

Revenue (189⁸) Department.

MISCELLANEOUS SERIES.

G.O., No. 4036

DATED 10th Oct. 98

[Despatch Abstract.]

Requesting the Govt. Solicitor to
obtain the opinion of the Hon. the Advocate-General
re: the power of the Board of Revenue to remove the case of issuing
notes under Sec 9(1) of Act III of 1876 (Madras)

BACK PAPERS.

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

FURTHER PAPERS.

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

18-20-95.

Revenue (1898) Department.

CURRENT No. 5877

Order

From

Progr. of the Board of Rev.
(A.S.A. & A.A.)

No. 297.

Dated 11 Aug.

Received 22

Registered 22

Enclosures /

Spare copies

SUBJECT.

Janmam Registration. Re.
commending that an allotment of
Rs. 5000 be placed at once at the
Malabar Collrs. disposal to start
with, in connection with the
publication of Notification, No.
under Sec. 9 of Act III of 1896.

G O.	No.	Department.	Date.
6000	4296	U.S. Army	2-2-1900

G.O.	No.	Department.	Date.

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88-2-11 4th 4th 4th

William A. Tyler

Page 18

M. A. G. S. S. S. S.

Sl. No.	Particulars	Debit	Credit	Balance
1	By Balance b/d		1000	1000
2	To Cash	500		500
3	To Bank	300		800
4	To Sales	200		1000
5	To Other Income	100		1100
6	To Profit	100		1200
7	To Balance c/d		1200	1200
8	By Cash	100		1100
9	By Bank	200		1300
10	By Sales	300		1600
11	By Other Income	100		1700
12	By Profit	100		1800
13	By Balance c/d		1800	1800

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[illegible]

From whom (colly amount to be collected.
 துபிசியன்களிடமிருந்து எவ்வளவு வசூலிக்க

Amount of Bill calculated at Rs 2-0 for 25 acres containing fractions of 25 acres.				Lands for which Collection is to be made.				From whom (Cooly amount to be collected.				Month and date of collection of Cooly Amount.				Amount paid.		Signature of Adhikari.		Remarks.	
Sl. No.	Area.	Amount.	Survey field and Subdivision number.	Name.	Area.	Name and house name of Patta.	Cooly amount for each land.	Month and date of collection of Cooly Amount.	Amount paid.	Signature of Adhikari.	Remarks.										
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ஸ்ரீராமபிரகாசம் - 6 - 21-27
 நினைவுபிரகாசம் - 6 - 21-27
 விஜயபிரகாசம் - 6 - 21-27

16-5-98
 19-5-98

Prof. H. A. Harkness
Pro. or Field Surveyor,
1-6-98

101 N. Lehigh
Deputy Surveyor.

66-92

Feb 1. J. D. O'Connell
of ~~the~~ Assistant, Father, Mother

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3 July
2 Dec 12-98

REVENUE DEPARTMENT.

1898.

Board of Revenne

(Revenue Settlement, Land Records and Agriculture),

MADRAS.

Recd. 22 Aug 1898.
Recd. 22 Aug 1898.

Enclosures ✓

Spare copies

Printed August 1884

Proceedings, No. 297, 11th August 1898.

AUGUST.

Janman Registration.—Recommending that an allotment of Rs. 5,000 be placed at once at the Malabar Collector's disposal to start with, in connection with the publication of Notification, &c., under Section 9 of Act III of 1898.

1878
REVENUE DEPT

PROCEEDINGS OF THE BOARD OF REVENUE
(REVENUE SETTLEMENT, LAND RECORDS AND AGRICULTURE).

READ—again the following Proceedings of the Board of Revenue (R.S., L.R. and Agri.,
Mis. No. 4249, dated 13th July 1898:—

Read—the following letter from T. C. PARSONS, Esq., Acting Collector of Malabar,
to the Secretary to the Commissioner of Revenue Settlement, Land Records
and Agriculture, dated Calicut, 2nd July 1898, Ref. on C. No. 1124-R.:—

I have the honour to reply to paragraph 6 of B.P., Mis. No. 3636, dated 17th
June 1898.

