M.R.O. 1—39,000—16-10-29

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1883 Press Mis.

710-711

Dated 30th. June 19 1869

Not to be folded or roughly handled

9/15

Proceedings of the Madras Government, Revenue Department, 30th June 1869.

No. 710. Read the following Proceedings of the Board of Revenue, dated 17th June 1869, No. 4,356 :—

Read the following letter from the Acting Superintendent of Stamps, to the Acting Secretary to the Board of Revenue, dated Madras, 27th May 1869, No. 769.

I BEG to bring to the notice of the Board that Section 11 of the Original Bill of the General Stamp Act 1869, transcribed in the margin, is omitted in the amended Bill.

> When any instrument is drawn or made in such form as to come under two or more denominations of instruments chargeable with different rates of Stamp duty under this Act, the instrument shall be charged with the highest of such rates.

2. The Board in their Proceedings, dated 6th October 1864, No. 6,563, paragraph 3, stated that they did not think that the present Act (X. of 1862) contemplated a double stamp in any case; and that when doubt existed as to the Article under which a document would come, the higher value of stamp might always be held to include the lower.

3. But the circumstance that the Section above quoted was inserted in the Original Bill and omitted in the subsequent amended Bill of the forthcoming Act, may lead to an inference that the intention is that an instrument coming under two or more denominations should be charged with the different rates of Stamp duty prescribed for the several denominations and not with the highest only of such rates.

4. I therefore submit, for the consideration of the Board, whether, if such is not the intention, it would not be more satisfactory to prevent any doubt, should the Section referred to not be introduced into the Act, if some explanation were furnished as to the reason for the omission.

5. Unless, however, otherwise expressly altered, the decision of the Board above referred to, dated 6th October 1864, will be the rule for this Office.

SUBMITTED to Government, in continuation of Board's letter, dated 27th April 1869, No. 2,856.

2. The omission of the Section alluded to by the Superintendent of Stamps is not mentioned in the Report of the Committee who revised the Bill.

3. As the Act stands the old practice will be still legal.

No. 711. ORDER THEREON, 30th June 1869, No. 1,883.

Separate Revenue, No. 26.
Stamps.

ORDERED to be forwarded to the Government of India, in continuation of letter, dated 25th May last, No. 1,466.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Board of Revenue.

Exd. F. R. Bantleman.

the omission,

Govt. of Fort St. George.
REVENUE.
To
THE BOARD OF REVENUE.
Dated June 1869.
Read.
Letter, dated 1869, No. 1,880.
Ordered,
That
Original Consultation of 1869—Revenue Department.
Proceedings of the Board of Revenue, dated 11th June 1869, No. 11, submitting a letter from the Superintendent of Stamps, relative to the omission, without explanation, of Section 11 of the Original Bill of the General Stamp Act 1869, from the amended Bill, to be forwarded to Government of India.

REVENUE DEPARTMENT,
FORT SAINT GEORGE,
30th June, 1869.

No. 1,884.

No. 712.
To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
FINANCIAL DEPARTMENT.

SIR,

Separate Revenue, No. 27.
Stamps.

IN continuation of my letter of the 25th May last, No. 1,466, I am directed by the Right Honourable the Governor in Council to forward the accompanying Proceedings of the Board of Revenue, submitting a letter from the Superintendent of Stamps, relative to the omission, without explanation, of Section 11 of the Original Bill of the General Stamp Act 1869, from the amended Bill.

I have the honour to be,
Sir,
Your most obedient Servant,
(Signed) R. A. DALYELL,
Acting Secretary to Government.

Ed. F. R. Bantleman.

A. 1883.

Ordered to be for=warded to the Government of India in continuat. of letter dated 25th ult. Last. ult. 1405.

~~put by~~
30 June

Received 1869 September.

From Government of Bengal.

Dated 30th June.

No. 1307.

E.

D. No.

E. No.

Pages { From To

JUTE.

No. 712.

Forms Use Proceedings Board of Revenue relative to the omission without explanation of Section 11 of the Original Bill of the General Stamp Act 1869, from the amended Bill.

Revenue Department.

7 copies Despatched per

No. 1884

To

THE SECRETARY TO THE GOVERNMENT OF INDIA.

Financial Department.

Sir,

In continuation of my letter of the 25th May last No. 1466, I am directed by the Right Honorable the Governor in Council to forward the accompanying Proceedings of the Board of Revenue, submitting a letter from the Superintendent of Stamps relative to the omission, without

without explanation,
of section XI of the
original Bill of the
General Stamps Act
1869 from the amended
Bill.

30 June/69

No. 3,899.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 1st June 1869.

Read the following letter from J. W. B. DYKES, Esq., Collector of Nellore, to the Acting Secretary to the Board of Revenue, dated Kistnapatnam, 5th May 1869, No. 864 :—

I HAVE the honor to submit the information called for in paragraph 2 of the Board's Proceedings of the 11th January last in respect to the Someswaram road.

