

7TH AUGUST 1889, No. 661, PUBLIC.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper:—

From A. P. MacDONNELL, Esq., c.s.i., Secretary to the Government of India, Home Department (Judicial), to the Secretary to the Government of the North-Western Provinces and Oudh, Judicial (Civil) Department, dated Simla, the 23rd July 1889, No. 994.

I am directed to acknowledge the receipt of your letters marginally noted on the subject of the verification of records and registers to which section 32 of the Births, Deaths and Marriages Registra-

tion Act, VI of 1886, applies, by Commissioners to be appointed under section 33 of the Act.

It appears that the Right Reverend the Lord Bishop of Calcutta and the Roman Catholic Ecclesiastical authorities in the North-Western Provinces are unwilling to allow the records and registers in question to leave the hands of the clergy. In his communication, dated 30th March, a copy of which forms part of the enclosures of your letter, No. 282—VII-138B, dated 11th May last, the Registrar-General of Births Deaths and Marriages, North-Western Provinces and Oudh, expresses an opinion that, under these circumstances, it might be expedient to collect certified copies and quarterly returns for examination by Commissioners.

2. In reply, I am to explain that the object which Chapter V of the Act was intended to secure is merely to give evidential value to such existing registers as appear to have been regularly kept, but, not being kept by a public servant in the discharge of his duty or by any other person in performance of a duty specially enjoined by law, are not admissible as evidence under section 35 of the Indian Evidence Act, I of 1872. Registers which are admissible under that section will not derive any appreciable confirmation by being subjected to the scrutiny of Commissioners. It is for the consideration of the custodians of registers whether their registers are admissible under the existing law of evidence, and, if not, whether the advantage offered by the procedure laid down in Chapter V of Act VI of 1886 does not outweigh the inconveniences and risk of entrusting their registers to the care of the Registrar-General for a few months. It will be evident from these remarks that the verification of copies of the registers which is suggested by the Registrar-General in the North-Western Provinces and Oudh would not serve the purpose for which Chapter V of the Act was enacted, and for this reason the Act contains no provision for the verification of copies. As the Act, which was brought into force on the 1st October 1888, contemplates the submission of the registers to which section 32 applies, to the Provincial Registrars-General within a year from that date, it is necessary that the custodians of registers should come to an early decision on the point, and, in the event of their deciding to avail themselves of the provisions of the Act, that they should take the necessary preliminary step of sending the registers to the Registrar-General before the end of September next. I am to request that the purport of this letter may be brought to their notice with as little delay as possible, and to intimate that the appointment of Commissioners will be made immediately after the date on which the period of one year from the commencement of the Act expires, provided that any records or registers are sent to Registrars-General within the time specified.

பாதுகாப்புப் பத்திரம்-1

செய்துள்ளவர் பெயர்

செய்துள்ளவருக்கு எடுத்து
கொடுக்கப்பட்ட நாள்

செய்துள்ளவருக்கு எடுத்து
கொடுக்கப்பட்ட நாள்

செய்துள்ளவர்

செய்துள்ளவர்

செய்துள்ளவர்

செய்துள்ளவர்

9/10/87

9/10/88

9/10/88

9/10/88

9/10/88

In conclusion, I am to say that in any rules which may be framed under section 36 (f) of the Act, provision will be made for the return to their custodians of registers which are being maintained by ministers of religion who have any permanent cure.

No. 5—995.

Copy forwarded to the Government of Madras for information, with reference to the correspondence ending with the letter from that Government, No. 557, Public, dated 27th June 1889.

(By order.)

(Signed) J. P. HEWETT,
Under Secy. to the Govt. of India.

To the Government of Madras.

ORDER—dated 7th August 1889, No. 661, Public.

Communicated to the Registrar-General of Births, Deaths and Marriages; the Right Reverend the Bishop of Madras; the Venerable the Archdeacon; the Most Reverend Archbishop Colgan; the Senior Chaplain, Church of Scotland; the Registrar of the Diocese, Travancore; and to the Secretaries of the various Missionary Societies.

(True Extract.)

Chief Secretary.

To the Registrar-General of Births, Deaths and Marriages.

- „ Right Reverend the Bishop of Madras.
- „ Venerable the Archdeacon.
- „ Most Reverend Archbishop Colgan.
- „ Senior Chaplain, Church of Scotland.
- „ Registrar of the Diocese of Travancore.
- „ Secretaries of the various Missionary Societies.
- „ Resident in Travancore and Cochin.
- „ Political Agent, Pudukóta.
- „ „ Banganapalle.
- „ „ Sandúr.

Ed. A. Raitt.

Gobt. of {1889} Madras.
PUBLIC.

Issued

Recd.

Encl.

G.O., 7th August 1889, No. 661.

AUGUST.

**Births, Deaths and Marriages
Registration.**

Communicating letter from the Government of India regarding the submission to the Registrar-General of the records and registers to which section 32 of the — Act VI of 1886 applies, and the appointment of Commissioners to examine them under section 33.

FROM

CHIEF SECRETARY
31 JUL 89 No. 994.
GOVERNMENT OF MADRAS
A. P. MACDONNELL, ESQ., C.S.I.,
Secretary to the Government of India.

