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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue DEPARTMENT

G.O. No.	1765	Press
B.P. No.		Mis.

Dated 7-12-1875 196 .

Not to be folded or roughly handled

1765

*Proceedings of the Madras Government, Revenue Department,
7th December 1875.*

Read the following papers:—

No. 92. Endorsement of the Officiating Chief Secretary to Government, dated Ootacamund, 1st October 1875, No. 522.

Read the following letter from T. WEIR, Esq., Ag. Registrar of the High Court of Judicature, Madras, Appellate Side, to the Hon. D. F. CARMICHAEL, Officiating Chief Secretary to Government, dated Madras, 28th September 1875, No. 2,195.

I AM directed to acknowledge the receipt of your letter to the Chief Justice, dated 9th June 1875, No. 1,323, with the Proceedings of the Madras Government, Revenue Department, dated 26th May 1875, inquiring what steps, if any, have been taken with a view to cancelling the labels attached to such documents as had been deposited in judicial record-rooms previous to the receipt of the Financial Resolution of the Government of India, dated 24th July 1873, No. 1,763.

2. In reply, I am directed to state that the purport of replies received from the District Judges, with one exception, is that no steps have been taken in the Courts of this Presidency to cancel labels attached to documents which had been deposited in record-rooms previous to the receipt of the Financial Resolution of the 24th July 1873. Up to that date labels on documents consigned to the record-room were cancelled solely in the manner provided by Section 30 of Act VII. of 1870 (Court Fees Act), *viz.*, by punching out the figure-head. The direction in the Resolution of the 24th July 1873, that "the Record-keeper of every Court shall when a case is decided punch a second hole in each label distinct from the first," has been regarded as a direction for future guidance and as having no retrospective effect.

3. The District Judge of Salem reports that in the Court of the Subordinate Judge of that district and in one of the Munsif's Courts a further cancellation of the labels on documents consigned to the record-room before the receipt of the Financial Resolution of the 24th July 1873 has been effected by punching a second hole; that in three other Munsif's Courts a further cancellation of such labels has been effected by, in one case, cutting the labels through with a knife; in another, by partly tearing out some of the labels and by initialling others; and in a third by stamping some of the labels with the Munsif's initials and by drawing lines in ink across others.

4. The three methods of cancellation last described appear to be unauthorised, and inquiries will be made as to the circumstances in which they were adopted.

5. The District Judge of South Canara reports that, since the receipt of inquiries from the High Court on the subject, he has ordered the labels on documents deposited in the record-rooms of all the Courts of his district prior to the date of Financial Resolution of July 1873 to be further cancelled by punching a second hole.

6. Replies have not yet been received from the District Judges of Cuddapah and Ganjam.

7. Should the information received from these Judges differ in any important respects from that of the majority already described, a further communication on the subject will, I am to state, be made to you.

*Proceedings of the Madras Government, Revenue Department,
7th December 1875.*

8. In regard to the labels on documents in the records of the Appellate side of the High Court of a date prior to August 1873, I am to state that no cancellation other than that provided in Section 30 of the Court Fees Act has been made.

TRANSFERRED to the Revenue Department with reference to paragraph 2 of the order in that department, dated 26th May 1875.

(Signed) D. F. CARMICHAEL,
Officiating Chief Secretary.

No. 93. Proceedings of the Board of Revenue, dated 26th October 1875,
No. 2,961.

Read again Board's Proceedings, dated 17th June 1875, Mis. No. 5,417.

Read also the following letters:—

From the Collector of Ganjam,	dated 13th July 1875, No. 498.
" " of Vizagapatam,	" 8th " " 1,209.
" " of Godavery,	" 21st Sep. " " 390.
" " of Kistna,	" 30th " " 1,342.
" " of Nellore,	" 20th July " " 1,976.
" " of Cuddapah,	" 18th Sep. " " 193.
" " of Bellary,	" 8th July " " 255.
" " of Kurnool,	" 27th Sep. " " 341.
" " of Sea Customs, Madras,	dated 2nd July 1875, No. 884.
" " of Madras,	dated 21st July 1875, No. 218.
" " of Chingleput,	" 28th June " " 365.
" " of North Arcot,	" 30th " " 358.
" " of South Arcot,	" 14th Sep. " " 389.
" " of Tanjore,	" 30th July " " 3,659.
" " of Trichinopoly,	" 5th Oct. " " 246.
" " of Madura,	" 24th Aug. " " 367.
" " of Tinnevely,	" 11th Sep. " " 448.
" " of Coimbatore,	" 21st Aug. " " 254.
" " Commr. of Nilgiris,	" 5th " " 79.
" " Collector of Salem,	" 15th July " " 194.
" " of Malabar,	" 26th Aug. " " 274.
" " of South Canara,	" 29th Sep. " " 1,851.