2. In his letter of the 7th January 1868, No. 27, paragraph 3, the Acting Collector of this district brought to the notice of the Board that the Nellore and Someswaram road would be a useful line of communication with the Cuddapah District and the Railway, and it was very important that the officials of that district should co-operate in its construction. In their Proceedings of the 7th February the Board stated that the attention of the Collector of Cuddapah would

WITH reference to Proceedings of the Board of the 11th January last, I have the [illegible] request that you will be so good as to favor me with your opinion as to the propriety of keeping the Someswaram road in abeyance.

2. Mr. Boswell was misinformed as to the object for which the Someswaram road was made. I commenced it, when the Madras Irrigation Company commenced building the Someswaram anicut, to open out the country south of the Pennair, and form a line of communication for the Company, and for the carriage of their stores in the first instance, and, subsequently, of the additional rice crops I hoped we should soon see growing.

3. Although one of the objects for which Someswaram road was formed has now become a remote contingency, I myself do not think it would be at all advisable that the road should be kept in abeyance. It has proved a very valuable outlet to a large tract of country. And when I was last at Udayagiri Mr. Plumer suggested to me that a branch from the Someswaram road should be carried across the river and up the Chunchulur valley to Kaddanenipalli on the Doranal road. Such an extension would, I think, be judicious; and I request that I may be favored with your opinion on this subject also.

From Lieutenant-Colonel F. J. MOBERLY, [illegible] Engineer, 2nd Division,

[illegible] Someswaram road as a proposed line of communication [illegible] District and the Railway. The road was begun by myself with reference to the Someswaram anicut, as stated in the enclosed copy of my letter to the Superintending Engineer of the 11th March. It was never intended to be a line of communication with Cuddapah; for the pass could only be made practicable for wheeled traffic at an expenditure that, compared with the results, would be enormous. The line was meant to open out a portion of the district in which there were no roads, facilitate the carriage of plant to the anicut, and in due course bring down, it was hoped, the rice crops to be grown by means of the anicut.

7. Though the objects of the road as regards the anicut are now a remote contingency, the Board will observe that both the late and the present Superintending Engineers are of opinion that it has proved a very valuable outlet for local traffic, and would be equally useful as a through line of traffic, if placed in communication with the Doranal pass, by making a road through the Chunchulur valley, and in these opinions I fully agree.

8. The present Superintending Engineer in the 3rd paragraph of his letter of the 23rd March observes that the road to Someswaram should be given up, and the line carried more directly for the Chunchulur valley; and if this course met my views he would have a survey made as soon as the survey of the Doranal pass, which he has ordered, is completed.

9. I will request the Superintending Engineer to have this survey made at an early date. The portion of the Someswaram road which will lie beyond the turn off to the Chunchulur valley will be only a few miles, and had better be retained as a fair-weather road. It passes through Kaluvayi and Kullur, two important villages, the former comprising the cultivation under one of the largest tanks in the district, and the total distance being some ten miles, should the line turn off, as it probably will, in the neighbourhood of Topegunta.

10. As regards the Doranal pass, and the survey which has now been ordered by the Superintending Engineer, I fear little more can be done besides making a survey as it is an Imperial line.

11. And as regards leaving the branch from Nellore to Podalakur as a fair-weather road, on which point the present Superintending Engineer does not give his opinion, I have the honor to state that I have not made a second reference, as much of the road has now been metalled. As regards the local traffic it is an important line.

ENCLOSURE No. 1.

From J. W. B. DYKES, Esq., Collector of Nellore, to the Superintending Engineer, 2nd Division, dated 11th March 1869, No. 550.

In reply to your [illegible] of 11th March, I [illegible] his reply of the 27th idem, [illegible] honor to observe that, in my opinion, the thorough construction of the Doranal pass is one of the most important works of communication required in the district.

2. From it I think it would be well to make our local roads diverge south to meet the road from Podalakur to Someswaram, and north-east to meet the Udayagiri road at Nandypaud, with, perhaps, an extension to Duttaloor, cutting off the two sides of a triangle of which Udayagiri is the apex.

3. The Somasilla pass would be very expensive, and I think under present circumstances any idea of forming it should be deferred. It appears to me, therefore, that the road as to Someswaram should be given up, and the line carried more directly up the Chunchulur valley, crossing the river a little lower down. I have no survey of this, but if it meets your views will have one made as soon as the survey of the Doranal pass, which I lately ordered, is completed.

(True Copy.)

(Signed) J. W. B. DYKES,
Collector.

Submitted to Government, with reference to Government Order, 14th November 1868, No. 2,864.

2. The Superintending Engineer of the 2nd Division thinks that the part of the Someswaram road between Nellore and Podalakur might be kept up as a fair-weather road, but that the rest of it is of great importance and should be vigorously prosecuted, though it might be made to turn off some miles short of Someswaram and turn up the Chunchulur valley to meet the Doranal road.

Exd. J. Tulloch.