

[7]

ORDINARY, MS.

<i>Public</i> DEPARTMENT.
G.O., DATED 18-3-90
No. 207.

I 19/3 Feb 98/90

8-9-15 ✓
2-3-17 ✓

2-20
17-6-90

When given for copying

[Despatch Abstract.]

*Addressing the Honble the
Chief Justice & requesting
that the Hon the Judge will
reconsider the matter & permit
the Registrar, O.S. to co-operate
in the work of verification
of Registers of Births,
Deaths and Marriages.*

READ AGAIN ORDER OF GOVERNMENT, DATED
188 , No. , MISCELLANEOUS.

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

A A

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL (not paged).

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.

No. 225.

FROM

A. P. MacDONNELL, Esq., C.S.I.,

Secretary to the Government of India.

To

THE CHIEF SECRETARY TO THE GOVERNMENT OF MADRAS.

Home Department.

*Judicial.**Calcutta, the 2nd February 1890.*

SIR,

I AM directed to acknowledge the receipt of the letters from the Government of Madras, marginally noted, on the subject of the examination and verification by Commissioners to be appointed under section 33 of the Births, Deaths and Marriages Registration Act, 1886, of registers and records to which section 32 of that Act applies.

2. In reply I am to say that, after considering the replies of Local Governments and Administrations to Home Department Circular dated 31st August 1888, the Governor General in Council thinks that, instead of having one body of Commissioners in Calcutta for the disposal of registers for the whole of India, it would be convenient to appoint Commissioners for the territories within the jurisdiction of each Registrar General of Births, Deaths and Marriages, to whom registers have been sent for the purpose of being examined under the provisions of Chapter V of the Act of 1886. His Excellency in Council accordingly proposes to appoint the undermentioned officers to be Commissioners for the Madras Presidency, namely,—

- (1) the Registrar General;
- (2) the Registrar of the High Court; and
- (3) the Registrar of the Diocese;

or such other officers as His Excellency the Governor in Council may think fit to propose.

Before, however, the appointments can be made, it is necessary to frame rules under clauses (e) and (f) of section 36 of the Act. In forwarding herewith a copy of a draft rule which has been suggested for issue under clause (e), I am to request that, with the permission of the Governor in Council, the Registrar of the High Court and the Registrar General may be asked, after making a cursory examination of the registers which have been received in the office of the latter, to consider whether it would be sufficient for the purpose or requires to be amplified or modified. It might, it seems to the Government of India, be a useful provision that the Commissioners should make a nominal list of the persons whose births, deaths, or marriages are recorded in the registers submitted to them, with a reference to the particular register in which the record is contained, and some rule is required for the marking by the Commissioners of existing interpolations and alterations on the registers themselves, so as to preclude the possibility of their being tampered with after examination. I am to request that the suggestions of the Registrar, High Court, and the Registrar General, with the opinion of the Madras Government regarding them, may be submitted for the consideration of the Government of India with the least possible delay.

3. With reference to the question of the rules to be made under clause (f), I am to point out that the original registers could only be retained with the consent of the custodians of them. If, therefore, the persons who have produced them do not consent to their retention, it would be desirable that copies of the registers should be made for deposit in the Office of the Registrar General, unless the expense of copying them would be prohibitive. Upon this point I am to ask for the advice of the Governor in Council.

I have the honour to be,

SIR,

Your most obedient Servant,

A. P. MacDONNELL,
Secretary to the Government of India.

Draft Rule under Clause (e) of Section 36 of Act VI of 1886.

Every descriptive list prepared by the Commissioners appointed under Chapter V of the Act shall refer to every register or record, or portion of a register or record, to which it relates, by such letter, number or date, or other identifying mark or marks as may have been affixed by the Commissioners to such register or record, or portion of a register or record, and shall further contain the following particulars:—

- (1) The name and description of the person from whom each register or record, or portion of a register or record, to which it relates was received;
- (2) The authority (if any) under which such register or record, or portion of a register or record, was kept;
- (3) The names and descriptions of the persons by whom, and the name of the place at which, such register or record, or portion of a register or record, was kept;
- (4) The class or classes of persons to whom the entries in such register or record, or portion of a register or record, relate;
- (5) The character of the entries in such register or record, or portion of a register or record, *viz.*, whether relating to birth, baptism, naming, dedication, death, burial, or marriage; and
- (6) The dates of the first and last entries in such register or record, or portion of a register or record, and the number of entries on each such register or record.

