M.R.O. 1—77,000—8-6-37.

(1) Number of pages 16

(2) Date of repair 8—12—50

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2422 Press Mis.

Dated 12—5— 1855.

Not to be folded or roughly handled

PROCEEDINGS OF THE BOARD OF REVENUE.

READ—the following G.O., dated 12th February 1885, No. 420, Judicial :—

Read—the following letter from T. W. HOLDERNESS, Esq., C.S., Officiating Secretary to the Government of India, Revenue and Agricultural Department (Revenue), to the Chief Secretary to the Government of Madras, dated Calcutta, the 22nd January 1885, No. 46R.—41-1 :—

In acknowledging the receipt of your letter, No. 3157, dated the 2nd ultimo, I am directed to state that the Government of India is advised that few, if any, of the papers included in the list appended to the draft rule under Section 4 of Act III of 1879, which is submitted for the confirmation of His Excellency the Governor General in Council, are either "records" or "books and papers belonging to or in the custody of Revenue Courts and offices" within the meaning of the Act. They relate principally to details of executive and financial business, and it is within the competence of the Local Government in its executive capacity to order them to be destroyed.

2. Proposals similar to those now made by the Government of Madras have, on several occasions, been submitted to the Government of India from other provinces, and I am to enclose, for the information of His Excellency the Governor in Council, a copy of correspondence which took place not long ago with the Chief Commissioner of the Central Provinces on the subject of the rules submitted by him, from which it will be seen that all that was necessary was eventually provided in that case by executive order. The Government of India would be glad to learn if, after considering that correspondence, His Excellency in Council is still of opinion that any rules under Act III of 1879

* Letter No. 832R., dated the 3rd September 1883, to the Chief Commissioner of the Central Provinces.

2. Letter to North-Western Provinces and Oudh, No. 579, dated the 22nd December 1880.

3. Book Circular No. IX (Central Provinces), dated the 24th September 1883.

custody of, Revenue Courts and Offices in the North-Western Provinces. In reply, I am to communicate the following remarks.

2. These rules appear to deal almost exclusively with documents which could not be called records within the meaning of the Act, and also to provide for some documents which do not appertain to the Revenue Department, properly so called, for example, those relating to the hire of carriage, march of troops and pounds. Such matters may be dealt with by the "Collector," but they are dealt with by him not as presiding in a "Revenue Court or Office," but as head of the executive administration of the district. The same remark would apply to a great deal of the work done by the Collector and his subordinates in connection with the treasury.

3. An examination of the lists in the rules shows that, in fact, they specify hardly any documents for the destruction of which it is necessary to make rules under the Act. When it is obvious that there is a right to order the destruction of a document, there seems to be no object in making a rule having the force of law to authorize its destruction; and it may happen in some cases that the making of such a rule might lead to legal complication. It is only when a document is prepared under the provisions of some enactment which appears to contemplate its being preserved, or when, for some other reason, it may be apprehended that the Government are under a legal obligation to preserve it, that a rule need be made to authorize its destruction. But of course if an enactment distinctly required that a document should be preserved, Act III of 1879 would not warrant its destruction, for that would be inconsistent with the provisions of Section 8.

4. I am accordingly to request that, if on re-examining the lists in the rules they are found to contain any documents regarding which it seems necessary, after considering the above remarks, to issue rules, an amended draft, confined to such documents may be submitted. If not, the matter may drop.

5. I am, however, to add, in connection with the rules proposed for treasury records, (1) that establishment bills should be kept thirty-five years and not twenty-five, as they are often wanted as evidence in pension cases after thirty years; and (2) that no treasury records should be destroyed which are not earlier than the date to which the Accountant-General can certify that the objection books of the district concerned are clear. The District Officer should be obliged to dispose finally of all objections before he destroys any records of the period to which they belong. These directions will hold good whether the rules be prescribed by purely executive order or issued under the Act.

ENCLOSURE No. 3.

From L. K. LAURIE, Esq., Officiating Assistant Secretary to the Chief Commissioner, Central Provinces, to all Commissioners, Deputy Commissioners, and Heads of Departments, Central Provinces, dated Nagpur, 24th September 1883, Book Circular No. IX.

The accompanying rules for the destruction of office registers and papers in English deal with documents which cannot be called "Records" within the meaning of Act III of 1879 (The Destruction of Records Act), and which, again, are not books and papers belonging to or in the custody of the Revenue Courts and Offices within the meaning of section 5 of the Act. They are documents relating to details of executive and financial business or to the work of District Treasuries; and such of them as are in district offices are in the custody of the Deputy Commissioner as the administrative head of the district and not as "Collector." The rules, therefore, are not published under Act III of 1879, and have not "the force of law," but have the force of an executive order issued by the Chief Commissioner in relation to matters within his control.