2. Attached is a form, with a translation, of the notification I propose to publish
in the Gazette. It is not a complete copy of the register, but it contains as many of
the columns of the register as can be conveniently printed in one page allowing only
one line for each item.

3. I estimate the cost per page of this notification as follows:—

	RS.	A.	P.
Composing	0	12	0
Impression	1	0	0
Paper	1	0	0
Postage of Gazette	0	6	0
Registration and postage of notices under section 9 (2)	0	10	0
Miscellaneous	0	4	0
Total	4	0	0

Allowing fifteen items to each page the cost comes to As. 5 per item.

4. In the above estimate the first two items only have to be paid to private
presses and for this funds are necessary. I request that Government may be moved
to sanction an expenditure of Rs. 3,000 for the purposes of Act III of 1896 for the
present. I hope that this sum will suffice to pay the printing charges of the noti-
fication for all Palghat and Walluvanad Taluks. If jannis are as slow at putting in
their applications as at present, the printing charges in these two Taluks will come to
some Rs. 11,000. There is, however, every prospect of applications coming in rapidly
as soon as we begin to collect As. 5 an item.

5. I propose to collect from the jannis at As. 5 an item as a fixed charge.
This is by far the simplest way of recovering the cost of the notification. As each
gazette is published, a demand will be made out against each Tahsildar concerned
and the recoveries will be watched. Collections will be credited to Land Revenue—
Miscellaneous.

6. I have not asked for sanction for an advance because of the enormous labour
it will involve to ascertain the exact cost of the notification relating to the lands of
each janni and the great difficulties we should experience in adjusting the recoveries
to different headings of account.

Resolution—Mis. No. 4249, dated 13th July 1898.

The information furnished is insufficient to support an application to Government
for the large sum required. The data on which the estimate of the cost of printing is
based should be fully stated, starting with information as to how many copies of each
notification must be printed. It is not understood how the charge for postage is
arrived at. It is not understood why the cost of sending notices by registered post
should be calculated at 10 annas a page.

2. The Board is unable to understand the supposed difficulty of dealing with the
allotment as an advance recoverable. When each batch of notices is printed and
posted, the actual cost of printing at the contract rates, and of postage, can be readily
calculated, and apportioned amongst the jannis concerned.

The actual cost of sending the separate notice by registered post is also easy to
calculate. The calculation of the actual cost and its apportionment among the
jannis seems to the Board to involve no enormous labour, and it is not clear what
great difficulty the Collector anticipates in adjusting recoveries "to different headings
of account," or to what different headings he refers. The operation is surely not
so difficult as what is being done every day in the matter of apportioning and recover-
ing survey charges. Thus if the Collector remains of opinion that the procedure
prescribed in Section 976 of the Civil Account Code, Volume II, is unworkable, further
explanation must be afforded before the difficulty can be laid before Government.
A further report should be submitted with the least possible delay.

(True Copy and Extract.)

(Signed) R. V. SRINIVASAR,
Secretary.

To the Collector of Malabar.

READ—also the following letter from F. C. PARSONS, Esq., Acting Collector of
Malabar, to the Secretary to the Commissioner of Revenue Settlement,
Land Records and Agriculture, dated Calicut, 21st July 1898, Ref. on C.
No. 1124-A—R.:—

I have the honour to reply to Board's Proceedings (R.S., L.R. and Agri.), Mis.
No. 4249, dated 13th instant.

2. The cost shown in paragraph 3 of this office letter, Ref. No. 1124-R, dated 2nd
July 1898, is roughly estimated as follows:—

Data.—Number of impressions required is 600; each gazette contains 100
pages covering 1,500 items of land and 262 jannis. This is based on the actual
figures for six Desams in Palghat where it was found that 2,000 items of land held by
350 jannis had to be published.

Composing.—Printers have agreed to do the work for As. 12 per page.

