

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 3065
Confidential No 946

Dated 16 June 1897

q
zie,
before

[Despatch Abstract.]

Communicating to the Board of Revenue, ^{with remarks} ~~the~~
letter from the Govt of India regarding the
proposed legislation to relieve the Rajas of
Harvetnaga.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Go.	312-313	Rev	11 May 1897				

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Go.	4534	Rev	30 Aug 97				

Revenue Political (1897) Department.

CURRENT No. 4851

Confidential No 55

Hon Mr Grose C.J.E.

Hon Mr Bliss C.J.E.

H.E. the Governor

For Orders.

The draft Bill for the North-Western Provinces and Oudh & the Connected Provinces referred to in para 3 of the Current and have been forwarded to the Board of Revenue for consideration in connection with the Amendment of the Court of Wards Bill. Until the Act is amended, nothing it is to be presumed can be done to save the estate Act.

The Collr has already been told to apply for a further adjournment if by 22nd Aug 97 no final orders should be received

We can do nothing more
This letter and be communicated
The Bill may be used & survey at
12/6/97
The Bill passed before Kanungo
on the Hon. Mr. Bliss, proposed

No. 1229
193-2

Dated 4 June 1897

Received 10

Registered 10

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SUBJECT.

Re. the proposed legislation to relieve the Raj of Kanungo

11/6/97
b.m.p.
11/6/97

BACK PAPERS.

G.O.	No.	Department.	Date

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 1229
193-2

FROM

DENZIL IBBETSON, Esq., C.S.I.,
Secretary to the Government of India,

TO

The Secretary to the Government of Madras.

Department of Revenue
and Agriculture.

Land-Revenue.

Simla, the 4th June 1897.

SIR,

I am directed to acknowledge the receipt of your letter No. 313 dated the 11th May 1897 and enclosure requesting that the conditions laid down in my letter No. 4159 dated the 4th November 1896 as a preliminary to legislation to relieve the Rajah of Karvetnagar may, for the reasons stated, be somewhat relaxed and that sanction may be given to the introduction of a special Bill authorising the equitable settlement of the claims against the estate.

2. The Government of India fully sympathise with the views of the Government of Madras as to the importance of saving, if possible, the estates of land owners of the class to which the Rajah of Karvetnagar belongs. They regret however that they are still unable to consent to set wholly aside the regularly constituted judicial machinery, and to substitute for it a summary jurisdiction in the interests of a single estate.

3. I am however to invite a reference to the recent correspondence connected with the proposed amendment of the Court of Wards Act, and especially to Chapter IV of the

Draft Bill for the North Western Provinces and Oudh.

* Forwarded with my Demi-Official letter No. 895 dated 24th April 1897.

stitched with file I.

It appears to the Government of India that similar provisions which do not at present find a place in the Court of Wards Bill that has been drafted by the Government of Madras, would in great measure meet the difficulties mentioned in paragraph 13 of your letter of 21st September 1896, and I am to suggest that the Governor in Council might insert some such provisions in the Madras Court of Wards Bill and take action under the Act when passed, in the case of the Karvetnagar state.

4. It is true that, under a Court of Wards Act, if the creditors will not consent to a reasonable adjustment of their claims a suit for the settlement of accounts becomes necessary. But the Government of India believe that adjustment could be amicably effected in the great majority of cases as soon as the creditors saw that the Government had taken the matter determinedly in hand. And even though action under Section 320 of the Civil Procedure Code cannot, for the reasons explained in paragraph 6 of your letter No. 480 dated 21st September 1896, be taken in the local area in question yet it is probable that no court would insist on sale when an application had been made under Section 326, so long as big suits remained unsettled and there was a chance of relieving the estate.

5. It seems then, that management by the Court of Wards would substantially fulfill the conditions, as stated in paragraph 9 of your letter of 21st September 1896, upon which Messrs. Mackenzie Lyall and Company are prepared to finance the management. I am to request therefore that, the suggestions

now

now made may be taken into consideration by the Madras Government as it appears to the Government of India that in this direction lies the only hope of arriving at what they, no less than the Government of Madras, regard as a most desirable end.

I have the honour to be,

Sir,

Your most obedient servant,

Wm. A. Mackenzie

Secretary.

Confidential

Read C. No 4851

G.O. No 3065 of 16 June 1897

Communicated to the Board of Revenue

2. Government is anxious that the

Court of Wards Regulation should be

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with G.O. No 367 of 20th May 1897 and to state

when its report may be expected

[Signature]
16/6/97

To

The Board of Revenue (d. R.)

[Signature] 17/6/97

Note:

Should agree to the Collector of N. Dist.

Copy of G.O. No 312 of 11.8.97 was sent

to him

AR
16/6/97

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WR
16/6/97

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

189 .

READ AGAIN G.O., No.
 189 ,

DATED

CURRENT No.

ENCLOSURE 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.

B.B.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.

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G.O., Mis. No. 3065, 16th June 1897.

JUNE.

Raja of Karvetnagar.

Communicating to the Board of Revenue, with remarks, letter from the Government of India regarding the proposed legislation to relieve the —.

CONFIDENTIAL.

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—the following letter from DENZIL IBBETSON, Esq., C.S.I., Secretary to the Government of India, Department of Revenue and Agriculture, to the Secretary to the Government of Madras, Revenue Department, dated Simla, the 4th June 1897, No. 1229-193-2:—

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2. The Government of India fully sympathize with the views of the Government of Madras as to the importance of saving, if possible, the estates of land-owners of the class to which the Raja of Karvetnagar belongs. They regret, however, that they are still unable to consent to set wholly aside the regularly-constituted judicial machinery, and to substitute for it a summary jurisdiction in the interests of a single estate.

3. I am, however, to invite a reference to the recent correspondence connected with the proposed amendment of the Court of Wards Act, and especially to chapter

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4. It is true that, under a Court of Wards Act, if the creditors will not consent to a reasonable adjustment of their claims a suit for the settlement of accounts becomes necessary. But the Government of India believe that adjustment would be amicably effected in the great majority of cases as soon as the creditors saw that the Government had taken the matter determinedly in hand. And even though action under section 320 of the Civil Procedure Code cannot, for the reasons explained in paragraph 6 of your letter No. 480, dated 21st September 1896, be taken in the local area in question, yet it is probable that no court would sit on sale when an application had been made under section 326, so long as suits remained unsettled and there was a chance of relieving the estate.

It seems then that management by the Court of Wards would substantially meet the conditions, as stated in paragraph 9 of your letter of 21st September 1896, which Messrs. Mackenzie, Lyall & Co. are prepared to finance the management to request, therefore, that the suggestions now made may be taken

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(True Extract.)

(Signed) G. STOKES,
Ag. Secretary to Government.

To the Board of Revenue (Land Revenue).

Exd. J. Henricus.

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(True Extract.)

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