The great variety of the papers to be dealt with made it necessary that the rules framed should be of a general character. It will be seen that each of the broadly descriptive sections in Schedules II and III is supported by a few illustrations. These illustrations are taken from the files of district offices and are not intended to be exhaustive. It is left to the discretion of Commissioners of divisions and of Heads of Departments to add to the list and to order the destruction of all papers relating to matters within their respective control which clearly come within the sectional definitions. In the course of the work of eliminating documents of the kinds now formulated, it is probable that the propriety of adding fresh sections to the schedules may suggest itself, and Rule 5 lays down what is to be done in such a case.

Draft of Rules for the destruction of Records in English, framed by the Chief Controlling Revenue Authority under the Provisions of Sec. 4 of Act III of 1879.

1. *General Proviso.*—The following rules are subject to the proviso that documents belonging to any of the descriptions noted below shall be exempt from destruction, that is to say:—

(*a*) Documents relating to the rights of Government, or to matters of political or administrative importance.

(*b*) Documents, the destruction of which would prejudice the rights of or affect the liabilities of individuals.

(*c*) Documents relating to matters which have not been finally disposed of, or to matters which might form the subject of a claim against Government (the period within which such claims could be brought not having elapsed); and standing orders of every description.

2. For the purpose of these rules, office records in English are divided into the following classes:—

A.—Gazettes, printed reports, and other printed serials.
B.—Office registers.
C.—Periodical returns, and papers of the kind described in Schedule II hereto annexed.
D.—General correspondence, and papers of the kind described in Schedule III.
E.—Treasury records (Schedule IV.)

Destruction of Documents belonging to Classes A and B.

3. If in any district office, or in any English office subordinate to the district office, the space occupied by old reports, gazettes, or other printed serials or books, of which there are several copies, or to which reference is rarely made, be inconveniently great, the orders of the Commissioner of the Division shall from time to time be taken as to their disposal. The Commissioner may order the destruction of superfluous copies, or may direct (by general or special order) that these shall be forwarded to him for deposit in his own office, or in other offices which may require them. Provided that no printed serials which are more than fragmentary shall be destroyed until a reference had been made to the Chief Commissioner.

Similar records existing in offices other than district offices, or English offices subordinate thereto, may be dealt with in like manner under the orders of the Chief Commissioner.

4. With regard to the destruction of office registers (other than treasury registers, which are provided for below), Commissioners and heads of departments may exercise their own discretion; and no special period is hereby prescribed.

Officers applying for orders as to the disposal of records under this and the preceding rules should state the particulars in the form given in Schedule I hereto annexed.

Destruction of Documents belonging to Classes C and D.

5. In the civil vacation of each year (or at such other time as the Chief Commissioner may hereafter at any time prescribe), the head clerk or other person specially nominated for this duty by the head of the office shall go through the files of general correspondence of the calendar year, which is four years anterior to that in which the examination is made,* and shall eliminate and destroy the papers which, according to Schedules II and III, are liable to be then destroyed. At the same time he will mark the entries in the Register of correspondence, which relate to each document destroyed, with the letter D in red ink. He will then lay the Register of correspondence, with the monthly bundles upon which he has been working, before the head of the office, who, after examining the former, and referring to the latter in case of doubt, will, with due regard to the general proviso at the head of these rules, note such additional papers as in his opinion may be safely destroyed; and the head clerk will thereupon destroy them.

If at any time it appear to the head of an office that papers which might conveniently be destroyed have been omitted from Schedule II or Schedule III, he shall submit the matter (through his official superiors, if any) for the orders of the Chief Commissioner; and the Chief Commissioner may thereupon by notification in the *Central Provinces Gazette* make the necessary additions to the Schedule.

Destruction of Treasury Records.

6. Records belonging to class E. will be destroyed at the periods noted against them in Schedule IV, hereto annexed. To ensure this being regularly done, the treasury clerk should annually submit, through the Treasury Officer, to the Deputy Commissioner a list of records liable to be destroyed. These may conveniently be examined at the time when the elimination of documents belonging to classes C and D is being effected.

General.

7. Records belonging to classes C and D which are more than four years old, and which are at present in the offices, will at once be eliminated on the principles set out in Rule 5. If the bulk of these records renders it necessary to entertain a special staff, proposals to this end should be submitted through the Commissioner to the Chief Commissioner for sanction.

