

ORDINARY, MS.

Public DEPARTMENT.	
G.O., DATED	10-1-93
No.	659 660.

INDEXED.

When given for copying.

[Despatch Abstract.]

Ordering that the
Govt of India head-
- dropped regarding the
proposal to exempt
persons applying to
Ruralists who are
members of village
for certificates, copies
or sketches under Sec.
20 & 25 of Act No. 17
of 1926. for payment
of the fees mentioned
in Schedule K to
the above Act.
- L.N. 1173-19 July 28

FURTHER PAPER, No.

1476

OF 1894

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

ENCLOSURES.

CURRENT NO.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT.

LETTERS OF GOVERNMENT.

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.
F — Copy abstract only.
Q — Copy heading only.

No.

22nd
198

FROM

C. J. LYALL, ESQ., C.S.I., C.I.E.,

Secretary to the Government of India,

TO

The Chief Secretary to the Government of Madras.

Home Department.
Ecclesiastical.

30 JUN 93

GOVERNMENT OF MADRAS

Simla, the 23rd June 1893.

SIR,

I AM directed to forward a copy of a letter from the Government of the Punjab, No. 1188, dated the 23rd December 1892, in which His Honour the Lieutenant-Governor recommends, with reference to a representation made by the Roman Catholic Archbishop at Agra, that Roman Catholics in the Punjab utilizing the services of their priests as Registrars of Births and Deaths under Act VI of 1886 should be exempted from payment of the fees under sections 8, 23 and 25 of the Act, mentioned in Schedule K, appended to the Home Department Notification No. 1173, dated the 19th July 1888. His Honour is further of opinion that a similar concession should be made in the case of clergymen of other denominations acting as Registrars of Births and Deaths under the Act.

2. I am to remark that as indexes of certified copies of registers are made and kept in the offices of the Registrars-General of Births and Deaths, the fees payable under section 8 of the Act for inspection and copies would be paid to them and not to the Registrars of Births and Deaths. Taking into consideration, however, the fact that ministers and clergymen are not paid for performing the duties of Registrars of Births and Deaths, the Governor General in Council does not see any objection *prima facie* to their being exempted from the duty of collecting fees under sections 23 and 25 of the Act. A draft notification has accordingly been prepared (copy enclosed) to exempt persons obtaining certificates or copies of entries from, or making searches in, a register kept by a Registrar who is a minister of religion for the class or community to which such persons belong from payment of the fees referred to above. Before finally issuing this notification, I am to say that the Governor General in Council would be glad to learn *the* views of His Excellency the Governor

in Council
in the matter.

3. I am at the same time to enquire whether, in *the* opinion of His Excellency in Council fees might not be remitted in every case in which certificates or copies are given from, or searches made in, a register kept by a Registrar who is a minister of religion, whether he belongs or not to the class or community of the person applying for such papers or information. If ministers or clergymen have actually been

2

appointed Registrars in respect of classes of persons other than those who belong to their own denomination, it might lead to inconvenience and complaints if persons belonging to the same denomination as the Registrar were exempted from the payment of fees while other persons were required to pay them. The exemption could be made general by omitting the words "for the class or community to which such persons belong" from the enclosed draft notification.

4. I am to add that the Government of India would be glad to be furnished with information as to the loss of revenue which would be caused to Government if the exemptions suggested above were granted.

I have the honour to be,

SIR,

Your most obedient Servant,

C. Hall

Secretary to the Government of India.

No. 1188, dated Lahore, the 23rd December 1892.

From—H. MAUDE, Esq., Junior Secretary to Government, Punjab and its Dependencies,

To—The Secretary to the Government of India, Home Department.

I AM directed by the Lieutenant-Governor to address you on the subject of a representation which has been made by the Roman Catholic Archbishop at Agra regarding the payment of fees by persons requiring certificates of the registration of births or deaths under Act VI of 1886.