From

Govt of India
Home Deptt.

No 182 77-3-90

To,
The Hon. the Chief Justice
of the High Court of Madras

Miss G. 7-3-90 No 181 77-3-90

Hon'ble Sir,

726/2/90
R. 3/3/90

In forwarding a copy
of G. O. No 181 d. 7th March
1890, I am directed to ask
that, should there be no
objection, instructions may
be issued to the Registrar
of the High Court, Original
Side, in accordance with
the wishes of the Govt of
India. (Sd) J. G.

G. O. No 181 d. 7th March 1890
Com? to the Regt. of the High Court,
Deaths & Marriages for information
and guidance, and for early
report with refer to para 2 & 3
2. The Hon. the Chief Justice
will be asked to issue the
necessary instructions to the
Regt. of the High Court, should
there be no objection
To
The Regt. of the High Court,
Deaths & Marriages

From

Joseph Stevenson Esquire
Registrar of the High Court
of Judicature at Madras
Original Side

To

The Chief Secretary to Government

Honorable Sir

I am directed to acknowledge
your letter dated 7th March Instant No 182
forwarding proceedings of Government
Public Department of the same date No 181
and to inform you that the Honorable
the Chief Justice is informed by the
Registrar of the High Court, Original Side,
that his time is so fully occupied that
he would be unable to undertake the
duties of any other office. The Registrar
already holds the offices and discharges
the duties of Receiver, Tensing Officer,
Master and Commissioner on the
Original Side and Chief Clerk and
Commissioner of the Court for the
Relief

Relief of Insolvent Debtors. The Registrar
also under special Rules of Court
discharges many and various quasi
judicial duties.

I have the honor to be
Honorable Sir

Your Obedient Servant,

Joseph Stevenson
Registrar

Registrar's Office
High Court Madras
Original Side
11th March 1890
M.S.

7/3/90 No 181/82

801
Jud. C. no 1065

Public C. C. no 801.

From

Joseph Stevenson Esq.
Registrar of the High Court
of Judicature at Madras
Original side

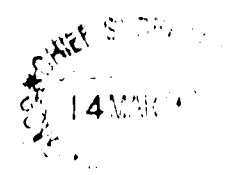
To

The Chief Secretary to Govt.

No. 207 of 18-3-90

Dated 11th March
Received 14th do 1890

No. 128



Informing that the time
of the Registrar High Court
Original Side is so fully
occupied that he would
be unable to undertake
the duties of any other office

To H. M.

Orders are requested
whether this letter is to
be accepted as a reply
to the comm. made to
the Chief Justice. There
is nothing to show that
the letter was written
in accordance with
instructions from the
Chief Justice or that
he ever approved of
its being sent. The
Govt of India particular-
ly ask for the ~~opinion~~ ^{suggestions}
of the Registrar of the
High Court x x x with
the least possible delay.

It is pointed out that
the duties now required
will be only of a tempor-
ary nature and that
they will not amount
to the addition of "any
other office" to the already
long list of "offices"
held by the Registrar.

It is submitted
that

that the Registrar's duties are not really so heavy as might be thought from his letter and that it nowhere appears that the Chief Justice is of opinion that they are.

If it is to be taken that Mr. Stevenson's services are not available, it is highly improbable that Mr. Foster will be.

The Appellate side Registrar is frequently in Court as there are generally two Appellate Courts sitting whereas the Original side Regr. attends to the Judge sitting in the Issue Court and Insolvent Court only - or about

twice a week.

Orders are requested as to what is to be done in the event of neither of the High Court Registrars being available.

JG
14/3

9.0.13.
14.3.90.

Papers to be read in Proceedings:—

Again G.O., dated 18 , No.

Again G.O., dated 7th March 1890, No. 181.

Current No. of 18 , dated from

Current No. 801 of 18 90, dated 11th March from the Registrar of the
High Court, Original Side.

N^o. 207
To Of 18th March/90
The Hon'ble the Chief Justice
of the High Court.

Hon'ble Sir,

With reference to the letter
from the Registrar of the High Court, Original
Side, dated 11th March 1890, N^o. 181,
I am directed to point out that
the duties now required of the
Registrar will be only of a temporary
nature and that the
Govt. of India have particularly
asked for his services. I am to
express the hope of His Excellency
the Governor in Council that
the Hon'ble the Judges will
reconcile

[illegible]