No special staff will be required for the annual elimination referred to in Rules 5 and 6, or for the occasional elimination of records under Rule 3.

* *e.g.*, in May—June 1884, the general correspondence for 1880 will be gone through.

SCHEDULE I.

Form of Application for orders as to the disposal of Papers of Classes A and B.

Serial No.	Description of Document.	Period to which it relates or over which it extends.	Proposal of Head of Office.	Order of Commissioner or Chief Commissioner (Rule I)

SCHEDULE II.

Section.	Description of Records (original and copies).	Illustrations.
I	Statements, Reports, and Returns, whether Weekly, Monthly, Quarterly or Annual, which in ordinary course are embodied in other Reports or Returns.	Weekly Rain Register. Do. Weather Report. Fortnightly Price Current. Monthly Return of Christian Marriages. Do. do. Deaths of Europeans. Do. Revenue Business Statement. Do. do. Touzi. Do. Progress Report, District and Municipal. Do. Statements of Excise Receipts and Charges. Do. Return of Stamp Receipts and Charges. Do. do. Registration Revenue Collections. Do. do. Sales of Postage and Telegraph Stamps. Quarterly Return of Land taken up by Government for State Railways. Do. District Ganja Statement. Half-yearly Dastak Return of Fairs. Do. Return of Political Refugees. Do. Documents impounded and sent to Collector. Annual Return of Europeans and East Indians in service of Native States. Do. Indents for Stationery. Do. Pleaders' Certificates Statements. Do. Return of extent of litigation to which Government was a party. Do. Trigonometrical Survey Stations, Report on——. Do. Return of Vagrants arrested. Do. Clearance Lease Statement. Do. Cotton Statistics Return. Do. Reports of every kind which are printed or reviewed in print.

SCHEDULE II—*continued.*

Section.	Description of Records (original and copies).	Illustrations.
II	Lists, Indents, Bills, Estimates, and Miscellaneous Statements prepared for purposes which have been fulfilled by the expiry of time, receipt of the articles indented for, or the passing of final orders based on them.	Budget Estimates. Contingent Bills. Re-appropriation Statements. Cholera Returns. Conservancy reports. Notifications and Rules which have been published in Gazette. District Opium Indent. Do. Diaries of Excise Darogahs. Opium and poppy-heads dryage reports. Do. Statement of irrecoverable Excise balances. Reports of Annual Excise sales. Stamp invoices. District Statement of irrecoverable Balances (Stamp) in pauper suits. Annual Return of camp equipage. Do. do. pucca wells. Do. do. condition of wells on military encamping grounds. Do. do. on revision of securities of Government officials. Do. Stock Return. Diaries of Excise Darogahs.

SCHEDULE III.

Section.	Description of Records (original and copies).	Illustrations.
I	Correspondence with other offices or with individuals, the purpose of which has been fulfilled, relating to the Statements, Reports, &c., which are referred to in Schedule B, or to ephemeral details of executive, judicial or financial business, or to other matters of routine; including forwarding letters, reminders, letters calling for proceedings, intimations of despatch, acknowledgments, explanations of delay, discrepancies or errors, criticisms of estimates, &c.	Letters relating to hire of carriage, staging bullocks, cooly, dak supplies, &c. Do. do. to taking delivery and forwarding of packages. Do. asking for escorts. Do. do. do. remittances to cover cost of transport of articles forwarded. Do. regarding belts and badges for peons. Do. do. purchase of conservancy carts and bullocks. Do. do. supply of furniture. Do. do. purchase of tools and plant. Do. do. purchase of hydrometers. Do. do. tent equipage. Do. do. repairs to survey stations. Do. do. cleaning encamping grounds. Do. do. village conservancy. Do. do. march of troops. Do. do. management and receipts of pounds. Do. do. accommodation in jail. Do. do. transfer of prisoners. Do. do. security of officials. Do. do. sanitary arrangements. Do. do. destruction of wild beasts and snakes. Do. do. supply of stationery. Do. do. European vagrants. Do. do. annual lease of birs, ferries, excise monopolies, fairs, gardens. Applications for leave to incur unusual contingencies and payments for which sanction is required, and replies thereto. Correspondence respecting treasury balances. Do. do. outstanding advances. Do. do. recovery of Nazul rents. Do. do. retrenchments ordered. Do. do. investiture of officers with civil and criminal powers. Do. do. transfer of cases to other districts. Do. do. collection of Land Revenue in or for other districts.