Impression.—Printers require Re. 1 for 600 impressions or any number of
impressions up to 1,000.

Paper.—Six hundred leaves of Double Double Pott thin are required. One
ream equals 500 sheets or 2,000 leaves. One ream costs Rs. 8. One leaf of 600
impressions costs about Re. 1. As one leaf contains two pages, the cost per page is
thus As. 8. But besides the paper used in publishing the gazette, allowance has to be
made for covers to postal notices under Section 9 (1); for headings to be attached to
leaves of the gazette sent as notices under Section 9 (1) and for printing them; for
the fact that in sending notices under Section 9 (1) a leaf of paper has to be sent for
every page of items and not one leaf for every two pages as there is one page on each
side of a leaf. There will also be a certain amount of spoilt paper, &c. Thus the
cost of a page has been put at Re. 1.

Postage of Gazette.—Each copy costs one anna and consists of 100 pages. The
cost is $\frac{1}{10}$ anna for one page of one impression or As. 6 for one page of 600 impressions.

Registration and postage of notices under Section 9 (1).—Each page costs one
anna for postage and As. 2 for registration or As. 3 in all. Each page has to be sent
to three jannis because it contains 15 items of land and 1,500 items of land are
owned by 300 jannis (or more exactly 262 jannis). Thus the cost per page will be
As. 9. Ten annas was entered in the estimate to allow a margin for notices which
may have to be sent twice, &c.; and for other minor postal charges in this connection.

Miscellaneous.—Four annas is intended to cover clerical, cooly, packing, &c.,
and other unforeseen charges.

3. In reference to paragraph 2 of the Board's Proceedings, I beg to submit the following:—

The system of calculating the actual cost of publishing the notices under Section 9 of Act III of 1896 in the District Gazette and of sending individual notices to the several jannis by post registered, if not actually unworkable, will at any rate be a very complicated procedure to follow. Work in this connection will have to be done in more offices than one. The Special Deputy Collectors will have to prepare the lists and send them to the press in the first instance and then despatch the notices on their receipt back from the press. The press department of the Collector's office will have to be utilized for sending the gazette to the subscribers; as the private presses are mostly in Calicut, the Collector's establishment will have to be employed for receiving the lists and the notices from the Deputy Collectors and for getting them printed. Either in the Collector's office or in the Deputy Collector's office the work of distributing the charges amongst the several jannis will have to be done and lastly the Taluk establishment will have to be engaged in collecting the amount. The proportionate pay of the several establishments engaged for doing this work will have to be calculated and complex registers will have to be maintained for the purpose. Again charges will have to be incurred in connection with the work in several offices, viz., the Deputy Collectors', Collectors' and the Tahsildars' and accounts will have to be kept in all of them and there must be a general compilation somewhere. Unless it is proposed to purchase stationery from the market and utilize ordinary postage labels for sending the gazettes and the notices, Government stationery and service postage labels will have to be used in the first instance and their value will have to be credited to Government by adjustment when the collections have been made from the jannis. It is with a view to avoid all these complications that it was suggested that a uniform charge of Rs. 5 per sub-division number may be made and that the charges to be incurred may be treated as final charges in the accounts instead of being met from "advances recoverable." The amount collected from jannis will be credited to "Land Revenue—Miscellaneous." If this proposal be approved all that need be done when the list for one Desam is complete, will be to prepare a list of the jannis and charge them at the fixed rate for as many survey sub-divisions as appear against them. This may be done either in the Collector's office or in the Taluk offices and there need be no complex calculations in arriving at the correct amount, to be collected from each janni.