2. By Punjab Government Notification No. 1030, dated 10th November 1892, all Roman Catholic Chaplains in the Punjab have been appointed Registrars of Births and Deaths for the areas under their spiritual charge, and for the class of community in respect of which they are in the habit of officiating at baptisms and burials. Schedule K appended to the Government of India, Home Department, Notification No. 1173, dated 19th July 1888, prescribes the scale of fees which are leviable under sections 8, 23 and 25 of the Act. The Archbishop has enquired whether there is no possibility of exonerating his Chaplains from collecting fees for certificates of baptisms, marriages or deaths, which he states have hitherto been granted gratuitously whenever they were applied for, or given for a small contribution offered either to the Church or the Orphanages. The Archbishop further represents that his Priests have little spare time in which to make up official accounts and refund the fees into the Civil Treasury, and he fears that unpleasant correspondence may arise in the matter.

3. With reference to the Archbishop's representation, the Lieutenant-Governor desires to observe that there have been difficulties in many parts of India in getting Bishops, both Protestant and Roman Catholic, to understand the objects aimed at by Act VI of 1886; and as the Archbishop of Agra has taken up the matter intelligently and has drafted a set of instructions for the use of the Clergy subordinate to him, who are Registrars, His Honor thinks that his representations deserve all consideration. He therefore recommends that Roman Catholics in the Punjab, utilizing the services of their Priests as Registrars under the Act, should be exempt from payment of the fees mentioned in the schedule above cited. In this particular instance the fees are not worth the trouble of accounting for. Indeed, he is inclined to think they are not worth the trouble of accounting for in the case of any Clergymen acting as Registrars, and he would be inclined to remit them generally in such cases.

1761.

Pub. Dept.

From

The G. of India

Home Dept.

No. 2 Encl/198

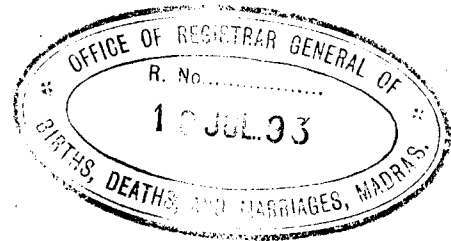
Dated 23.6.93

Recd 30.6.93

Encl. 1. 27.8.93

Subject.

In forwarding copy of a letter from the Govt of the Punjab reg: exemption from payment of fees by persons requiring certificates of the Regn of births and deaths under Act VI of 1886, for favour of opinion.



9/7/93

No 1191.

Referred to the Registrar General of Births, Deaths and Marriages, Madras for remarks.

Redmichie

Chief Secretary

Ootacamund 7. vii. 93

222
417

The Registrar General of Births, Deaths & Marriages Madras. (with 1 A.C.)

Madras office
30/6

REGISTRATION DEPARTMENT

(BIRTHS, DEATHS AND MARRIAGES).

No. 61.

From

M.R. Ry. S. SRINIVASA RAGHAVAIYANGAR, AVARGAL,

DEWAN BAHADUR, C. I. B.

REGISTRAR-GENERAL OF BIRTHS, DEATHS AND MARRIAGES,

Madras,

To

The Honourable J. F. Price C. I. B.

CHIEF SECRETARY TO GOVERNMENT,

Fort St. George.

Ootacamund.

Arthur, the 19th July 1893.

SIR,

* herewith returned

Adverting to the Government endorsement in the Public Department dated 7th instant No. 1191 on letter from the Government of India Home Department dated 23rd ultimo No. 2604/198 on the question of exemption from the payment of fees of persons who apply for certificates or copies or searches under sections 33 and 35 of Act VI of 1886 in registers kept by Registrars who are ministers of religion, I have the honor to report as follows.

2. There are 3 classes of Registrars appointed

appointed under Act VI of 1886 viz 1st Registrars
districts under the Indian Registration Act 1870
who have been appointed ex officio Registrars
of Births and Deaths under Act VI of 1886; 2nd
Marriage Registrars appointed under Acts XV
of 1865, III of 1872 and XV of 1872, who are
ex officio Registrars of Births and Deaths for
the several classes referred to in Section 11 clause
(1) of Act VI of 1886 and 3rd Ministers of
religion who have been appointed as Registrars
of Births and Deaths for the classes of the Com-
munity for whom they officiate as ministers.

