

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 183

Press
~~Mis.~~

303. 204

Dated

26 - 1 - 1913

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
24th January 1863.*

No. 303. Read the following Proceedings of the Board of Revenue, dated 10th November 1862, No. 7,392:—

Read the following letter from C. W. READE, Esq., Collector of South Arcot, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Cuddalore, 22nd October 1862, No. 229.

SIR,

1. In acknowledging the receipt of the Board's Standing Circular, No. 6,681, dated 6th October, accompanied by revised rules for granting authenticated copies of Revenue and Magisterial papers, I desire to be informed whether it is imperative on the Collector to affix his signature to every copy of a document granted under these rules, or whether the authentication by the Deputy Collector is sufficient. I presume at all events that copies given under Rule 21 by the Sub-Collector or Head Assistant Collector, may be authenticated by these Officers respectively.

2. I further solicit instructions as to whether applications for copies of the papers indicated must be invariably made to the Collector in person, or whether such applications may be received by post, also whether Tahsildars may receive applications for submission to the Collector. At present applications by post and in the Talooks are frequent, and the public convenience would seem to deserve consideration, in the absence of objections of greater weight.

3. I presume that the rules do not apply to copies of final orders either in Magisterial or Revenue cases. Such copies are now given by Officers passing the decision, whether Native or European, without any reference to the Collector or Magistrate; and I request to be informed if the practice may not be continued. The parties in every case being entitled to such copy as a matter of right, it is possible that "final orders" do not come within the category of documents contemplated by the rules.

4. I would urge the sufficiency of the authentication of documents by the Deputy Collectors because of the very serious inconvenience to which persons may be put at the time of the Jamabundy, and on other occasions when the Collector is absent from the Hoozoor station; and the same objection would seem to support my recommendation that applications for copies of documents may be permitted by post, or through the Tahsildar of the Talook.

5. Existing practice appears so at variance with these new rules, that I have felt it my duty at once to seek distinct instructions on the particular points I have noticed, and I trust I may be favored with these at an early date.

The Board resolve to submit the above letter for the orders of Government as the Draft rules prepared by the Board were very materially modified in the Government Office, as regards the main point referred to by the Collector.

(A true Copy and Extract.)

(Signed.) W. HUDLESTON, *Secretary.*

No. 304. ORDER THEREON, 24th January 1863, No. 155.

1. With these Proceedings the Board of Revenue submit a letter from the Collector of South Arcot in which he seeks instructions on certain points connected with the Rules for granting authenticated copies of documents in the records of a Collector or Magistrate, recently passed.

2. The first question is whether the authentication by the Deputy Collector is sufficient. The Court of Sudder Udalt having in their Registrar's letter, dated 25th June 1860, No. 60, included the Uncovenanted Assistants to Collectors among the Officers who can be empowered to grant attested copies, the authentication of the Deputy Collectors is sufficient. When the Deputy Collector attests the copy, his counter-signature is of course unnecessary.

The Government also agree to Sub-Collectors and Head Assistants attesting copies made under Rule 21 in their Offices.

*Proceedings of the Madras Government, Revenue Department,
24th January 1863.*

3. The second question is whether applications for copies of papers may be received by post and also whether Tahsildars may receive application for submission to the Collector. The Government see no objection to either of these measures, nor any thing in the rules to raise doubts regarding them. The copies sent to parties by post will not of course be franked as on the public service. They should be forwarded bearing postage unless the applicants have made arrangements to avoid the charge.

4. The next and last question is whether final orders either in Magisterial or Revenue cases come under the Rules. The Government have in their orders noted in the margin* modified Rule 20 so as to meet the requirements of Section 410 of the Criminal Procedure Code. The orders alluded to by Mr. Reade do not come under the Rules, and copies of them may be granted as hitherto.

5. The main principles of the new Rules are to throw on the Collector alone the responsibility of giving copies of papers on his records, of making the Deputy Collector answerable for the correct and speedy preparation of copies so allowed, and of limiting the number of copying offices as much as public convenience will allow. So that these leading objects are attained, the Government are quite prepared to consider any modifications which the Board may suggest in the Rules.

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

No. 7,392.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 10th November 1862.

Read the following letter from C. W. READE, Esq., Collector of South Arcot, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated Cuddalore, 22nd October 1862,

No. 229:—

1. In acknowledging the receipt of the Board's Standing Circular, No. 6,681, dated 6th October, accompanied by revised rules for granting authenticated copies of Revenue and Magisterial papers, I desire to be informed whether it is imperative on the Collector to affix his signature to every copy of a document granted under these rules, or whether the authentication by the Deputy Collector is sufficient. I presume at all events that copies given under Rule 21 by the Sub-Collector or Head Assistant Collector, may be authenticated by these Officers respectively.

2. I further solicit instructions as to whether applications for copies of the papers indicated must be invariably made to the Collector in person, or whether such applications may be received by post, also whether Tahsildars may receive applications for submission to the Collector. At present applications by post and in the Taluks are frequent, and the public convenience would seem to deserve consideration, in the absence of objections of greater weight.