THE letters above recorded will be submitted to Government with reference to G.Os., dated 26th May 1875, No. 803, and 28th August 1875, No. 1,819, inquiring what steps, if any, have been taken with a view to cancelling the Court Fee labels attached to such documents as had been deposited in record-rooms previous to the receipt of the Resolution of the Government of India of the 24th July 1873, directing the punching of a second hole in each label distinct from the first on the consignment of the record to the custody of the record-keeper.

2. From the reports received it appears that in the districts marginally noted no steps have as yet been taken in the matter as it was not considered that the Resolution of the Government of India was intended to have retrospective effect. Further, some districts have not

Ganjam.	South Arcot.
Vizagapatam.	Tanjore.
Nellore.	Trichinopoly.
Cuddapah.	Madura.
Chingleput.	Nilgiris.

*Proceedings of the Madras Government, Revenue Department,
7th December 1875.*

yet been supplied with the diamond-shaped punches indented for. In Kurnool the second punching has been carried out in the Collector's Office, and in two taluqs and in the Nandial Division the labels were initialled and the date of presentation noted thereon. In Tinnevely the labels were to some extent cancelled by initialling and drawing the pen across, and those not so treated are being withdrawn from the records and punched. In some of the offices in Malabar also

* Godavery.	North Arcot.
Kistna.	Coimbatore.
Bellary.	Salem.
Madras.	South Canara.

the labels were initialled or cancelled by drawing the pen across. In the remaining districts* orders have been issued to examine the papers in the

record-rooms and punch a second hole as required. It appears that the punching out of the figure-head on first presentation is everywhere strictly carried out, but the additional precaution of punching a second hole is advisable, and in those districts where this has not been done orders should be issued to adopt the measure. The labor entailed will not be very great as the number of Court Fee labels on the revenue records is probably inconsiderable.

3. The Superintendent of the Department of Public Works Workshops is requested to expedite the supply of diamond-shaped wad-cutter punches indented† for.

(A true Extract.)

(Signed) C. A. GALTON,
Acting Sub-Secretary.

No. 94. ORDER THEREON, 7th December 1875, No. 1,765.

Separate Revenue, No. 10.

Stamps.

In their letter, dated 8th May 1875, No. 654, the Government of India inquired what steps had been taken with a view to cancelling the Court Fee

labels attached to such documents as had been deposited in record-rooms previous to the receipt of their Financial Resolution of 24th July 1873, No. 1,763, which directed the punching of a second hole in each label distinct from the first on the consignment of the documents to the custody of the Record keeper.

2. From the papers above recorded it appears that beyond the punching out of the figure-head on first presentation, as required by the Act, no steps towards further cancellation in the case of the documents in question were taken generally, as it was considered that the Financial Resolution of 24th July 1873 was for future guidance, and was not intended to have retrospective effect. The further cancellation, however, was in a few instances, effected by various methods, viz., by initialling the labels, drawing the pen across them, noting on them the date of presentation, cutting the labels through with a knife, and partly tearing them out. In some districts and Courts the punching of a second hole has been, or is now being, effected. The Board of Revenue, considering the additional precaution of punching a second hole to be advisable, have directed its adoption, as regards revenue records, in those districts where this has not already been done. The

*Proceedings of the Madras Government, Revenue Department,
7th December 1875.*

Board's proceeding is approved, and the Honorable the Judges of the High Court will be requested, through the Judicial Department, to issue similar orders as regards judicial records.

3. Copies of the papers above recorded and of these Proceedings will be forwarded to the Government of India, with reference to the letter from that Government, dated 8th May 1875, No. 654.

(True Extract.)

(Signed) D. F. CARMICHAEL,
Secretary to Government.

To the Board of Revenue.
„ the Judicial Department.

Exd. F. R. Bantleman.

5-3-93
22-4-93
12-1-101

20-3-73

1651413 927-28
12-5-93
Boht. of 1875
REVENUE.
Copy
THE BOARD OF REVENUE.
Recd. Dated December, 7th.
Encl.

DECEMBER.
Nos. 92-94.

Don't Fee Labels. Attached to Documents continued to Record-rooms.—Passing orders on papers regarding the steps taken for cancelling the —; approving the Board's instructions for punching a second hole in the labels attached to Revenue records; and requesting the Judicial Department to issue similar orders as regards judicial records.

4
1765

No. 2,961.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 26th October 1875.

Read again Board's Proceedings, dated 17th June 1875, Mis. No. 5,417.