4. It is true that in respect to survey charges an apportionment of the actual cost is made amongst the several land-holders and the amount due from each is recovered subsequently in the Revenue Department by Tahsildars. It would seem that the surveyors send to the Deputy Superintendent's office, coolly bills showing the actual cost incurred in paying coolies and that to this amount is added in the office of the Deputy Superintendent the proportionate cost of the field surveyors, of the deputy surveyors who inspect their work and of the clerks in the Deputy Superintendent's office who prepare the bills and that the total amount is then apportioned amongst the several land-holders. A bill so prepared in the Deputy Superintendent's office is submitted for perusal. It will be seen therefrom that complex calculations are necessary in fixing the amount payable by each land-holder. To prepare this single bill it must have taken one whole day for one clerk. It is to be observed that in respect to survey charges the items to be taken into account are only three in number and that the whole of the work is done in one office only. But this will not be the case in respect to the charges under consideration as already explained and therefore the labour involved in compilation and apportionment of the charges incurred in the different offices must be enormous. Further, considering that it is proposed to recover the charge of publishing the notice under Section 9 from the jannis, more as a penalty for their omission to come forward to register their lands than as anything else, there is hardly any necessity to go to the length of making any complex calculations as to the actual cost.

5. In respect to the remarks that the sum of Rs. 3,000 asked for is large, it is submitted that this is intended to cover the printing charges only and not the other charges. At Rs. 1-12-0 per page containing 15 sub-divisions on account of printing and composing charges, supposing there are about 300 sub-divisions for each Desam,

the total cost per Desam will be $\frac{300}{15} \times 12$ or Rs. 35. For 455 Desams in the two Taluks the cost will be Rs. 15,925. A much smaller amount was asked for on the belief that when the jannis come to know that the charge of publishing the notice is to be recovered there will not be as many as 300 sub-divisions in a Desam in reference to which notices will have to be published.

6. If, as suggested by the Board, the charge is to be debited in the first instance to "advances recoverable" the amount which the Government will have to be asked to sanction will be much larger than the Rs. 3,000 now asked for. It will be at the rate of Rs. 80 for a Desam or Rs. 36,000 for the two Taluks. If charges are to be debited to "advances recoverable" and then to be adjusted on the amount being collected, the stationery and postage will have to be paid for in cash. It might, perhaps, be said that there will be no necessity for such a large amount as Rs. 36,000 under "advances recoverable" inasmuch as there will be collections coming in. Judging from the difficulty experienced in collecting survey charges under which so much as Rs. 52,000 and odd were in arrears at the beginning of this month, I do not expect that there will be prompt realizations in respect to the charges in question. If not the full Rs. 36,000, at least about Rs. 10,000, will be required under "advances recoverable." It is precisely because of the enormous labour and difficulty experienced in collecting survey charges that I avoided recommending the "advances recoverable" system for the collection of these new charges.

RESOLUTION—No. 297, dated 11th August 1898.

The correspondence read above relates to the provision of funds required to enable the Collector of Malabar to carry out the requirements of Section 9 (1) of the Malabar Land Registration Act, III of 1896.

2. The section requires that when any person has been registered as proprietor of any land otherwise than on his own application, the Collector shall give him notice of the registration by registered letter and by publication of the fact in the District Gazette. This latter provision, which appears on the face of it so simple and proper, is in fact so difficult to work that the publication of notices is at a stand-still.

3. Up to the end of May 1898, about 85,000 items of land have been registered without application. The notice to the person registered must take the form of a condensed extract from the register, and each item of land requires one line in print. On an average about 15 items fill one page of the District Gazette. Thus, allowing for headings, &c., the 85,000 items registered up to May 1898 will fill about 6,000 pages of print.

For circulation with the District Gazette, allowing for spare copies, 600 copies of each page must be printed.

4. To cope with this task is utterly beyond the power of the District Press establishment. The help of private Printing Presses must be sought; and the Collector's reports read above contain his estimate of what the printing and postage of the notices will cost. The cost, under Section 17 of the Act, is recoverable from the parties concerned. The Collector calculates, on data which have been carefully worked out, that the cost of printing and circulating will amount to a little under five annas for each item of land; and he urges that, for the sake of simplicity in apportioning the cost, a uniform charge of five annas per item should be experimentally sanctioned. He deems that the expenditure on stationery, printing, postage and contingencies may be debited, and that the recoveries at five annas per item may be credited, to Land Revenue—Miscellaneous, in order to avoid the complex calculations which, he declares, must attend the treatment of the charges as an "advance recoverable."

