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MADRAS RECORD OFF

Government of Madras

Per

DEPART

G.O. No.	1000 <i>Per</i>	Press
B.P. No.		Mis.

Dated *9.9.1884* -195-Not to be folded or roughly handled

9TH SEPTEMBER 1884, No. 1000, REVENUE.

GOVERNMENT OF MADRAS.
REVENUE DEPARTMENT.

READ—G.O., dated 15th July 1884, No. 165, Legislative.

Read—the following letter from D. FITZPATRICK Esq., Secretary to the Government of India, Legislative Department, to the Acting Assistant Secretary to Government, Legislative Department, dated Simla, 30th June 1884, No. 1412 :—

I am directed to return, herewith, with the assent of His Excellency the Viceroy and Governor-General signified thereon, the authentic copy of the Bill noted on the margin, which was received with your letter No. 124, dated the 3rd May 1884, to the address of the Secretary to the Government of India in the Revenue and Agricultural Department.

Order—dated 15th July 1884, No. 165, Legislative.

A copy of "The Madras Revenue Recovery Act Amendment Act," assented to by the Governor-General, will be published in the *Fort St. George Gazette*.

2. The assent of the Governor-General to this Act will be communicated to the Council for making Laws and Regulations, as prescribed by Rule 39 of the Council Rules.

3. The necessary steps will be taken in the Revenue Department for bringing the Act into operation.

(True Extract.)

(Signed) M. HAMMICK,
Ag. Under Secy. to Govt.

To the Revenue Department.

ORDER—dated 9th September 1884, No. 1000, Revenue.

Miscellaneous.

The following notification will be published in the *Fort St. George Gazette* :—

NOTIFICATION.

The Madras Revenue Recovery Act Amendment Act (III of 1884) having received the assent of His Excellency the Viceroy and Governor-General and become law, the Governor in Council, under Section 5, Act I of 1867 (Madras) hereby directs that the said Act shall come into force from the date of publication of this notification.

(True Extract.)

(Signed) H. E. STOKES,
Secretary to Government.

To the Board of Revenue.
" the Superintendent, Government Press.
" the Legislative Department.

Exd. W. H. French.

50 Co

2.11.11
Govt. of (1884) Madras.
REVENUE.

Issued

Recd.

Encl.

G.O., 9th September 1884, No. 1000.

SEPTEMBER.

Revenue Recovery Act Amendment
Act (III of 1884).

Notification bringing the — into operation,
ordered to be published in the *Fort St. George*

15TH JULY 1884, No. 165, LEGISLATIVE.

GOVERNMENT OF MADRAS.

LEGISLATIVE DEPARTMENT.

READ—the following paper:—

From D. FITZPATRICK, Esq., Secretary to the Government of India, Legislative department, to the Acting Assistant Secretary to Government, Legislative department, dated Simla, 30th June 1884, No. 1412.

I am directed to return, herewith, with the assent of His Excellency the Viceroy and Governor-General signified thereon, the authentic copy of the bill noted on the margin, which was received with your letter, No. 124, dated the 3rd May 1884, to the address of the Secretary to the Government of India in the Revenue and Agricultural department.

ORDER—dated 15th July 1884, No. 165, Legislative.

A copy of "the Madras Revenue Recovery Act Amendment Act," assented to by the Governor-General, will be published in the *Fort St. George Gazette*.

2. The assent of the Governor-General to this Act will be communicated to the Council for making Laws and Regulations, as prescribed by Rule 39 of the Council Rules.

3. The necessary steps will be taken in the Revenue department for bringing the Act into operation.

(True Extract.)

M. M. M.

Ag. Under Secy. to Govt.

To the Revenue department.

15.7.84

Exd. C. Howarth

13 May 1884, P 124, 125

Revenue Department
No 786

Govt. of (1884) Madras:

LEGISLATIVE.

Issued

Recd. 25 July 1884

Encl.

G.O., 15th July 1884, No. 165.

JULY.

Madras Revenue Recovery Act
Amendment Act.

Passing the necessary orders in consequence of
the — having received the assent of the Governor-
General.

23-7-84
28-7-84

No. 9 of 1883.

