Rivanna Department

No 292

Dated 10-3-1859

Fort Saint George, Revenue Consultation of 15th March 1859.

No. 4. Read the following Extract from the Minutes of Consultation in the Judicial Department; dated 21st February 1859, No. 238.

Fowarding to the Members of the Legislative Council reports from the Sudder Court and the Board of Revenue on the suggestion of the Honorable Court that the existing Acts and Regulations should be consolidated under their proper heads, and observing that the drafting of the Revenue Code has been withdrawn from the Government Pleader and handed to Mr. D. Mayne.

(Vide Judicial Consultation 25th February 1859, Nos. 44-45.)

No. 5. ORDER THEREON, No. 292; dated 10th March 1859.

Ordered to be communicated to the Board of Revenue, with reference to their Proceedings dated 5th February 1859, No. 436.

(Signed) W. C. SIM,
Actg. Dy. Secy. to Government.

No. 238.

Extract from the Minutes of Consultation under date the 21st February 1859.

Read the following papers.

From C. F. CHAMIER, Esq., Acting Register to the Court of Sudder Udalut; to T. PYCROFT, Esq., Chief Secretary to Government, dated 21st September 1858, No. 82.

SIR,

The Judges direct me to state, with reference to Extract from the Minutes of Consultation under date the 9th Instant, that they consider the recommendations of the Honorable the Court of Directors highly important and beneficial, and that they should be carried out to the fullest extent. The proposed Codes will effect much towards making the law simple and intelligible, in those branches to which they are applicable; but there are other subjects of legislation, and the Judges think it desirable that the process recommended by the Honorable Court should be extended over the whole body of our laws, and a new volume prepared for the use of the public offices, containing all the miscellaneous laws so re-arranged as to contain only the laws that are in force; and these classified and put in a form convenient for use.

Extract from the Minutes of Consultation in the Revenue Department, dated 11th February 1859, No. 187.

Extract from the Proceedings of the Board of Revenue, dated 5th February 1859, No. 436.

Extract Minutes Consultation, dated 15th September 1858, No. 1260.

(In Con. 28th December 1858, No. 4171.)

The Board conceive there can be no question of the desirableness of giving effect to the suggestion of the Honorable Court that the existing Acts and Regulations should be consolidated under their proper heads and formed into separate Acts, each complete in itself as regards the subject of which it treats, and that in framing new laws which modify or retain previous enactments, the provisions modified should be repealed and the portions retained be re-enacted.

2. The Revenue Code contemplated for this Presidency will when completed and passed meet these requirements, but the Board see no prospect of this being effected within any reasonable time.

In Con. 10th March 1858, No. 173.

3. The orders of Government on the subject of the Code bear date 18th February 1857 and remit the preparation of the Draft Act to the Government Pleader. More recently (10th March 1858) the Board furnished that Officer with a rough Draft of a Law to regulate their powers and proceedings as a Court of Wards.

4. The Board have not as yet received any portion of the Code from the Government Pleader, and they apprehend that with his numerous and onerous duties, that Officer is not likely to dispose of the subject within a reasonable period.

5. Under these circumstances the Board would strongly recommend that the suggestion contained in para. 38 of the Honorable Court's Despatch should be acted on, and the task of consolidation be referred to the Legislative Member of Council whose lengthened experience in the Revenue administration of this Presidency and acquaintance with the Revenue Laws of the other Presidencies, peculiarly qualify him for the duty.

Enclosure in E. M. C., of 15th September 1858.

(A true Extract.)

(Signed) J. D. SIM,
Secretary.

Ordered to be referred to the Judicial Department, with reference to Extract Minutes of Consultation in that Department, dated 9th September 1858, No. 1233.

(A true Extract.)

(Signed) J. D. BOURDILLON,
Secretary to Government.

Order.—Resolved that copies of the above reports, submitted by the Court of Sudr and Foujdaree Udalut and by the Board of Revenue under the orders of Government, No. 1233, dated 9th September last, be communicated to the Member of the Legislative Council in reference to his letter of the 17th August last.

2. With reference to the remarks of the Revenue Board in paras. 2, 3, 4, 5, of the Extract from their Proceedings, it is observed, that the drafting of the Revenue Code has recently been withdrawn by Government from the Government Pleader who is too much occupied with other business to give it his attention and has been confided to Mr. D. Mayne, under whom it will, it is to be hoped, make rapid progress and the course recommended by the Board in the last para. of their Extract be unnecessary.

(True Extracts and Copy.)

Chief Secretary.

To the Judges of the Court of Sudder Udalut.
,, Revenue Department.

Exd. F. Cartledge.

R. Cons. 21st Septr/58 No 11912
— 15th Feby/59. No 30-31.

Revenue 1859 Depo.
Dft Cons: 15th March.

No. 354.

Extract from the Mins. of Cont. in the Judicial Depart.

Dated 21st February

Rec.d 2nd March 1859
No. 292. 10th March 59.

Forwarding to the numbers of the Legislative Council Reports from the Sudder Courts and the Board of Revenue on the suggestion of the Honorable Court that the existing Rules and Regulations should be consolidated under their proper heads, and observing that the drafting of the Revenue Code has been withdrawn from the Government Press and handed to Mr. Shaynt. With an order

No. 292.

Ordered to be communicated to the Board of Revenue with reference to their Proceedings dated 5th February 1859 c. No. 430.

J. P. Grant

For Sec.y to Govt.
10th March 1859.

3 Copies to the Bd. of Rev. Dupl. 11 &c.
with C. R. C. J. Dep.t No. 238.

No. 485.