5. The notices will presumably be published in batches, once a week or once a fortnight, in the shape of a Gazette Extraordinary. It will be apparent that the task of ascertaining the precise cost of printing and circulating each batch, and of then

apportioning that cost among the parties concerned must be very laborious; and the Board strongly supports the Collector's request that the charge on the parties concerned should take the form of a fixed fee per item.

6. An obvious objection to the Collector's proposal to debit the charges and credit the recoveries to Land Revenue is that under the Provincial Contract the whole of the charges will be "Provincial," while three quarters of the recoveries will go to "Imperial." The Board is unable to suggest an appropriate head of account which would bring both charges and recoveries under "Provincial," but perhaps the Accountant-General may be able to do so. Other wise there would seem no alternative but to deal with the outlay as an "advance recoverable."

7. The Collector asks for only Rs. 3,000 to begin with, though the entire cost of complying with Section 9 (1) in the two Taluks where registration of titles is now in progress, is likely to exceed ten times that amount. It is, however, possible that the recovery of the cost from the jannins whose titles have already been registered without application may operate as a warning to the rest not to neglect to put in their claims before the Registrars, in which case the amount of ~~X~~ notification to be done under Section 9 (1) may become small. One remarkable feature in the Act is that it requires no notice of registration to be published except when the person registered has not made an application under Section 3.

8. The Board would recommend that an allotment of Rs. 5,000 be placed at once at the Collector's disposal to start with, and that he be authorized to recover the outlay by charging a fixed fee of five annas per item. The Board does not see why the charge of a fixed fee need prevent the expenditure being accounted for as an "advance recoverable." Rather more than the exact expenditure may be recovered, but this seems of little importance. It may not be beyond the Account Department to find some head to which the surplus may be credited. If, however, the charge of a fixed fee is held to be inconsistent with treating the expenditure as an "advance recoverable" the Board must ask Government to decide whether the Collector's proposal to charge a fixed fee must be negatived, or under what Head of account the expenditure and receipts should be entered.

(True Copies and Extract)

Dy. Dir., L. Rds. and Agri.

To the Secretary to Government, Revenue Department,
with specimen form to be returned.
Copy to the Collector of Malabar.

B.P. No. 297 7 11-8-98
(Cno 5877)

To Under Secretary

Section 9 (1) of the
Malabar Land Registration
Act III of 1896 requires that
when any person has been
registered as proprietor of any
land otherwise than on his
own application, the Collector
shall give such proprietor notice
of the registration by publication
of the fact in the G. Gazette
and also, if his address is
known by letter sent by
post registered. In para 6
of B.P. 680 Submitting propo-
20.10.97
sals for the speedy completion
of the registration of jannam
rights the Board remarked as
follows:-

"The provisions of this
"Section (which require that in-
"persons registered under Sec. 67,
"who have not made an appli-
"cation under Sec. 3, notice
"of registration should be given
by

Cno 9549 in Cno:
P

* 9 (1)

"by publication of the fact in
"the Gt Gazette) are likely to
"Cause great delay owing to
"the mass of printing which
"will have to be done. That the
"Gt Press Establishment should
"be expected to cope with this
"work is out of the question.
"Arrangements must be at
"once made for getting the
"notices printed by private
"Presses and the Registrars
"have been directed to ascertain
"on what terms they can get
"this done. The whole cost
"of stationery and printing will
"be recoverable from the parties
"concerned, but the process of
"recovery will mean an
"enormous amount of work".

In para 6 of the B.P. ³⁶³⁶ Sub.
17-6-98
submitting the April Progress Report,
the Board regretted that "no
"steps had yet been taken to
"comply with the require-
"ments of Sec 9(1) regarding
"the publication of registrations
"in the Gt Gazette" x x x

at

Cen 4396 in the linked file

"an application for the necessary
"advance for printing charges
"should be made without
"further delay. Supported
"by our estimate showing
"the approximate cost
"per item of printing and
"circulation. The lists
"of registered lands
"will have to be
"published in Gt.
"Gazettes Extraordinary
"and the costs of
"printing and pos-
"tage will be re-
"coverable from
"the zamindars con-
"cerned".

