

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1894

Press

~~Mis.~~

163-1864

Dated

16-10-1864.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
14th October 1864.*

No. 163. Read the following letter from P. GRANT, Esq., Collector of Coimbatore, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Coimbatore, 4th October 1864, No. 79 :—

SIR,

1. A question has arisen in this District as to whether a Tahsildar is legally competent to summon parties to attend at his Cutcherry for the settlement of matters connected with the Revenue Administration. If he is not, it is clear that parties refusing to obey such process would not be liable under Section 174 of the Indian Penal Code.

2. Except in certain cases specially provided for, *e. g.*, malversation cognizable under Regulation IX of 1822, I am of opinion that neither Collectors or Tahsildars are legally competent to summon parties to attend for the settlement of questions connected with the Revenue, and it would therefore appear desirable that a short Legislative enactment declaratory of the powers of Revenue Officers in such matters should be framed.

3. It would appear desirable that Section 3, Regulation IX of 1822, should be repealed, the mode of procedure there laid down being cumbersome in the extreme and penalties for the contempts of lawful authority therein alluded to being provided in the Penal Code, Sections 174-5-6.

No. 164. ORDER THEREON, 14th October 1864, No. 1,894.

Land Revenue.

The Government observe that Regulation III of 1831 which specially rendered any Ryot refusing to attend at the annual settlement of Revenue, when summoned by the Collector or Tahsildar, liable to punishment was rescinded by Act XVII of 1862 in consequence of the enactment of the Penal Code, Section 174, of which prescribes penalties for non-attendance in obedience to a lawful order from a public servant. The Government cannot suppose that a Tahsildar is not legally competent to require a Ryot to attend at the annual settlement and that refusal to attend is not punishable under the Section above quoted. The question however is one of importance, and will, therefore, be referred to the Government Pleader for his opinion.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Government Pleader.
„ the Collector of Coimbatore.
„ the Board of Revenue.

Exd. T. O'Connor.

✓

✓

18th Nov 1891
The committee of the Society, and
by subscription, have bought
for the purpose of the
Society, a house at
11/12/91
D. J. [unclear]
London [unclear]

James [unclear]
[unclear]

Revenue Dept

W. 1894.

Proceedings of the Madras Government
Under date the 14th Oct. 1864.

Read the following
letter from the Collector
of Camblatore -

Requests instructions
on certain points relative
to the powers of the Tahildars
in issuing summonses to
parties to attend at their
Cutcheries for the settle-
ment of Revenue matters.

(Here entered 1st October 1864
5:79)

The Government
observe that Reg. III of
1831 which specially em-
powered any Ryot requiring
to attend at the annual
settlement of Revenue,
when summoned by the
Collector or Tahildar,
liable to punishment

By Revenue Dept
Secy Govt of Madras
W. 2641.

The Collector of Camblatore
To the Chief Secretary
to Government
Dated 14th Oct. 1864 by
Recd 8th.

CR 79

12 Oct. 1894. 12 Oct.

Requests instruct-
ions on certain points
relative to the powers of the
Tahildars in issuing sum-
monses to parties to at-
tend at their Cutcheries
for the settlement of Revenue
matters

N/63.

RD

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was rescinded by Act XVIII of
1862, in consequence of the
enactment of the Penal
Code, Sect. 174 of
which prescribed penalti-
ties for non-attendance
imposed ^{lawful} on a ~~person~~
from a public servant.
The Government cannot
suppose that a Subject
is not competent to require
a ryot to attend at the
annual Settlement and
that refusal to attend
is not punishable under
the Section above.

It will not be
quoted. The
However, it is of
importance, and
therefore, be referred
to the Government.

Reads for his opinion

Reads for his opinion
of the proposed
amendment
to the
Penal Code
Sect. 174

St. Michaels, Dyer
Michigan, Feb. 1880.

24/8/41

For the Liberty of
the

Having
 of Birmingham & Co
 I am the first to

Obediently for the Govt
 of Maryland
 I have the honor to be
 Sir, your obedient servant
 J. M. Smith

I have the Good Lord.
16 June 1866 A. 1745.

Ms. B. 1. 6. 3. v. 1. 6. 4.