M.R.O. 14 -5,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1533 Press ~~Mis.~~

Dated 22- 6- 1866..

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 22nd June 1866.

No. 493. Read the following letter from the Government Solicitor, Madras, to the Acting Secretary to Government, Revenue Department, Fort Saint George, dated Madras, 16th June 1866, No. 348:—

1. I have the honor to acknowledge the Proceedings of Government, noted in the margin, and the papers therein referred to, requesting the Advocate General's opinion as to the competency or otherwise of Tahsildars to summon parties to attend at their Cutcheries, for settlement of matters connected with Revenue administration, and to deal with cases of refusal so to attend under Section 174 of the Penal Code.

Dated 9th June 1866, No. 1,394, Revenue Department.

2. I submitted the matter for the consideration of the Acting Advocate General, with whom I have also conferred, and

3. I now forward a copy of his opinion.

COPY—OPINION.

I do not think that Tahsildars are legally competent to summon parties to attend before them at their Cutcherries for the settlement of matters connected with Revenue administration. The only law which gave them this authority was Regulation III. of 1831, which has been repealed by Act XVII. of 1862, and no law has been substituted. A similar provision in favor of Zemindars in Regulation XXVIII. of 1802, Section 34, Clause 8, was, I know, designedly omitted in Act VIII. of 1865, by which that Regulation was repealed. The power of summoning any person to appear before a public Officer is, in India, invariably given by statute, and, as far as I know, is limited to cases of a judicial or quasi-judicial character.

(Signed) J. D. MAYNE,
Acting Advocate General.

16*th June* 1866.

(True Copy.)

(Signed) J. R. ROYSON,
Government Solicitor.

No. 494. ORDER THEREON, 22nd June 1866, No. 1,533.

Land Revenue.

Communicated to the Board of Revenue, whose further representations on the subject, after communication with the Collectors, the Government await.

(True Extract.)

(Signed) W. HUDLESTON,
Acting Secretary to Government.

To the Board of Revenue.
,, the Government Solicitor.

Exd. S. T. Augustin.

N°1533

Comm. d'Un Bâtiment

Le Sr. Pons fera les expéditions
à Lui ou les subjectaphes
communiquera avec à Mr. le
Cte. de Sr. Cricq.

Bon pour Congé
22 Juin 1816

16 Caisses Tabac en Rouleaux Dep. de 28.
4-5 Kilog. Tabac en Carotte

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Pro. N. 217.8 d 9.61.66