Archives 1—10,000—6-10-76.

(1) Number of pages _____

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(3) Initials of the Referencer _____

TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No. / B.P. No.	3066	Press. / Mis.
Revenue Dept		
Dated	2-10-1977	~~197~~ .

Not to be folded or roughly handled

GOVERNMENT F MADRAS.

REVENUE DEPARTMENT.

2nd October 18 7, No. 3,066.

Read the following papers:—

No. 32. From G. H. M. BATTEN, Esq. Officiating Secretary to the Government of India, Department of Reven , Agriculture, and Commerce (Land Revenue and Settlements,) to th Officiating Secretary to the Government of the Punjab, dated Si la, 18th September 1877, No. 686.

I AM directed to acknowledge the receipt of your letter, No. 469-S, dated the 30th ultimo, re-submitting the petition of Alam-ud-din, of Mauza Chakar, in the Jhelum District, and suggesting that petitions presented to this Department, which are mere appeals against decisions in civil suits, should be summarily rejected instead of being returned to petitioners for re-submission through the proper channel, or forwarded to the local Government for disposal.

2. In reply, I am to state that the course suggested is already practically followed in this Department in any case in which it is evident that a petition is a mere appeal against a judicial decision with which Government cannot interfere. It is, however, often the case that petitions (like that to which your letter refers) are received which, though they may really be appeals of the kind above noticed, are not understood to be such without further explanation. Often they are obscurely worded, and very seldom do they refer to the law or rules under which the order appealed against was passed. In such cases, it is not possible for the Government of India, without further explanation which the local authorities, familiar with the practice of the province, can alone furnish, to decide whether the matter is one in which interference would be possible or not. The petition is, therefore, returned in accordance with the general rule that *no* petition can be attended to that is not submitted through the local Government.

3. The Government of India can obviously not change this practice in doubtful cases like the present; but it will always be open to the local Government on receiving a petition returned for re-submission to point out that its re-submission would serve no useful purpose; in which case orders would issue for the petitioner to be informed accordingly. In *clear* cases the procedure is already as desired by His Honor the Lieutenant-Governor.

4. The present case should be settled by informing the petitioner that the President in Council cannot interfere.

Nos. 687—694.

COPY, with a copy of the Punjab Government's Circular No. 52—3,392, dated the 17th October 1876, forwarded to the local Governments and Administrations noted in the margin for information and guidance, with the request that instructions in the sense of the Circular may be issued to district officers.

Bengal.	Central Provinces.
Madras.	Coorg.
Bombay.	British Burma.
N.-W. Provinces and Oudh.	Assam.

(Signed) C. J. LYALL,
Under-Secretary to the Government of India.

No. 688.

To the Secretary to the Government of Madras.

Revenue Department, 2 / *October* 1877, *No.* 3,066.

ENCLOSURE No. 1.

Circular from LEPEL GRIFFIN, Esq., Officiating Secretary to the Government of Punjab, to all Commissioners and Superintendents in the Punjab, dated Lahore, 17th October 1876, No. 52-3,392.

I AM directed to call your attention to Punjab Government Circular No. CXXI, dated 5th June 1868 (printed at page 72 of Selected Circulars of the Punjab Government), on the subject of petitions of appeal. These are now forwarded to Government in constantly increasing numbers; and I am to request you to instruct your district officers to let it be as generally known as possible that the Lieutenant-Governor has no jurisdiction in cases which have been decided by the Civil Appellate Courts. In criminal cases the Lieutenant-Governor has certain legal powers of action, and no check can be placed upon the submission of appeals from the decisions of criminal courts or of miscellaneous petitions. But it is merely waste of money for petitioners to forward representations against the judgments of the Civil Appellate Courts, and it will be for their advantage that this should be pointed out to them.

No. 33. ORDER THEREON, 2nd October 1877, No. 3,066.

Miscellaneous.

COMMUNICATED to the Board of Revenue for information and guidance. Their Standing Order No. 317 already provides for the periodical publication of similar information.

(True Extract,)

(Signed) C. G. MASTER,
Secretary to Government.

To the Board of Revenue.
,, the Petition Department.
,, the Judicial Department.

Exd. F. R. Bantleman.

Circular No. 52-3392, dated Lahore, the 17th October 1876.

From—LEPEL GRIFFIN, Esq., Officiating Secretary to Government, Punjab,
To—All Commissioners and Superintendents in the Punjab.

