Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 2760-1

DATED 1st June 1897

[Despatch Abstract.]

Requesting the Govt of India to extend the
fee leviable on appeals to District Collectors under
Act II of 1895 from ~~Rs~~ two to annas eight as
it was under Regulation VII of 1831.

BACK PAPERS.

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

FURTHER PAPERS.

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

Revenue (189 7) Department.

CURRENT No. 3557

GOVERNMENT OF MADRAS
28 APR 97

From

The Board of Revenue
Land Revenue.

Order

No. 1498 Mis.

Dated 23rd April 1897.

Received 28 A. 97

Registered 28. 4. 97

Enclosures

Spare copies

SUBJECT.

Submitting for the orders of Government a reference from the Collector of Ganjam regarding the stamp duty leviable on appeals to the Collector under the Madras Hereditary Village Offices Act III of 1895

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

2,000
25-1-97.

REVENUE BOARD OFFICE. MADRAS.

Proceedings of the Board of Revenue

(Land Revenue),

Dated 23rd April 1897.

No. 1498. Miscellaneous.

READ — again Board's Proceedings, dated 9th December 1896, No. 4588, communicating to all collectors in continuation of B.P. 388 29-9-96 endorsement of the Government of India re the fees chargeable on certain documents filed in claims preferred under the Madras Hereditary village Offices Act III of 1895.

Read also letter from H. D. Taylor Esquire, Acting Collector of Ganjam, dated 19th March 1897. Reference No. 212 Ver of 97.

Resolution.

Resolution.

Submitted for the orders of Government.

2. As the Government of India Notification 4747 S.R 6—11—96 embodied in G.C. 638 Revenue, dated 16 November 1896, stands, the fee chargeable on all appeals under Act III of 1895, whether to the Collector or to the Board would be two rupees. The Board therefore recommends that the Government of India may again be moved to limit the fee on all appeals to the Collector under Act III of 1895, to annas eight as proposed in paragraph 4 of Boards' Proceedings, No. 68, dated 20 February 1896.

3. It was clearly not intended that the cost of appealing under the new law should be different from what it was under the old Regulation.

(True Extract)

Secretary

To the Secretary to Govt R.D. & A. with the Collector's letter in original to be returned

Read Cir. 3557 of 97

G.P. Mis. No. 2760 of 21st June 97

Ordered that the following letter be despatched to the Govt of India.

W 24/6/97

W.R. 1/7/97

Letter No. 2761

To

The Secy to the Govt of India Fin. & Comm. Dept.

Sir.

Adverting to the correspondence ending with Govt of India Endorsement No. 4748 S.R dated 6th Nov. 1896, I am directed to point out that the effect of the Notification of which a copy has been forwarded to this Govt under that endorsement, is to render all appeals addressed to District Collectors under Sec.

The Hon. Mr. McLane C.S.I.

J.S. 11/6/97

The Board of Rev (Cir) with enclosure. DH. 5-6-97

C 28/5/97 21/6/97

Sec. 23 of Madras Act III of 1895, equally with those addressed to the Board of Rev, liable to a Stamp duty of Rs 2/, through the proposal made in the Honorable Mr. Arundel's letter No 403 dy 11-8-96 was that appeals to the Board of Rev alone should be chargeable with a Stamp duty of Rs 2, while those addressed to Revenue Officers, ie. Collectors, should be chargeable with a duty of only Eight annas, as was the case under the repealed Regulation VI of 1831. It is true that the wording of the Clause (1) of the notification now published follows closely that of para 20 of the Notification of the Govt of India No 4650 dy 10-9-89 published with reference to the above said Repealed Regulation.

But

But I am to explain that under Regulation VI of 1831, all claims to Village offices or the emoluments annexed to such offices, were in the first instance adjudicable by the Collector of the District in which such claims had arisen, and it was only by the application of Madras Regulation VII of 1828 which vested Divisional officers with the powers of Collectors, that suits under Regulation VI of 1831 came to be filed before, and disposed of by, ~~the Divisional Officers~~ them; but even in such cases, formal appeals lay only to the Board and petitions presented to Collectors against the orders or decisions of Divisional officers were treated merely as Revision petitions under Sec 3, Clause 3 of the Regulations of 1828, and were therefore, chargeable with a

a duty of only As.8, as in the case of plaints &c, Now that Madras act III of 95 by which Regn VI of 1831 was repealed provides for the presentation of formal appeals to District Collectors in cases in which the original suits are heard and disposed of by the Divisional officers, the Notification of the Govt of India dated 6-11-96 No. 4747 S.R, would as it stands, render such Memoranda of appeal to Collectors liable to a Stamp duty of Rs 2.- I am, to state that it was not the intention of this Govt that the cost of appealing under the new act should be different from what it was under the old Regulation, and accordingly to request that the Govt of India may be moved to reduce the fee on all appeals

appeals to District Collectors under Act III of 1895 to annas 8.

24/5/97

C.A.
25/5/97

When given for copying ——
When copied ——
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When signed ——
} 189

READ AGAIN G.O., No. 189 DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT	A	A	A	A	A	A	A	
LETTER OF GOVERNMENT.								
STATEMENT WITH DITTO.								
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.								

N.B.—
A = Copy in full.
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