Read also the following letters:—

From the Collector of Ganjam,	dated 13th July 1875, No. 498.
" of Vizagapatam,	8th " " 1,209.
" of Godavery,	21st Sep. " " 390.
" of Kistna,	30th " " 1,342.
" of Nellore,	20th July " " 1,976.
" of Cuddapah,	18th Sep. " " 193.
" of Bellary,	8th July " " 255.
" of Kurnool,	27th Sep. " " 341.
" of Sea Customs, Madras,	dated 2nd July 1875, No. 884.
" of Madras,	dated 21st July 1875, No. 218.
" of Chingleput,	28th June " " 365.
" of North Arcot,	30th " " 358.
" of South Arcot,	14th Sep. " " 389.
" of Tanjore,	30th July " " 3,659.
" of Trichinopoly,	5th Oct. " " 246.
" of Madura,	24th Aug. " " 367.
" of Tinnevely,	11th Sep. " " 448.
" of Coimbatore,	21st Aug. " " 254.
" of Salem,	5th July " " 192.
" of Malabar,	26th Aug. " " 274.
" of South Canara,	29th Sep. " " 1,851.

The letters above recorded will be submitted to Government with reference to G.Os., dated 26th May 1875, No. 803, and 28th August 1875, No. 1,819, inquiring what steps, if any, have been taken with a view to cancelling the Court Fee labels attached to such documents as had been deposited in record-rooms previous to the receipt of the Resolution of the Government of India of the 24th July 1873 directing the punching of a second hole in each label distinct from the first on the consignment of the record to the custody of the record-keeper.

2. From the reports received it appears that in the districts marginally noted no steps have as yet been taken in the matter as it was not considered that the Resolution of the Government of India was intended to have retrospective effect. Further, some districts have not yet been supplied with the diamond-shaped punches indented for. In Kurnool the second punching has been carried out in the Collector's Office, and in two taluqs and in the Nandial Division the labels were initialled and the date of presentation noted thereon. In Tinnevely the labels were to some extent

Ganjam.	South Arcot.
Vizagapatam.	Tanjore.
Nellore.	Trichinopoly.
Cuddapah.	Madura.
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cancelled by initialling and drawing the pen across, and those not so treated are being withdrawn from the records and punched. In some of the offices in Malabar also the labels were initialled or cancelled by drawing the pen across. In the remaining districts* orders have been issued to examine the papers in the record-rooms and punch a second hole as required. It appears that the punching out of the figure-head on first presentation is everywhere strictly carried out, but the additional precaution of punching a second hole is advisable, and in those districts where this has not been done orders should be issued to adopt the measure. The labor entailed will not be very great as the number of Court Fee labels on the revenue records is probably inconsiderable.

3. The Superintendent of the Department of Public Works Workshops is requested to expedite the supply of diamond-shaped wad-cutter punches indented† for.

(A true Copy and Extract.)

Acting Sub-Secretary.

Government Revenue Department,
with twenty-two original copies to be returned.
,, all Collectors.
,, the Superintendent of Public Works Stores and Workshops,

Ed. J. W. Fischer.

Court Fee Labels.—attached to documents consigned to the record-room.—Submitting to Government reports of Collectors as to what steps have been taken for cancelling the — previous to the receipt of the Resolution of Government of India directing the punching of a second hole in such labels, and requesting Superintendent of Public Works Stores and Workshops to expedite the supply of diamond-shaped wad-cutter punches indented for.

OCTOBER.
No. 2,961.

Received 12th Nov 75

Secy 1766-7 Dec 1875

PROCEEDINGS, 26th OCTOBER 1875, No. 2,961.
Dated 11th Nov 75

BOARD OF REVENUE,
MADRAS.

Resoln 1875. Defd

No 4398

4-0 26 Aug 75 No 266 6

22-4-73

28 Aug 75

1875

No. 2195

From

Mr. Esquire,

Acting Registrar of the
High Court of Judicature
at Madras.

To

The Honorable D. F. Carmichael,
Officiating Chief Secretary
to Government

Honorable Sir,

I am directed to
acknowledge the receipt of your letter
to the Chief Justice, dated 9th June
1875, No. 1323, with the Proceedings of
the Madras Government, Revenue
Department, dated 26th May 1875
inquiring what steps, if any, have
been taken with a view to cancelling
the labels attached to such documents
as had been deposited in Judicial
record-rooms previous to the receipt
of the Financial Resolution of the

Government of India, dated 24th

July 1873, No. 1763.

In reply I am directed to state that the purport of replies received from the District Judges with one exception is that no steps have been taken in the Courts of this Presidency to cancel labels attached to documents which had been deposited in record-rooms previous to the receipt of the Financial Resolution of the 24th July 1873. Up to that date labels on documents consigned to the record-room were cancelled solely in the manner provided by Section 30 of Act VIII of 1870 (Court Fees Act) viz by punching out the figure head. The direction in the Resolution of the 24th July 1873 that "The Record-keeper of every Court shall when a case is decided punch a second hole in each label distinct

6/1763
"from the first" has been regarded as a direction for future guidance and as having no retrospective effect.