2. The paper read above
relates to the collectors proposals
for publishing the notices and
recovering the charges thereof
from the zamindars. The first
question for consideration
is whether as supposed by the

Board

Board, the cost of giving notice under Sec 9 (1) can be recovered from the parties concerned (under Sec 17). This Section relates to costs of enquiries or proceedings held before or of any survey or demarcation directed by the collector; the giving of notice under Sec 9 (1) does not appear to be covered by the above words. If so, the Board's proposal to recover the cost under this Section must fall to the ground. Sec. 20 authorizes the Board to make subsidiary rules for the carrying out of the purposes of this Act. Would this enable the Board to prescribe fees to be levied in respect of notices sent by the collector?

Section 20. "The Board of Revenue may after previous publication make subsidiary rules for the carrying out of the purposes of this Act, and may prescribe the fees if any to be paid for the service of summonses issued under Madras Act III of 1869 in connection with the enquiries under this Act."

Section 17. "All costs of any enquiry or proceeding held before, or of any survey or demarcation ^{directed} by, the collector under this Act shall be payable by the parties concerned and the collector may pass such orders as he shall think fit in respect of the payment of such costs; x
+ + + + +

Is it not an essential part of the enquiry?

Para 3 of the B. P. at page 5 of the current.

Para 5 of Coll's letter at pp 4 & 5 of current.

3. Assuming that the cost can be recovered from the jammis, the next question for consideration is what is the cost per item and the total cost, ~~and~~ how is it to be met in the first instance and how recovered subsequently.

Up to the end of May '98 about 85,000 items of land are said to have been registered without application and many have probably been since registered. Notice has to be given in all these and in future cases, ^{the aggregate of which} ~~which~~ the collector estimates at 136,500 for 455 desams at 300 per desam in the two taluqs of Palghat and Walluvanad. He proposes to issue extra gazettes of 100 pages each and to send to each jammil by post the leaf or leaves containing the items in which the ^{jammil} ~~matter~~ is concerned. One line in print is to be allowed to each item, and

Please see sample enclosed in the current flap.

15 lines to each page: and the cost per page of the notices is estimated at Rs 4 which is $4 - 3\frac{1}{5}$ per item. The collector proposes to take the cost per item as 5 annas roughly.

4. Of the sum of Rs 4 per page detailed above, Rs 1-12-0 representing printing charges has been paid to Private Presses and for this funds are necessary. The total amount that will have to be paid if notices have been sent in all the above 136,500 cases will be Rs 15,925. The collector however, believes that when the charge is begun to be recovered from the parties, applications will rapidly come in for registration and will considerably reduce the expenditure. He therefore applies for an allotment of Rs 3000 only. The Board, however, considers that

	Rs	as	ps
Composing	0	12	0
Impression (600)	1	0	0
Paper (one leaf of 600 impressions)	1	0	0
Postage (one leaf of 600 impressions)	0	6	0
Regn & postage of notices	0	10	0
Miscellaneous	0	4	0
	4	0	0
Rs 4 ÷ 15 =	as	ps	
	4	3	$\frac{1}{5}$

an allotment of Rs 5,000 may be placed at the collector's disposal and that he may be authorized to recover the outlay by charging a fixed fee of Rs. 5 per item.

5. In regard to bringing the transaction to account, the collector suggests that the expenditure may be debited and the recoveries credited to "Land Revenue - Miscellaneous". The Board's objection to this proposal is that under the Provincial Contract the whole of the "Charges" will be "provincial" while $\frac{3}{4}$ of the "recoveries" will go to "Imperial". In the absence of any other head of account which might bring both "Charges" and "recoveries" under "Provincial" the Board thinks that the only alternative is to treat the outlay as an "advance recoverable". The collector's objection to the "advance recoverable" is

It is for final
to say the

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System is that it implies the ascertaining of the exact expenditure in each individual Case which would involve a very complicated and laborious procedure. The Board is fully convinced of the inadvisability of ascertaining the exact expenditure in each case, and strongly supports the Collector's proposal that the charge on the parties should take the form of a fixed fee per item.

