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Govt. of Madras.

LEGISLATIVE.

To

THE BOARD OF REVENUE.

&c., &c., &c.

Dated July, 24th. No. 11

Read 29 Encl.

G. O., 24th July 1869, No. 207.

JULY.
Nos. 8-9.

Salt Duties Bill.—Passing orders regarding the re-enactment of this Bill by the local legislature with reference to the validation clauses contained in the proposed Interpretation Act.

No 9 — 29 July 69

RECORDED

Read again letter from the Secretary to the Council of the Governor General for making Laws and Regulations, dated 8th June 1869, No. 168, and recorded in Proceedings of Government, dated 23rd June 1869, No. 191.

No. 8. Read also the following Proceedings of the Board of Revenue, dated 6th July 1869, No. 4805.

Read the following papers :—

Proceedings of the Madras Government, dated 2nd June 1869, Public Department, No. 740.

ABSTRACT.—Forwarding for remarks copies of the "Bill to amend the Law for the acquisition of Land needed for public purposes," and of the "Statement of Objects and Reasons," and note accompanying it.

Proceedings of the Madras Government, dated 23rd June 1869, Legislative Department, No. 191.

ABSTRACT.—*Madras Salt Excise Act.*—Requesting the Board of Revenue to submit their opinion as to the expediency or otherwise of making the Expropriation Bill provide for all cases of compensation under this Act.

With the foregoing Proceedings, Government forward, for the Board's observations, a copy of the "Bill to amend the Law for the acquisition of Land needed for public purposes" received from the Government of India.

2. The Board have carefully examined the Act and consider it on the whole good, and its provisions equitable and supported by the rulings of the law Courts. So far as the Madras Presidency is concerned, the hands of the Revenue Authorities are strengthened by it, and sound principles for their guidance are laid down.

3. A few remarks on matters of detail occur to the Board.

4. Section 4 should provide for due notice being given to the land-owner, more especially as Section 6 provides a penalty of six months' imprisonment and 200 Rupees fine for obstruction or displacement of marks.

5. In Section 7 the list of works specified appears incomplete. The Board are of opinion that military buildings, public offices, burial grounds, latrines, and other works of public convenience should be provided for, as in the case at home, by special Act of Parliament. In case of there not being a plan, the only specification provided, namely, the *district*, appears too vague; it would be advisable that the boundaries should be given.

6. With reference to Section 11 the Board would provide for the infliction of penalties for the delivery of a false statement.

7. Section 23 appears to be incomplete in not providing a course in case the parties are *not* desirous that the nomination of arbitrators shall be made by the Collector.

8. With regard to Section 39, (referring to the appointment of a new Assessor, in case of failure, through death or other cause, of one of those originally appointed,) it appears to the Board that it might be well to state that in such case it is not necessary to open the proceedings *de novo*.

9. In Section 47 the Board would omit the second clause. It appears to them that liberal consideration is due to a party violently dispossessed of property, which, though of small value in the market, may, from association and religious feelings,

possess a high value in the owner's eyes, and necessarily likewise in the mind of any arbitrator. The Board would instance family temples, tombs, and old family residences, especially in Malabar, and the like.

10. With reference to Government Order of the 23rd June 1869, No. 191, in the event of this Act becoming law, and Act VI. of 1857 being repealed, the Board see no objection to introduce a clause in substitution of the arbitration clauses of the Salt Excise Bill, declaring that, *mutatis mutandis*, the provision of Parts 4, 5, and 6 of the Expropriation Act shall be made applicable to cases in which compensation is claimed for the suppression of salt pans.

(A true Extract).

(Signed) A. MACGREGOR,
Acting Secretary.

No. 9. ORDER THEREON, 24th July 1869, No. 207.

The observations of the Board of Revenue on the "Expropriation Bill" will be considered in the Public Department together with other papers on the subject.

2. The Government concur in opinion with the Board that, in the event of the Expropriation Bill passing into law, a clause may be inserted in the *Madras Salt Excise Bill*, in substitution of Sections 10 to 24, declaring that the provisions of Parts 4, 5, and 6 of the proposed Act shall, *mutatis mutandis*, be applicable to cases in which compensation is claimed for the closing of salt pans.

3. Ordered accordingly that the following letter be despatched to the Secretary to the Council of the Governor General for making Laws and Regulations.

(Here enter letter, No. 208).

(True Extract),

Assistant Secretary to Government,
Legislative Department.

To the Board of Revenue.
" Revenue Department.
" Public Department, with Note by the Honorable A. J. Arbuthnot.

Ed. A. S. Rodgers.