I AM directed to call your attention to Punjab Government Circular No. CXXI., dated 5th June 1868 (printed at page 72 of Selected Circulars of the Punjab Government), on the subject of petitions of appeal. These are now forwarded to Government in constantly increasing numbers, and I am to request you to instruct your district officers to let it be as generally known as possible that the Lieutenant-Governor has no jurisdiction in cases which have been decided by the Civil Appellate Courts. In criminal cases the Lieutenant-Governor has certain legal powers of action, and no check can be placed upon the submission of appeals from the decisions of criminal courts or of miscellaneous petitions. But it is merely waste of money for petitioners to forward representations against the judgments of the Civil Appellate Courts, and it will be for their advantage that this should be pointed out to them.

Govt. Central Branch Press, Simla—No. 914 R., A. C.—19-9-77—160.

No. 686.

FROM

G. H. M. BATTEN, ESQ.,
Offg. Secretary to the Government of India,

To

THE OFFG. SECRETARY TO THE GOVT. OF THE PUNJAB.

Department of Revenue, Agriculture and Commerce.

Land Revenue and Settlements.

SIMLA, *the 18th September* 1877.

SIR,

I AM directed to acknowledge the receipt of your letter No. 469 S, dated the 30th ultimo, resubmitting the petition of Alam-ud-din of Mauza Chakar in the Jhelum district, and suggesting that petitions presented to this Department which are mere appeals against decisions in civil suits should be summarily rejected instead of being returned to petitioners for resubmission through the proper channel, or forwarded to the Local Government for disposal.

2. In reply, I am to state that the course suggested is already practically followed in this Department in any case in which it is evident that a petition is a mere appeal against a judicial decision with which Government cannot interfere. It is, however, often the case that petitions (like that to which your letter refers) are received which, though they may really be appeals of the kind above noticed, are not understood to be such without further explanation. Often they are obscurely worded, and very seldom do they refer to the law or rules under which the order appealed against was passed. In such cases it is not possible for the Government of India, without further explanation which the local authorities, familiar with the practice of the province, can alone furnish, to decide whether the matter is one in which interference would be possible or not. The petition is therefore returned in accordance with the general rule that *no* petition can be attended to that is not submitted through the Local Government.

3. The Government of India can obviously not change this practice in doubtful cases like the present; but it will always be open to the Local Government on receiving a petition returned for resubmission to point out that its resubmission would serve no useful purpose; in which case orders would issue for the petitioner to be informed accordingly. In *clear* cases the procedure is already as desired by His Honour the Lieutenant-Governor.

4. The present case should be settled by informing the petitioner that the President in Council cannot interfere.

I have the honour to be,

SIR,

Your most obedient Servant,

G. H. M. BATTEN,

Offg. Secretary to the Government of India.

Nos. 687—694.

COPY with a copy of the Punjab Government's Circular No. 52—3392, dated the 17th October 1876, forwarded to the Local Governments and Administrations noted in the margin for information and guidance, with the request that instructions in the sense of the circular may be issued to district officers.

Bengal.	Central Provinces.
Madras.	Coorg.
Bombay.	British Burma.
N. W. Provinces and Oudh.	Assam.

Geo. Ias. Lyall

No. 688.

Under Secretary to the Government of India.

To

The Secretary to the Government of Madras

28/9

7 S. Copies of @

No. 3066.

Communicated to the Board of Revenue for information and guidance Their Standing Order No. 317 already provides for the periodical publication of similar information

The B. of Rev. 2-10-77 & 11-10-77
1 Revision Dept.
5 Judicial Dept.

Revenue Department
No. 4193

1877

GOVERNMENT OF INDIA.

DEPARTMENT OF REVENUE, AGRICULTURE AND COMMERCE.

LAND REVENUE AND SETTLEMENTS.

To

THE OFFG. SECY. TO THE GOVT. OF THE PUNJAB.

Nos.

Sr. 1

Dated Simla, the 18th September 1877.

Recd. 28 do do

SUBJECT.

LAYS down a procedure for dealing with petitions which are mere appeals against judicial decisions, and requests that Alam-ud-dín may be informed that the Government of India cannot interfere in his behalf.

Govt. Central Branch Press, Simla,—No. 913 R., A. & C.—19-9-77—160.

With Order

Madras Govt. of {1877} Judicial.

REVENUE.

To

THE BOARD OF REVENUE,
&c., &c., &c.

Dated October 2nd.

G.O., 2nd October 1877, No. 3,066.

Officer of Sea-Collector's standing in connection with Irrigation Company's Canal in Cuddapah and Kurnool.—Requesting the Board of Revenue to ascertain from the Collector of Kurnool whether the proposal to appoint as would be offered if A. Ramachendra Row was relieved of all other duty, also to consult the Collector of Cuddapah as to what he considers necessary in this district.

Madras c. No 461/77.
Madras-515/77.