

Agreeing with the Board of Revenue
in considering that a certain provision
the form of Permanent Putta issues in lieu
of ninety-nine years' leases on the Nilgiris,
is unnecessary and should be struck out.

BACK PAPERS.

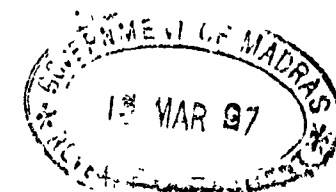
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G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Revenue (1897) Department.

CURRENT No. 2309



From

The Board of Revenue, Land
Revenue, Madras.

Order

No. 914 Misc.

Dated 11th March 1897.

Received 13th

Registered 15th

Enclosures 2.

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SUBJECT.

Explaining Board's reasons for considering that the second clause on page 2 of the form of Permanent Putta in lieu of terminable leases should be struck out.

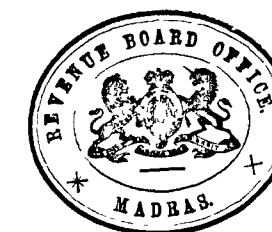
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8,006
10-12-96.



Proceedings of the Board of Revenue

(Land Revenue)

No.914 Misc., dated 11th March 1897.

Read the following :-

1. Government Order, Revenue Department, No.155 Misc., dated 11th January 1897, and Reference thereon d/ 21-1-97.
2. Also Government Order, Revenue Department, No.261 R., dated 6th February 1897.

Resolution

The Board understands the question at issue to be, what is meant by the words "this certificate" in the clause which the Board proposed to strike out. It seems clear that the words in question refer to the certificate prescribed in the clause already struck out by Government.

2. The earliest form in which the two clauses occur is that printed as appendix F. to Government Order No.1271 R.D., dated 21st September 1859. The proviso "this certificate in no way affects the liability &c." properly found a place in the deed so long as some other liability, e.g. liability to quit rent or land revenue, was remitted in a previous clause of the deed. But now that there is to be nothing in the previous part of the deed to warrant exemption from liability of any kind, it seems superfluous to stipulate that liability to local revenue is not affected. On this ground the Board suggests the omission of the proviso in question.

3. It will be seen that in para 2 of Government Order No.897 R.D., dated 24th August 1892, Government placed the same construction on the expression "this certificate" as

flagged B
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is now placed on it by the Board of Revenue.

$\frac{D}{4}$ 2,000-25-7-94.

REVENUE DEPARTMENT.

(True Extract)

Receives

Secretary.

To

✓
The Secretary to Government, Revenue Department, with deeds.

Ma.R.H.

Plat

C. No. 2309 of 1897.

From the Board of Revenue, Land Revenue

Dated 11th March 1897.

FOR ORDERS.

The current read above contains the Board's reply to G.O. 261R, Rev., dated 6th February 1897. Attention is solicited to that order and the notes under it. The Board points out (1) that the words "this certificate", which occur in the clause proposed by it to be scored out, refer to the certificate prescribed in the clause already struck out by Government; (2) that the clause in question "properly found a place in the deed so long as some other liability, e.g. liability to quit rent or land revenue, was remitted in a previous clause of the deed; (3) that now that there is to be nothing in the previous part

c. 19/3/97.

of the deed to warrant exemption from liability of any kind, it seems superfluous to stipulate that liability to local revenue is not affected; and (4) that the clause in question should therefore be omitted. For orders as to whether the Board's view may be accepted. The proviso is intended not to affect the liability of the land to payment for general municipal or other local purposes, and the rights or interests which other parties may have in the said land, ^{any of the} and the conditions which are not expressed in the deed on which the land is now held and which are consistent with the deed. If it is thought that the proviso should stand, the ^{present} difficulty pointed out by the Board can be obviated by substituting the words "these presents" for the words "this certificate" and making the corresponding verbal alterations.

The B. view seems right but there is no objection to the intention of the clause if its wording is slightly modified.
18/2/97
11/12/97

FOR ORDERS.

The Board is right. This proviso is unnecessary & should be struck out.

JG
24/3/97

Drift-Lo.
11/2/97

DP 5/4/97

Read again G.O. 261 R. d. 6-2-97.
Read also C. No. 2309 of '97.

G. O. No. 1836 d. 5th April '97

The Government agree with the Board of Revenue in considering that the proviso in question is unnecessary, and should therefore be struck out.

(From Orders).

11/3/97

To
The Board of Revenue,
Land Revenue, with
encls. } 64.8-4-97

C.R.
26/3/97

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189

CURRENT No _____

ENCLOSURE TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DITC

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