3. Registrars coming under the first
of the three classes above referred to are
Government Servants and they receive no special
remuneration for the work done by them as Regis-
trars under Act VI of 1886.

4. Persons coming under the second class
i.e. persons who are Registrars under Act VI of
1886 by virtue of their being Marriage Registrars
are some of them Government officials and others
unofficial persons. The official Registrars do not
get any remuneration for the work done by them
either as Marriage Registrars or as Registrars of
Births and Deaths with the exception of the Senior
Registrar of Madras who is paid Rs 50 per
mensem for the registration of marriages
under

81 276
76492

under the Indian Christian Marriage Act 1872.
The non-official Registrars in the Presidency
have been recently allowed by notification in
the Fort St George Gazette dated 26 April 1892
to retain for their own use, furnished by them
under Section 82 of the Indian Christian Marriage
Act 1872, and as regards the Native States
of Hyderabad and Mysore, a similar
notification has been issued by the Government
of India. Vide notification in the Gazette of
India No 1066 G-I dated 3rd September 1892.
No remuneration is however given for the
work done by these non-official Registrars
under Act VI of 1886.

5. As regards the third class of Registrars,
if they are ministers licensed to solemnize
marriages under the Indian Christian Marriage
Act 1872, they are allowed to retain the fees
collected by them under this enactment under
Section 82 of the Act provided that they
are not paid any remuneration for work
done by them under Act VI of 1886.

6. The proposal before the Government of
India is to exempt from fees cases in which
Certificates or copies are given from or searches
made in a register kept under Act VI of 1886
by a Registrar who is a minister of religion,
whether or not he belongs to the class or

community of the persons who apply for such
formation. If these persons applied for
formation from Registrars who are not ministers
of religion they would not be entitled to exemption
from fees. To obviate the necessity for this
differential treatment it seems to me ^{that} it would
be preferable to rule that the fees should be
levied in all cases, but that where the fees are
levied by non official Registrars under Act VI
of 1886, they should be allowed to retain them for
their own use and not to remit them to the
Treasury. This arrangement will be relieving
them of the trouble of accounting for the fees
received, will ensure to them some remuneration
for the work done by them under Act VI of 1886
in the same manner as for work done under the
Indian Christian Marriage Act, 1872.

7. The fees collected by Registrars under
Sections 23 and 25 of Act VI of 1886 were very
little being Rs 5 in 1891-92, 7 in 1890-91 and
5 in 1889-90, and the loss of revenue arising
from the adoption of the proposal referred to
by the Government of India will be trifling.

I have the honor to be,

Sir

Your most obedient servant

Gnanendra Nath Sanyal

Registrar General of
Births Deaths & Marriages

111 (1893) Department
Registration of Births Deaths
and Marriages)

Cnos 1761 + 2017
For orders.

From
The Registrar General of
Births Deaths and Marriages
Madras

To
The Chief Secretary
to Government
Ootacamund.

Dated 19
Despatched
Received } July 1893.

J. No. 61.
Enclosures (one)
No.



Submitting report on the question
regarding exemption from pay-
ment of fees by persons requiring
certificates of the registration of
births and deaths under Act
VI of 1886.

From adms office
To Mr. S. D. Librarian
for the Act please
send to Records for perusal

Submitted that the Registrar
General's recommendation may be approved
and the Govt of India informed accordingly
It does not appear that Section 23 & 25
of Act No. 1906 contemplate the grant of an
exemption in any case. If the ministers
so desire it they can return the fees to
the applicants.

I do not see what the objection there
is to the exemption proposed by the
94 J. 129
I think that the Reg: Genl's suggestion
is better. The Act does not provide for
exemptions. Ministers of Religion and
Whom the fees if they like.
11/8/93
7 Aug.

S. D. Librarian
7/17
3/17

c 578
578

Papers to be read in Proceedings :—

Again G.O., dated 18 , No.

Again G.O., dated 18 , No.

Current No. 1761 of 1893, dated 23rd June from the Govt. of India, Home Dept.

Current No. 2017 of 1893, dated 19th July from the Reg: Genl. of B.D. & M.

Order 18 August 1893, No. 659.

Ordered that the
Govt. of India be addressed

Letter No. 660.