SCHEDULE III—*continued.*

Section.	Description of Records (original and copies).	Illustrations.
		Correspondence respecting attendance of parties, assessors &c.
		Do. do. repairs to survey stations.
		Do. do. authority from Comptroller to credit to District Funds a portion of land revenue instalments.
		Do. do. issue and renewal of permanent pension orders.
		Do. do. supply of copies of Acts and their distribution.
		Do. do. disposal of confiscated opium.
		Do. do. despatch of opium, ganja or bhang, from one district to another.
II	Applications for employment, appointments, promotion, or for licenses, or orders of any kind; applications for copies; petitions and appeals to higher authorities, and correspondence connected therewith, if the subject matter of the application, petition or appeal, has been finally disposed of.	
III	Papers relating to works costing less than Rs. 500, and to repairs of buildings, if the work or repair has been carried out.	
IV	Papers (other than Political) relating to the rights, interests, and liabilities of individuals in respect to cash or moveables, if final orders have been passed.	Papers relating to disposal of property of deceased persons (except property of deceased Europeans).
		Do. do. recovery of maintenance charges of lunatics.
		Do. do. do. do. charges of children of prisoners.
		Do. do. unclaimed property.
		Do. do. payment of arrears of pension of deceased pensioners (excluding *Political*).
		Do. do. refund of deposits.
		Do. do. do. pandhari assessments.
		Do. do. do. fines.
		Do. do. scholarships for boys.
		Salary and Travelling Allowance Bills.
		Orders to officers to refund.
		Intimation slips of salary and allowances.

SCHEDULE IV.

Treasury records shall be annually destroyed in accordance with the subjoined schedule, provided that none of the records of class I shall be destroyed without a certificate being first obtained from the Accountant-General that there are no unsettled objections relating to them.

Description of Records.	When to be destroyed.
CLASS I.—SUBSTANTIVE ACCOUNT RECORD.	
1. Cash-book and all subsidiary registers, both of Accountant and Treasurer.	Thirty-five years after the close of the year to which they relate.
2. Accountant and Treasurer's daily balance-sheets	
3. Plus and minus memo.	
4. Registers of currency and stopped currency notes	
5. Do. of promissory notes on which interest is payable ..	
6. Do. of silver and copper coins	
7. Do. of stamps	
8. Do. of excise opium	

SCHEDULE IV—*continued.*

Description of Records.	When to be destroyed.
CLASS II.—MISCELLANEOUS.	
Accounts Records.	
1. Sub-treasury accounts, including balance sheets ..	Six years after the close of the year to which they relate.
2. Check register of bills payable	Do. do. do.
3. Counterfoils of bills issued	Do. do. do.
4. Account particulars of deposits	Three years after the close of the year to which they relate.
5. Registers of promissory notes received for renewal ..	
6. Registers of objection statements	One year after the adjustment of the objections.
7. Public Works Department pass-books	As No. 4.
8. Index register of pensions	As soon as a new index is made.
9. Letters-of-credit	As No. 4.
10. Advices of bills issued	Do.
11. Journal of savings bank receipts and withdrawals ..	After the annual statement for the year to which it relates is passed and all differences with Treasury Officer are settled by the Comptroller-General.
12. Savings bank ledgers	After twelve years.
13. Statement of savings bank balances	After the annual statement of the succeeding year is passed by the Comptroller-General and returned to the Treasury Officer.
CLASS III.—PERIODICAL ACCOUNT RETURNS TO ACCOUNTANT-GENERAL.	
1. Cash accounts, lists of payments and all subsidiary schedules, including cash balance reports.	Office copies of these returns should not be kept.
2. Voucher invoices	Three months after the close of the month to which they relate.
3. Abstract statements of receipt and expenditure	Twelve months after the close of the month to which they relate.
4. Resource estimates	Six do. do. do.
5. Statements of lapsed pensions	Do. do. do.
6. Statements of currency notes	Six months after the quarter to which they relate.
7. Statements of coins cut and broken	No office copy of this return need be kept.
8. Estimates of small silver and copper coins	After the estimate has been complied with.
9. Statements of copper coins withdrawn	One year after the close of that to which they relate.
10. Statements of Government promissory notes in custody of Treasury Officer.	Eighteen months after the close of the year to which they relate.
11. Statements of mortality of pensioners	Two years after the close of the year to which they relate.
12. Statements of lapsed deposits	Three years after the close of the year to which they relate.
13. Statements of unadjusted balances	One year after balances have been adjusted.
14. Vouchers for which consolidated vouchers have been afforded.	One year after date of consolidated voucher.
CLASS IV.—CORRESPONDENCE WITH ACCOUNTANT-GENERAL.	
1. All correspondence the purpose of which has been answered ..	Three years after final disposal of the matters to which they relate.
2. All circular orders and general letters of Accountant-General .	When cancelled.

