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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No.	3849	Press.
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Dated	7.7.1877	197.

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Not to be folded or roughly handled

3849/1

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

3rd July 1877, No. 884.

Appeals against Acts passed by Governor-General in Council.

Read the following paper:—

No. 3. *From A. P. HOWELL, Esq., M.A., Officiating Secretary to the Government of India, Home Department, Public, to the Chief Secretary to Government, dated Simla, 19th June 1877, No. 1190.*

In Home Department letter, No. 2546, dated the 17th June 1872, it was laid down that if the Government of Madras should be unable to acquiesce in a decision declared by the Government of India, and should desire to refer the matter for the final orders of Her Majesty's Government, the following procedure was to be observed. The Local Government should not only move the Supreme Government to refer the point at issue to Her Majesty's Government, but should state their views fully in a despatch, and should send that despatch through the Government of India to the Secretary of State. It was stated that the Supreme Government would in transmitting such despatch have an opportunity of explaining simultaneously with the transmission of the appeal the reasons which had led to the decision impugned. And it was added that this course should not be regarded as precluding the Local Government from sending a copy of their despatch direct to the Secretary of State, if they should so choose; but the fact that the appeal had also been sent through the Government of India should invariably be stated.

2. Doubts having recently been raised whether the rules then prescribed apply to cases in which the Government of Madras certain objections to a law made by the Governor-General in Council, or when they forward petitions addressed to the Secretary of State for the disallowance of such a law, the Government of India have arrived at the conclusion that the same principle should apply to every case in which it is sought to modify any order issued by the Governor-General in Council whatever the nature of that order may be.

3. I am therefore to request that in future whenever His Excellency the Governor in Council dissents from the order of an Act passed by the Governor-General in Council, and desires to refer the matter for the final orders of Her Majesty's Government, the Governor in Council will only move the Government of India to refer the point at issue to Her Majesty's Government, but will state his views fully in a despatch, and send that despatch through the Government of India to the Secretary of State. If the Local Government also send a copy of their despatch direct to the Secretary of State, the fact that the dissent has also been sent through the Government of India should invariably be stated.

4. I am also to request that all memorials concerning any legislative proceeding of the Governor-General in Council addressed to residents in India to Her Majesty or the Secretary of State, which the Government of Madras think should be forwarded through the Government of India, the to their destination, may in future be transmitted that this has been done. Secretary of State being simultaneously informed.

5. I am further to take this opportunity of inviting the attention of the Government of Madras to the necessity of strictly adhering to the orders of 17th June 1872, as any departure from those orders results in inconvenience and delay.

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PUBLIC DEPARTMENT, 3RD JULY 1877, No. 884.

6. The orders contained in this letter have received the approval of Her Majesty's Secretary of State for India.

No. 4.

ORDER THEREON, 3rd July 1877, No. 884.

Recorded, and communicated to the different Departments of the Secretariat.

(True Extract.)

[Signature]
Chief Secretary.

To the Revenue Department. ✓
" Military do.
" Public Works Department.

Exd. T. O'Connor.

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