, dated Chittoor, 7th November 1890, Ref. Bd. No. 2450 :—

With reference to the first sentence of paragraph 8 of the Revised Standing Order No. 178, I have the honor to bring to the notice of the Board that the three years' rule therein prescribed is not quite in accordance with the views expressed by the Board in its Proceedings, dated 23rd November 1888, No. 972, Land Revenue. In this proceedings the Board has said that as a rule a three years' holder cannot be ousted and that minority of a claimant does not alter this at all. But the new Standing order appears to allow a concession in favor of those claiming to oust the three years' holder within three years from the date of attaining majority. This concession is not only not in accordance with the express ruling of the Board contained in the above proceedings, but it will also materially interfere with the public convenience on which the rule is based. I know of no subsequent proceedings or order bearing on the point cancelling or modifying the rule, as fixed in the above proceedings, and as it is omitted among the orders quoted at the foot of the Standing order, I venture to surmise that has been overlooked when the new Standing order was drafted.

2. The provision in favor of minority has apparently been taken from Board's Proceedings, dated 9th September 1885, No. 2595, passed in connection with amani holders, whose appointment to village offices the Board has repeatedly prohibited. When, with reference to this proceedings, the Collector of Ganjam asked for a modification of paragraph 7 of the old Standing Order No. 172, the Board in its Proceedings, dated 24th November 1885, No. 3225, explained what an amani appointment was, but did not modify the Standing order. From this I understand that Board's Proceedings, No. 2595 of 1885, was never intended to modify the Standing order.

3. I understand, moreover, that under the proceedings of November 1888 quoted in paragraph 1 *supra*, there has been a practice obtaining in this district to the effect that amani appointments, even if made, can be considered to be such, only within three years prescribed by the Standing order, and that the mirasi claimants, unless they come forward within the said three years, are debarred from ousting the non-mirasi holders. An order passed in a case in this district under similar circumstances, has also been upheld by the Board in a more recent Proceedings, dated 29th January 1890, Mis. No. 583, wherein it has repeated for public benefit the three years' holders should be maintained in office irrespective of any circumstances.

4. In conclusion, I also beg to be informed whether with reference to paragraph 17 of the same Standing Order (178), an application presented to the Collector for revision of the Divisional officer's decision passed under Regulation VI of 1831, does not require to be stamped under the Court Fees Act. It is not a plaint petition for execution or memoranda of appeal to Board therein specified. The word "only" in the first line does not appear in the Government notification, and its use in the Standing order appears to be objectionable.

RESOLUTION—dated 6th March 1891, No. 152.

Standing Order No. 178 (revised edition) will be amended as follows:—

(1) In the first sentence of paragraph 8, omit the words beginning with "*or if the applicant*" to "majority," and insert "even if the applicant was a minor at the time of the incumbent's appointment the same rule applies and the applicant must wait till a vacancy occurs, before he can sue."

(2) In paragraph 17, in the first line, omit the word "only," and after the words "petitions of execution" add "or revision petitions submitted to the Collector."

(A true Copy and Extract.)

(Signed) H. A. SIM,
Acting Secretary.

(True Copy.)

(Signed) C. CLARK,
Registrar.

To all Collectors.

Copy to the Secretary to Government, Revenue Department.

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REVENUE DEPARTMENT.

1891.

Board of Revenue

(Land Revenue,

MADRAS.

No. 922 W. of 3rd April/91
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Recd 26/3/91
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Printed March 18th.

Proceedings, 6th March 1891, No. 152.

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Amending Standing Order No. 178 (new edition) with regard to the three years' rule under Regulation VI of 1831.