Another obligation which the Collector urges is that under the "Advances recoverable" system a large amount (at least Rs. 10000) will be required to start with as stationery and postage will have to be paid for in cash.

6. While the Board appears in favor of recovering a fixed fee, it sees no reason why the expenditure should not

not then be accounted for as an "advance recoverable". The recovery by fixed fee will bring rather more than the actual outlay (the charge being 5 as an item against an actual expenditure of $4\frac{1}{3}$), but the Board believes that there may be no difficulty on this score as the Account Dept may find some head to which the surplus may be credited. If this procedure be, however, impracticable, the Board requests the orders of Govt as to whether the Collector's proposal to charge a fixed fee should be negatived, and if not, under what head of account the expenditure and receipts should be entered.

7. The points involved in the orders of Govt are required to be:—

(1) Whether a sum of Rs. 10000 may be placed at the Govt disposal for contingencies.

Sec. 9(1) of the Act.

(2) Whether the Collector may be authorized to recover the charge from the parties concerned.

(3) If so, whether a fixed charge of 5 annas per item may be made on the parties concerned.

Perhaps $4\frac{1}{2}$ as
it is fairer?
the

(4) What system of accounting should be adopted, whether

(a) "Advance recoverable"

(b) "Final payment"

If (a) to what head should the surplus recoveries be credited.

If (b) under what head should the expenditure and recoveries be entered so as to bring both of these under "Provincial".

(1)(2) and (3) may, it is submitted, be approved, and a reference made to the Accountant-General in regard to (4).

exp. of the
app. of the
A. This may be submitted to the F. I. L. if the F. I. L. has no objection.

have been in (4) with the F. I. L. dept.

consideration whether a short cut to the Act is not a remedy. All this notice seems to be of no real use. ^{in noway benefits the notices}
27/9/58

Draft asking the opinion of the Ad. Gen. about (2), (3) - the legality of recovering this charge under Sec 17 & rules made by the Board - the paid fee being approximately the actual estimated cost

8/9/58

To U.S.

Please see draft below

rs
3-10-58

Please move it. Ask

the opinion of the Advocate Gen. on the point but don't express any opinion on it or argue it.

the
4/10/58

To U.S.

Please see revised draft

rs
5-10-58

See the
7/10/58

Done
8/10/58

610
Read B.P. 297 & 11-8-98
(Cuo 5877)

G.O. No. 4036 d/10 Oct. 98.

The Govt. Solicitor
is requested to obtain the
opinion of the Hon. the Adv.
ocate General on the follow-
ing points:-

1. Whether under Sec 17
of Act III of 1896 (Madras) the
Collector can recover ^{from the parties} the
cost of giving notice to them
~~under~~ under Sec 9(1) of
the Act by ^{means of a fine} ~~levying~~ fee: &
~~as the latter would~~

2. Whether the Board of Rev.
Can, ~~under~~ ^{by} the Subsidiary rules
made under Sec 20, ~~provide~~
the fees to be levied in respect
of notices sent by the Collector
- the fee to be levied being
approximately the estimated
actual cost of giving ^{the} notice.
referred to.

RS
5-10-98

11/11

act 17 &
2. The Pro. of the Act
No 297 d/11 Aug. 1898 on
which these questions have
arisen is enclosed for reference

8/2 10/10/98

To the Govt. Solicitor. Dtd. 14-10-98

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

189

RHAD AGAIN G.O., No
 189

CATRD

CURRENT No.

ENCLOSURE TO C. No.

ORDER OF GOVERNMENT

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UNITED STATES OF GOVERNMENT

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