To
The Secretary to the
Govt. of India,
Home Dept.

3/12/93
L. 22/6

Sir,
I am directed to
acknowledge the receipt of
Mr. Syall's letter dated the
23rd June 1893, No. 2 Exd.
198,
forwarding copy of a letter
from the Govt. of Punjab
regarding a proposal to exempt
persons applying to Registrar
who are ministers of religion

for certificates, copies or
searches under sections 23
and 25 of Act VI of 1886,
from payment of the fees
mentioned in schedule K
appended to Home Dept.
notification No. 1173, D
19 July 1888. In reply
I am to forward a copy
of a letter from the Registrar
General of B. D. & Mysore,
Madras, marginally noted,
from which it will be
seen that there are three
classes of registrars appointed
under Act VI of 1886, viz.
(1) Registrars of districts
under the Indian Registration
Act 1877; (2) Marriage Registrars
under Act IV of 1865, III
of 1872 & IV of 1872; and
(3) ministers of religion -
To exempt persons from pay-
ment of fees only when they
apply to Registrars who are
ministers

N: 61 D 19 July 1893.

ministers of religion, whether
they belong or not to the
same class or community,
for certificates ~~or~~ under
the sections referred to,
would, as remarked by
the Registrar General, be
anomalous. It would
therefore seem preferable,
as suggested by that officer,
that fees should be levied
in all cases, but that
non-official registrars should
be allowed to retain them
for their own use, thus
relieving them from the trouble
of accounting for the fees
received and at the same
time giving them some remun-
eration which they do not
at present receive for work
done under Act VI of 1886.
A similar concession has
already

already been extended to them
in the case of work done
under the Indian Christian
Marriage Act, 1872. By this
arrangement non-official
^{registrars}
~~members~~ will be at liberty
to return the fees to appli-
cants in such cases as
they think fit.

2. With reference to the
last para. of the letter
under reply I am to state
that the loss of revenue
which would be caused
~~to Government~~ if the exemptions
proposed were granted
would be trifling; the
average receipts on this
account in this Presidency
for 1889-90 to 1891-92 being
about Rs. 6.

(From Orders)

17/8/93

No. 1188, dated Lahore, the 23rd December 1892.

From—H. MAUDE, Esq., Junior Secretary to Government, Punjab and its Dependencies,

To—The Secretary to the Government of India, Home Department.

I AM directed by the Lieutenant-Governor to address you on the subject of a representation which has been made by the Roman Catholic Archbishop at Agra regarding the payment of fees by persons requiring certificates of the registration of births or deaths under Act VI of 1886.

2. By Punjab Government Notification No. 1030, dated 10th November 1892, all Roman Catholic Chaplains in the Punjab have been appointed Registrars of Births and Deaths for the areas under their spiritual charge, and for the class of community in respect of which they are in the habit of officiating at baptisms and burials. Schedule K appended to the Government of India, Home Department, Notification No. 1173, dated 19th July 1888, prescribes the scale of fees which are leviable under sections 8, 23 and 25 of the Act. The Archbishop has enquired whether there is no possibility of exonerating his Chaplains from collecting fees for certificates of baptisms, marriages or deaths, which he states have hitherto been granted gratuitously whenever they were applied for, or given for a small contribution offered either to the Church or the Orphanages. The Archbishop further represents that his Priests have little spare time in which to make up official accounts and refund the fees into the Civil Treasury, and he fears that unpleasant correspondence may arise in the matter.

3. With reference to the Archbishop's representation, the Lieutenant-Governor desires to observe that there have been difficulties in many parts of India in getting Bishops, both Protestant and Roman Catholic, to understand the objects aimed at by Act VI of 1886; and as the Archbishop of Agra has taken up the matter intelligently and has drafted a set of instructions for the use of the Clergy subordinate to him, who are Registrars, His Honor thinks that his representations deserve all consideration. He therefore recommends that Roman Catholics in the Punjab, utilizing the services of their Priests as Registrars under the Act, should be exempt from payment of the fees mentioned in the schedule above cited. In this particular instance the fees are not worth the trouble of accounting for. Indeed, he is inclined to think they are not worth the trouble of accounting for in the case of any Clergymen acting as Registrars, and he would be inclined to remit them generally in such cases.