Endorsed by the Home Department, dated Simla, the 13th August 1883, No. 1130.

Transferred to the Revenue and Agricultural Department for disposal.

Order—dated 12th February 1885, Mis. No. 420, Judicial.

Copy communicated to the Revenue Department in continuation of G.O., 2nd December 1884, No. 3156, for their remarks.

(True Extract.)

(Signed) H. A. STUART,
Acting Assistant Secretary.

To the Revenue Department, with original enclosures.

Mis. G.O., No. 913.

Referred to the Board of Revenue, for remarks, in continuation of G.O., dated 11th December 1884, No. 5695.

FORT ST. GEORGE,
23rd February 1885.

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

To the Board of Revenue, with three original enclosures to be returned.

RESOLUTION—dated 12th March 1885, No. 834.

As the reports and papers included in the list appended to the Board's Proceedings of 30th May 1884, No. 1832, are undoubtedly not "records" within the meaning of the Act, the question of their destruction may be disposed of by executive order.

2. The draft rule and appendix submitted for the approval of Government with the above Proceedings being, in the Board's opinion, an improvement on the rules at present in force, the Board solicit the sanction of Government to the substitution of the said draft rule for Clauses 3 and 8 of Standing Order, No. 219, and of the appendix for that appended to that Standing Order.

3. The enclosures are returned.

(True Copies and Extract.)

(Signed) C. F. MACCARTIE,
Acting Sub-Secretary.

(True Copy.)

(Signed) B. SRINIVASA RAGHAVAIYANGAR,
First Assistant.

To the Secretary to Government, Revenue Department,
with enclosures returned.

Copy to the Commissioner of Salt and Abkári Revenue.
" " Director of Revenue Settlement and Agriculture.
" to all Collectors.

Exd. A. F. Aaron.

REVENUE DEPARTMENT.

1885.

Board of Revenue,

MADRAS.

57.

4 4

Printed March th.

Proceedings, 12th March 1885, *No.* 834.

Stating that as the reports and papers included in list appended to Board's Proceedings, of 30th May 1884, No. 1832, are not "records" within the meaning of *Act III of* 1879, the question of their destruction may be disposed of by executive order; and requesting sanction of Government to the substitution of the draft rules for destruction of *records* submitted for approval of Government with the above Proceedings for Clauses 3 and 8 of Standing Order, No. 219, and of the appendix for that appended to that Standing Order.

only

Draft G.O. (Misc.).

Rev. G.C. No. 2422

C. No. 2208

Transferred to the Judicial Department with an expression of concurrence in the Board's remarks that the rules under Act III of 1879 are necessary.

2. Adverting to the suggestion in para 5 of the letter from the Government of India to the Government of the North-Western Provinces and Oudh, dated 22nd Dec. 80, No. 579R, which forms part of the correspondence forwarded for the information of this Government with letter from the Government of India dated 22nd Jan. 1885 No. 46R/41-1, it is considered in this Department that an addition should be made to

the ~~Draft~~ rule framed by the Board of Revenue as follows:— "As regards Treasury records, none of them shall be destroyed without a certificate being first obtained from the Accountant-General that there are no unsettled objections relating to them."

V.V
6-5-85

12-5-85

To

The Judicial department
" Board of Revenue

10/5/85

3/10/86
29-10-86
17/6/86
13/8/86.

C. No. 2208

Rules for the destruction of records.

9-C-M 4080/85-

READ AGAIN ORDER OF GOVERNMENT, DATED
189 , No. , MISCELLANEOUS.

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT .. .. .. A A

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL (not paged).

N.B.—
A — Copy in full.
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P — Copy abstract only.
Q — Copy heading only.

HER PAPER, No. OF 189

CO-5-85.
R 11-5-85

[O/14]
1,000—17-1-96.

MISCELLANEOUS SERIES.

REVENUE DEPARTMENT.

G.O., DATED 12th May 1885
~~189~~ .

No. 2422.

When given for copying.

[Despatch Abstract.]

Re: rules for the destruction of records.

8/6/85
2-6-12
30-5-13
9-10-36 II
7-8-39 I
12-7-40 I