3. I presume that the rules do not apply to copies of final orders either in Magisterial or Revenue cases. Such copies are now given by Officers passing the decision, whether Native or European, without any reference to the Collector or Magistrate; and I request to be informed if the practice may not be continued. The parties in every case being entitled to such copy as a matter of right, it is possible that "final orders" do not come within the category of documents contemplated by the rules.

4. I would urge the sufficiency of the authentication of documents by the Deputy Collectors because of the very serious inconvenience to which persons may be put at the time of the Jamabundy, and on other occasions when the Collector is absent from the Huzur station; and the same objection would seem to support my recommendation that applications for copies of documents may be permitted by post, or through the Tahsildar of the Taluk.

5. Existing practice appears so at variance with these new rules, that I have felt it my duty at once to seek distinct instructions on the particular points I have noticed, and I trust I may be favored with these at an early date.

The Board resolve to submit the above letter for the orders of Government as the Draft rules prepared by the Board were very materially modified in the Government Office, as regards the main point referred to by the Collector.

(A true Copy and Extract.)

W. Hudleston
Secretary.

To A. J. Arbuthnot, Esq., Chief Secretary to Government.
Copy to C. W. Reade, Esq., Collector of South Arcot.

Exd. J. Wright,

Revenue Department-

155 W-155

Proceedings of the Madras Government
under date the 21st January 1863.

Read the following
Proceedings of the Board of
Revenue.

Submitting for the
orders of Govt. a letter from
the collector of South Arcot
requesting instructions on
certain points connected with
the revised rules for granting
authenticated copies of Revenue
and Magisterial papers.

(Here enter 10th Nov/62
No 7392/

With these Proceed-
ings the Board of Revenue
submit a letter from the collector
of South Arcot in which he re-
quests instructions on certain
points connected with the rules
for granting authenticated
copies of documents in the records
of a collector or Magistrate,
recently passed -
2 The first question is
whether the authentication by the
Deputy Collector is sufficient.
The Court of Sudder Adalat
having in their Registrar's letter
dated 25th June 1860 No 60 in-
cluded the Uncommissioned or
Assistant Collectors among the
officers

See Memoirs of the
Revenue Department

No. 30 of 1862
No. 31 of 1862
No. 32 of 1862

Dec = 1862 Department
Orig. Govt. Secy/62
No. 3141 -

PROCEEDINGS OF THE BOARD OF REVENUE

Dated 10th November 1862.
Despatched 12th do
Received 13th do

No. 7,802

Submitting for the orders of Government a let-
ter from the Collector of South Arcot requesting
instructions on certain points connected with the
revised rules for granting authenticated copies of
Revenue and Magisterial papers.

C. D. A. 155-155-155
1863

C. D. A. 155-155-155

officers, who can be em-
-powered to grant attested
copies the authentication of
the By collector is sufficient.
and such is the intention of
Rule 6. The use of the words
"countersign" and "counter-
-signature" ~~and in that in-~~
-ent appears to have created
doubts in Mr. Bader's mind;
the Board will direct the
substitution of the words
"sign" and "signature" respectively.

3. The second question, is
whether applications for copies
of papers may be received by
post, and also, whether colle-
-ctors may receive appli-
-cations for submission to the
collector. The Govt see no
objection to either of these
measures. The copies sent to
parties by post ^{will} should not
be franked as on the Public
service. They should be for-
-warded bearing postage, unless
the applicants have made
arrangements to avoid the
charge.

4. The next and last ques-
-tion is, whether final orders
either, in Magisterial, or Revenue
cases, come under the rules.

When the Depy Commr attests
the Copy, his counter-
Signature is of course un-
-necessary.

The Govt also agree
to let Mr L Bader
assistants attesting
copies made under
Rule 21 in their
offices.

The signature of the Dy Collector is
sufficient - but not the
counter signature of the Collector.

I write "necessary" by
mistake for "unnecessary".

Now any thing in
the rules & raise
doubts regarding them

x 22 Decr 1862 No 2526-
12 Decr 1862 No 2595:-

cases, come under the rules.
The Govt have, in this order
noted in the margin modi-
-fied Rule 20 & so as to
meet the requirements of
section 440 of the Criminal
Procedure code. The order
alluded to by Mr. Bader
do not come under the
Rules - and copies of
them may be printed
as hitherto.

The main prin-
-ciples of the new rules
are to throw on the Depy
alone the responsibility
of giving copies of papers
on his records - & of
making the Depy
Commr answerable for
the correct & speedy
preparation
of copies so allowed &
of limiting the number
of copying officers as
much as public con-
-venience will allow.
So that these leading

5
Objects are attained
the prot. are put to pre-
-hand & consider
any modifications
which the Bd. may
suggest in the rules.

J. D. S.

14 Capital & Surplus
Chap. 26

2-16-1571
25-1-16 B.I.

Peru 1863
No. of Gov. for Day:

1:155.

No. of the black and
Jan 24, January 1863.

No. of the
submitting a letter from
the Secretary of the
Board, requesting
information from
regarding the
printing and
copying of the
original papers, with
orders thereon.