TO

THE SECRETARY TO THE GOVERNMENT OF THE
NORTH-WESTERN PROVINCES AND OUDH,
JUDICIAL (CIVIL) DEPARTMENT.

Home Department.
Judicial.

SIR,

Simla, the 23 July 1889.

I AM directed to acknowledge the receipt of your letters marginally* noted on the subject of the verification of records and registers to which Section 32 of the Births, Deaths and Marriages Registration Act, VI of 1886, applies, by Commissioners to be appointed under Section 33 of the Act.

It appears that the Right Revd. the Lord Bishop of Calcutta and the Roman Catholic Ecclesiastical authorities in the North-Western Provinces are unwilling to allow the records and registers in question to leave the hands of the Clergy. In his communication, dated 30th March, a copy of which forms part of the enclosures of your letter No. ²⁸¹_{VII-138B}, dated 11th May last, the Registrar General of Births, Deaths and Marriages, North-Western Provinces and Oudh, expresses an opinion that, under these circumstances it might be expedient to collect certified copies and quarterly returns for examination by Commissioners.

2. In reply I am to explain that the object which Chapter V of the Act was intended to secure is merely to give evidential value to such existing registers as appear to have been regularly kept, but not being kept by a public-servant in the discharge of his duty or by any other person in performance of a duty specially enjoined by law are not admissible as evidence under section 35 of the Indian evidence Act, I. of 1872. Registers which are admissible under that section will not derive any appreciable confirmation by being subjected to the scrutiny of Commissioners. It is for the consideration of the custodians of Registers whether their Registers are admissible under the existing law of evidence, and if not whether the advantage offered by the procedure laid down in Chapter V of Act VI of 1886 does not outweigh the inconveniences and risk of entrusting their registers to the care of the Registrar

In conclusion, I am to say that in any rules which may be framed under section 36 (f) of the Act, provision will be made for the return to their custodians of registers which are being maintained by ministers of religion who have any permanent cure.

SIR,

A. P. MACDONNELL,

Secretary to the Government of India

Copy forwarded to the

• Madras, No. 557 (Public), dated 27th ultimo.
Bombay, No. 2406, dated 20th ultimo.
Bengal, No. 2-T.G., dated 20th May last.
Panjab, No. 164-S., dated 1st instant.
Central Provinces, No. 280-328, dated 16th January last.
Burma, No. 746-1R., dated 25th October last.
Assam, No. 1828, dated 7th ultimo.
Coorg, No. 865-2006, dated 13th ultimo.

No. 1003

No. 1003
COPY forwarded to the Foreign Department for information and communication to Administrations and Authorities subordinate to that Department.
By order,

By order,

J. P. Hewitt.

J. P. [illegible]
Under-Secretary to the Government of India.

To The Govt of Madras.

From

The Govt. of India

Home Dep.

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Dated 23 } July 1897
Revised 31 }

27h. ca.

Regarding the submission
of records and registers in
original to the Rep^y Genl.
of B.D. on to be examined by
Committee app^t under the
Act (VI of 1886).

27/6/89 ~~4.586/87~~ 1/4/89

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7/8/19

[Signature]

Order 7 Aug 1989 No. 661.

4 Aug
Communicated to the
Registrar General of Births, Deaths
and Marriages, the Right Rev.
the Bishop of Exeter, ^{the Very Rev. the Bishop of Exeter} the Rev.
Archbishop of Cologne, the
Senior Chaplain, Church of
Scotland, and to the Secretary
of the various
of Missionary Societies

2. also the Regt of the Bureau of Travancore
Is Travancore in any way under the
British Madras -

To the named above
 Reside in Trin. Town.
 Poll Agents River St. London. N.Y.
 Lathi.

Public No. 661
7th Aug 89

addresses

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- To
- The Registrar General of Births, Deaths and Marriages
 - " Right Revd. the Bishop of Madras
 - " Ven'ble the Archbishop
 - " Most Revd. Archbishop Colgate
 - " Senior Chaplain, Church of Scotland
 - " Registrar of the Diocese of Travancore
 - " Secretaries of the various Missionary Societies of the Diocese
 - " Resident in Travancore
 - " Political agent, Pudukottai
 - " " Bangalore
 - " " Sandur
- 15/8/89

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File 3000/07

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Public
7-8-07
661.

2-2-16

First copy sent

Returned for

17/82

Dispatched to

24/82

Abstract

Notes Deutsches Bureau

Registrations

Communicating to the
Bureau from the Govt of India
regarding the submission
to the Registrar General of
the records and reports
to which sec 32 of the
Act of 1906 applies,
and the appts of Commis-
sioners to examine them
under sec 33.

7

2425-24

STATEMENT WITH EVIDENCE

SECRET

REPORT OF THE DIRECTOR OF THE BUREAU OF THE CENSUS
ON THE
CENSUS OF 1900

Order complete 250
Letter only
Order complete with letter.

- ☐ = Print in full.
- ☐ = Not to be printed.
- ☐ = Print abstract only.
- ☐ = Print heading only.
- ☐ = Print, but not for secondary reference.