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(Draft.)

No.

GOVERNMENT OF INDIA.

HOME DEPARTMENT.

JUDICIAL.

Simla, the June 1893.

NOTIFICATION.

IN exercise of the powers given to him by section 36 of the Births, Deaths and Marriages Registration Act (VI of 1886), the Governor General in Council is pleased to direct the substitution of the following for rule 19 of the rules under that Act, which were published under Notification of the Government of India in the Home Department, No. 1173, dated the 19th July 1888:—

“19. The sums specified in Schedule K shall be the fees payable under the sections of the Act there referred to :

Provided that soldiers and Non-commissioned Officers of Her Majesty's Regular Forces, and all seamen, shall be exempted from the payment of any fees :

Provided also that persons obtaining certificates or copies from, or allowed to search in a register kept by, a Registrar who is a minister of religion [for the class or community to which such persons belong,] shall be exempted from the payment of fees under heads (iii) iv, and (v) respectively of the said Schedule.”

C. J. LYALL,

Secretary to the Government of India.

No. 1188, dated Lahore, the 23rd December 1892.

From—H. MAUDE, Esq., Junior Secretary to Government, Punjab and its Dependencies,

To—The Secretary to the Government of India, Home Department.

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appointed Registrars in respect of classes of persons other than those who belong to their own denomination, it might lead to inconvenience and complaints if persons belonging to the same denomination as the Registrar were exempted from the payment of fees while other persons were required to pay them. The exemption could be made general by omitting the words "for the class or community to which such persons belong" from the enclosed draft notification.

4. I am to add that the Government of India would be glad to be furnished with information as to the loss of revenue which would be caused to Government if the exemptions suggested above were granted.

I have the honour to be,

SIR,

Your most obedient Servant,

C. J. LYALL,

Secretary to the Government of India.

No.

COPY (with copy of draft notification) forwarded to the Government of the Punjab, with reference to its letter No. 1188, dated the 23rd December 1892, and paragraphs 3 and 4 of this letter.

No.

COPY, with copy of the papers noted in the margin, forwarded to the Foreign
Letter from the Government of the Punjab, No. 1188, dated 23rd December 1892.
 Draft notification. Department for information and necessary action.

By order,

H. LUSON,

Under-Secy. to the Govt. of India.

No. .

FROM

C. J. LYALL, ESQ., C.S.I., C.I.E.,
Secretary to the Government of India,

TO

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Ecclesiastical.

Simla, the June 1893.

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2. I am to remark that as indexes of certified copies of registers are made and kept in the offices of the Registrars-General of Births and Deaths, the fees payable under section 8 of the Act for inspection and copies would be paid to them and not to the Registrars of Births and Deaths. Taking into consideration, however, the fact that ministers and clergymen are not paid for performing the duties of Registrars of Births and Deaths, the Governor General in Council does not see any objection *prima facie* to their being exempted from the duty of collecting fees under sections 23 and 25 of the Act. A draft notification has accordingly been prepared (copy enclosed) to exempt persons obtaining certificates or copies of entries from, or making searches in, a register kept by a Registrar who is a minister of religion for the class or community to which such persons belong from payment of the fees referred to above. Before finally issuing this notification, I am to say that the Governor General in Council would be glad to learn views

in the matter.

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fees might not be remitted in every case in which certificates or copies are given from, or searches made in, a register kept by a Registrar who is a minister of religion, whether he belongs or not to the class or community of the person applying for such papers or information. If ministers or clergymen have actually been

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 Draft notification. Department for information and necessary action.

By order,

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Under-Secy. to the Govt. of India

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SIR,

I AM directed to forward a copy of a letter from the Government of the Punjab, No. 1188, dated the 23rd December 1892, in which His Honour the Lieutenant-Governor recommends, with reference to a representation made by the Roman Catholic Archbishop at Agra, that Roman Catholics in the Punjab utilizing the services of their priests as Registrars of Births and Deaths under Act VI of 1886 should be exempted from payment of the fees under sections 8, 23 and 25 of the Act, mentioned in Schedule K, appended to the Home Department Notification No. 1173, dated the 19th July 1888. His Honour is further of opinion that a similar concession should be made in the case of clergymen of other denominations acting as Registrars of Births and Deaths under the Act.

