M.R.O. 1—8,000—16-10-20.

# MADRAS RECORD OFFICE.

## Government of Madras.

Revenue DEPARTMENT

G.O. No. 774 Press Mis.

534-35

Dated 20th March 1869.

**Not to be folded or roughly handled**

*Proceedings of the Madras Government, Revenue Department,*
*20th March* 1869.

No. 534. Read the following Proceedings of the Madras Government in the Legislative Department:—

Communicating to the several Departments of the Government Secretariat, the Resolution of the Government of India, directing certain changes in the organization of the Legislative Department of the Government of India. (Here enter 9th March 1869, No. 95.)

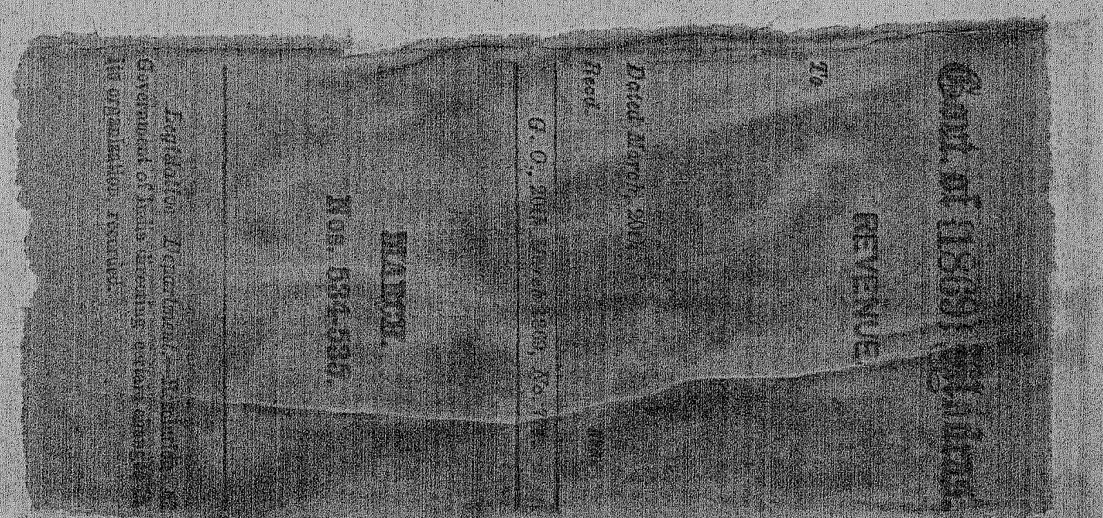
No. 535. ORDER THEREON, 20th March 1869, No. 774.

Miscellaneous. Ordered to be recorded.

(True Extract.)

(Signed) H. W. WELLESLEY,
*Acting Under Secretary to Government.*

Ex'd. G. A. Turton.




*Proceedings of the Madras Government, Legislative Department, 9th March* 1869.

No. 6. Read the following Proceedings of the Government of India, Home Department, (Legislative,) dated Fort William, 8th February 1869, No. 80.

Read again the following papers regarding certain proposed changes in the organization of the Legislative Department of the Government of India:—

1.—Minute by the Honorable H. S. Maine, dated 22nd September 1868.

2.—Minute by the Honorable J. Strachey, dated 25th September 1868, concurred in by His Excellency the Commander-in-Chief and the Honorable G. N. Taylor.

3.—Minute by His Excellency the Governor General, dated 3rd October 1868.

4.—Minute by the Honorable Sir Richard Temple, dated 3rd October 1868.

5.—Minute by the Honorable H. S. Maine, dated 17th October 1868.

Read again the Despatch on the above subject addressed by the Government of India to her Majesty's Secretary of State, No. 16, dated the 12th October 1868.

Read the Secretary of State's reply, No. 42, dated 23rd December 1868, sanctioning the proposal.

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Resolution.—The suggested changes in the organization of the Legislative Department having now been sanctioned by Her Majesty's Secretary of State for India, the Governor General in Council is pleased to direct that, from and after the 10th February 1869, the connexion at present existing between the Home and Legislative Departments shall be severed, that the Legislative Department, which is at present a branch of the Home Office, shall in future be distinct; and that the Officer at the head of the Department shall be designated Secretary to the Council of the Governor General for making Laws and Regulations.