THE MADRAS REVENUE
RECOVERY ACT AMENDMENT
BILL.

WHEREAS it is expedient to amend Act
II of 1864 of the Madras Code (*An Act
to consolidate the Laws for the recovery of
arrears of revenue in the Madras Presidency*),
it is hereby enacted as follows:—

1. For section 38 of Act II of 1864 of
the Madras Code (*An Act to consolidate
the Laws for the recovery of arrears of
revenue in the Madras Presidency*), the fol-
lowing section shall be substituted:—

38. (1) At any time within thirty days ^{Bombay}
from the date of the ^{Act V}
Application to set aside sale, application may ^{of 1879,}
be made to the Col- ^{section 179.}
lector to set aside the sale on the ground
of some material irregularity or mistake,
or fraud, in publishing or conducting it;
but except as otherwise is hereinafter
provided, no sale shall be set aside on
the ground of any such irregularity or
mistake unless the applicant proves to the
satisfaction of the Collector that he has
sustained substantial injury by reason
thereof.

(2) If the application be allowed, the
Collector shall set aside the sale and
direct a fresh one.

(3) On the expiration of thirty days ^{Bombay}
from the date of the ^{Act V}
Order confirming or set- ^{of 1879,}
ting aside sale, sale, if no such ap- ^{section 179.}
plication is made,
or if such application has been made and
rejected, the Collector shall make an order
confirming the sale, provided that if he
shall have reason to think that the sale
ought to be set aside notwithstanding that
no such application has been made or on
grounds other than those alleged in any
application which has been made and
rejected, he may, after recording his rea-
sons in writing, set aside the sale.

(4) Whenever the sale of any lands is ^{Bombay}
not confirmed or is ^{Act V}
set aside, the pur- ^{of 1879,}
chaser shall be enti- ^{section 180.}
tled to receive back
his deposit or his purchase money as the
case may be.

Refund of deposit or pur-
chase money when sale set
aside.

Bombay
Act V
of 1879,
section 181.

(5) After the confirmation of any such sale, the Collector shall register the lands sold in the name of the person

declared to be the purchaser, and shall execute and grant a

Certificate of sale, certificate of sale to such purchaser; and the certificate so granted shall be conclusive evidence of the fact of the purchase in all courts and tribunals where it may be necessary to prove the same.

2. This Act shall be read with, and taken as part of, Act II of 1864 of the Madras Code.

Government of Fort St. ()
LEGISLATIVE DEPARTM

The Madras Revenue Recovery Act A
Bill.

(The Hon'ble H. E. Sullivan)

Introduced _____ 188

[Printed 17th December 188

STATEMENT OF OBJECTS AND REASONS.

Section 36 of Act II of 1864 of the Madras Code (The Revenue Recovery Act), which prescribes the mode in which sales of land for arrears of revenue shall be conducted, does not provide for the cancellation of any such sale on the ground of any material irregularity, mistake, fraud, or other good reason, while section 38 of the same enactment makes it obligatory on the Collector to issue the certificate of sale to any purchaser who shall have paid the money.

2. It is necessary that the Collector should in every case of a sale under the provisions of the Revenue Recovery Act have the power to cancel such sale.

3. With this object the present bill, which subjects sales of land for arrears of revenue to the same conditions as sales held by the Civil Courts, has been prepared.

H. E. SULLIVAN.

MADRAS,
17th December 1883.

Government of Fort St. George.
LEGISLATIVE DEPARTMENT.

ANNEXURE

TO THE

Madras Revenue Recovery Act Amendment Bill.

(Statement of Objects and Reasons.

(Printed 17th December 1883).

1000 of 9. 9. 84.

15th July
Recd. by O. 21st June
1884 no. 780. Leg^l

C. 10. 4864

The following notification
will be published in
the Fort St. George Gazette

Notification

The Madras ~~Act III of~~
~~1867~~ Revenue Recovery
Act Amendment Act
(III of 1884) having
received the assent of
His Excellency the Viceroy
& Gov^t General & become law, the Gov^t
in Council, under section
5, Act I of 1867 (Madras
Presby directs that the
said Act shall come
into force from the date of
publication of this

To the Board of Revenue
for the Madras Presby

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