2. I am to remark that as indexes of certified copies of registers are made and kept in the offices of the Registrars-General of Births and Deaths, the fees payable under section 8 of the Act for inspection and copies would be paid to them and not to the Registrars of Births and Deaths. Taking into consideration, however, the fact that ministers and clergymen are not paid for performing the duties of Registrars of Births and Deaths, the Governor General in Council does not see any objection *prima facie* to their being exempted from the duty of collecting fees under sections 23 and 25 of the Act. A draft notification has accordingly been prepared (copy enclosed) to exempt persons obtaining certificates or copies of entries from, or making searches in, a register kept by a Registrar who is a minister of religion for the class or community to which such persons belong from payment of the fees referred to above. Before finally issuing this notification, I am to say that the Governor General in Council would be glad to learn views

in the matter.

3. I am at the same time to enquire whether, in opinion fees might not be remitted in every case in which certificates or copies are given from, or searches made in, a register kept by a Registrar who is a minister of religion, whether he belongs or not to the class or community of the person applying for such papers or information. If ministers or clergymen have actually been

(Draft.)

No.

GOVERNMENT OF INDIA.
HOME DEPARTMENT.

JUDICIAL.

Simla, the June 1893.

NOTIFICATION.

IN exercise of the powers given to him by section 36 of the Births, Deaths and Marriages Registration Act (VI of 1886), the Governor General in Council is pleased to direct the substitution of the following for rule 19 of the rules under that Act, which were published under Notification of the Government of India in the Home Department, No. 1173, dated the 19th July 1888:—

"19. The sums specified in Schedule K shall be the fees payable under the sections of the Act there referred to:

Provided that soldiers and Non-commissioned Officers of Her Majesty's Regular Forces, and all seamen, shall be exempted from the payment of any fees:

Provided also that persons obtaining certificates or copies from, or allowed to search in a register kept by, a Registrar who is a minister of religion [for the class or community to which such persons belong,] shall be exempted from the payment of fees under heads (iii) iv, and (v) respectively of the said Schedule."

C. J. LYALL,

Secretary to the Government of India.

appointed Registrars in respect of classes of persons other than those who belong to their own denomination, it might lead to inconvenience and complaints if persons belonging to the same denomination as the Registrar were exempted from the payment of fees while other persons were required to pay them. The exemption could be made general by omitting the words "for the class or community to which such persons belong" from the enclosed draft notification.

4. I am to add that the Government of India would be glad to be furnished with information as to the loss of revenue which would be caused to Government if the exemptions suggested above were granted.

I have the honour to be,

SIR,

Your most obedient Servant,

C. J. BYALL,

Secretary to the Government of India.

No.

COPY (with copy of draft notification) forwarded to the Government of the Punjab, with reference to its letter No. 1188, dated the 23rd December 1892, and paragraphs 3 and 4 of this letter.

No.

COPY, with copy of the papers noted in the margin, forwarded to the Foreign
Letter from the Government of the Punjab, No. 1188, dated 23rd December 1892.
 Draft notification. Department for information and necessary action.

By order,

H. LUSON,

Under-Secy. to the Govt. of India.

No.

Paper taken out of the Records from the charge of the Referencer.

FROM

C. J. LYALL, ESQ., C.S.I., C.I.E.,
Secretary to the Government of India,

TO

Home Department.
Ecclesiastical.

Simla, the June 1893.

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Press
Miscellaneous No. 659, dated 18-9-1902
Routine 666

Date taken out.	FOR WHAT PURPOSE.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
6-8-09	Public	11/4			17-6-10	
7-12-10	Pub	6325			4-2-11	
	Mr RO	2617/10				
8-11-11	Pub	6479			8-1-12	
	Mr RO	3982				
8-9-15	Pub Supp			AA	23-10-15	
2/2/16	Pub	656/16		AA	15/2/16	
2-3-17	Mr RO	834/17			16-4-17	