2. In thus constituting a separate Legislative Department, the Governor General in Council desires that it may be borne in mind that that Department is not, in respect of Government measures, an originating or initiating Department, and that its proper function in respect of such measures is to clothe with a technical shape projects of Law of which the policy has been affirmed elsewhere.

3. All legislative proposals on the part of Government should, therefore, first be considered in the Executive Department in which they originate, or to which their subject belongs. The necessity for legislation will there be affirmed, and all points connected with such legislation will there be considered and settled, except the technical detail of it. It is to be submitted to the Council for making Laws and Regulations. The papers, with the orders of Government thereon, will then be transmitted by the Executive Department direct to the Legislative Department.

4. The Secretary of the Executive Department to which a Bill pertains will be present during its discussion in the Legislative Council.

5. In accordance with the arrangement above indicated, the Governor General in Council is pleased to direct that all legislative proposals emanating from Local Governments and Administrations shall be addressed, not to the Legislative Department, but to the proper Executive Department of the Government of India; and if

a proposal for legislation should accidently reach the Legislative Department direct, that Department shall refer it at once to the proper Executive Department for instructions as to the necessity for legislation, and as to the character and tenor of the Bill embodying it.

6. The Governor General in Council further directs that, should a question of policy arise even after the reference to the Legislative Department, and during the technical manipulation of the Bill, such question shall not be disposed of in the Legislative Department, but shall be executively considered in the Department of the Government of India to which it belongs.

7. When once a measure has been referred to the Legislative Department, that Department shall correspond directly with the Local Governments and Administrations, and all correspondence with Her Majesty's Government relating to Bills and Acts, whether of the Imperial or Local Councils, shall in future be conducted in the Legislative Department.

8. With respect to Bills passed in the Local Councils and submitted for the assent of the Governor General, and projects of local laws submitted for preliminary approval to the Government of India, the Governor General in Council directs that they shall be forwarded by the Local Governments to the Government of India in the Executive Department to which their subject belongs. After consideration in that Department, the papers shall be transferred, with an opinion as to the policy of the measure, to the Legislative Department for disposal.

9. The duties devolving on the Governor General in Council under 24 and 25 Vict., Cap. 67, Secs. 17 and 18, will be still transacted through the Home Office.

10. For all purposes except the above, the Legislative division of the business of the Home Office will cease, and will devolve on the new Legislative Department.

11. The proceedings of the Government of India in the Legislative Department will be recorded in the same way as they have heretofore been recorded, and copies forwarded to Her Majesty's Government.

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Ordered that copies of this Resolution be communicated to the Governments, Administrations, and Departments named below, for information and guidance:—

Governments of Madras, Bombay, Bengal, North-Western Provinces, and Punjab;

Chief Commissioners of Oude, Central Provinces, and British Burmah;

Resident at Hyderabad; Commissioner of Coorg; Foreign Department; Military Department; Financial Department; Public Works Department; and Legislative Department.

Also to Director General of Post Offices, with a request that he will arrange for the correspondence of the new Department being placed on the footing of a separate Secretariat.

(Signed) E. C. BAYLEY,
*Secy. to the Govt. of India.*

*Proceedings of the Madras Government, Legislative Department, 9th March 1869.*

No. 7. ORDER THEREON, 9th March 1869, No. 95.

Communicated to the several Departments of the Government Secretariat.

(True Extract)

*Assistant Secretary to Government,*
*Legislative Department.*

the Public Department.
" Judicial Department.
" Educational Department.
" Marine Department.
" Ecclesiastical Department.
" Political Department.
" Financial Department.
" Revenue Department.
" Public Works Department.
" Military Department.

Ed. J. Wright

Revenue Dept

Govt. of India.

LEGISLATIVE.

To Pp. 817

THE PUBLIC DEPARTMENT.

&c., &c., &c.

Dated March, 1912.

Read 15th

G. O., 6th March 1908, p. 336.

MARCH.

Nos. 67.

Communicating to the several Departments of the Government Secretariat the Resolution of the Governments of India, directing certain changes in the organization of the Legislative Department of the Government of India.

a/c 7914

RECORDED.

Revenue