3 The District Judge of Salem reports that in the Court of the Subordinate Judge of that District and in one of the Munsifs Courts a further cancellation of the labels on documents consigned to the record-room before the receipt of the Financial Resolution of the 24th July 1873 has been effected by punching a second hole - that in 3 other Munsifs Courts a further cancellation of such labels ^{has been} effected by, in one case, cutting the labels through with a knife, in another, by partly tearing out some of the labels and by initialling others and, in a third, by stamping some of the labels

with the Munsif's initials and by
drawing lines in ink across others.

The three methods of cancella-
tion last described appear to be un-
authorized and inquiries will be made
as to the circumstances in which they
were adopted.

The District Judge of South
Canara reports that since the receipt
of inquiries from the High Court on
the subject he has ordered the labels
on documents deposited in the records
rooms of all the Courts of his District
prior to the date of Financial Resolution
of July 1873 to be further cancelled by
punching a second hole.

Replies have not yet been
received from the District Judges of
Cuddapah and Ganjam.

Should the information received
from these Judges differ in any important

respects from that of a majority already
described, a further communication
on the subject will, I am to state, be
made to you.

In regard to the labels on docu-
ments in the records of the Appellate
Side of the High Court of a date prior
to August 1873, I am to state that no
cancellation other than that provided
in Section 30 of the Court Fees Act
has been made.

I have the honor to be,
Honorable Sir,

Your most obedient servant,

High Court of Judicature,
Madras, 28 September 1875.



Acting Registrar,
Appellate Side.

C23 Nov 1875 1875

N-92

No 522

Transferred to the Revenue Department
with reference to para: 2 of the order in the
department dated 26th May 1875.

803. Notarized
1st Oct 1875

2nd Revenue Department
11/10/75

W. Chief Secy

4-0 14028/73 100 lbs
265/11/18 265-67
3-3-90
22-4-93
12-1-101

Order
Judicial 1875 Department
No 3617
of
The Asst Registrar of the
High Court of Justice
to
The Asst Secy
of the Revenue Department
Dated 28th September 1875
Dated 23rd Oct 1875
Dated 27th 2195
Having observed
have been taken to cancel
the labels attached to docu-
ments deposited in the
Civil Record Room
prior to the receipt of the
Financial Resolution of
the Government of India
dated 24th July 1873 No 1763
Transferred

Revenue Dept

N-1765

Proceedings of the Madras Government

Under date the 7th Dec^r 1875.

Read the following

papers.

Letter from Asst Registrar of the High Court
of Judicature at Madras this 1st Dec^r 1875

Stating that steps
have been taken to cancel the
labels attached to documents de-
posited in judicial record rooms
prior to the receipt of the Finan-
cial Resolution of the Gov^t of India
dated 24 July 1873 No 1763

N.E. 28 Sept/75 No 2195.

Res: Board of Revenue

Sub^d reports of Col^{rs}
as to what steps have been taken
for cancelling the C^l-Free Labels
prior to receipt of Resolution of
Gov^t of India directing the punching
of a second hole in such labels.

N.E. 26 Oct 1875 No 2961.

In their Letter

Dated

dated 8 May 1875 No. 652,
the Govt of India enquired
what steps had been
taken, with a view to
cancelling the Court Fee
Labels, attached to such
documents, as had been
deposited in record-rooms,
previous to the receipt of
their Final Resolution
of 24th July 1873 No. 1763,
which directed the
punching of a second
hole.

hole in each Label, dis-
tinct from the first,
on the consignment of
the documents to the
custody of the Record-keeper.

2. From the papers
above recorded, it appears
that beyond the punching
out of the figure head
on first presentation,
as required by the
Act, no steps towards
further cancellation
in

in the case of the docu-
ments in question, were
taken generally, as it
was considered that the
Fin^l Resolution of 24th
July 1873 was for future
guidance, & was not
intended to have re-
trospective effect.

The further
cancellation, however, was,
in a few instances, effect-
ed by various methods;
viz: by initialling the
labels

labels; drawing the pen
across them, marking on
them the date of presenta-
tion; cutting the labels
through with a knife; &
partly tearing them out.
In some Dis^{ts} & Courts,
the punching of a second
hole has been, or now
being, effected. The Board
of Revenue, considering
the additional precaution
of punching a second
hole to be advisable,
have

have directed its adoption,
as regards revenue records,
in those districts, where this
has not already been
done. The Board's proceed-
ing is approved, & the
Honorable the Judges of
the High Court will
be requested, through the
Judicial Dept^e, to
issue similar orders
as regards judicial
records.

3. Copies of the
papers

papers above recorded,
& of these Proceedings,
will be forwarded to
the Gov^t of India, with
reference to the Letter
from that Gov^t dated
8 May 1875 N^o 654.

14 To the Board of Revenue, 8 Dec
5. The Judicial Dept^e

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20/11

27 Aug 18 12:30 am/18