

25/11/14

Revenue (1898) Department.

MISCELLANEOUS SERIES.

G.O., No. 4076.

DATED 12 Oct. 98

[Despatch Abstract.]

Informing the Madras Landholders' Association, that the Govt of India does not consider that any special circumstances have been shown to exist in the Madras Presidency such as would justify the enactment of a measure for the relief of encumbered estates in the Presidency on the lines of the *Sindh Encumbered Estates Act* and other similar Special Acts.

BACK PAPERS.

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

FURTHER PAPERS.

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

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Revenue (1898) Department.

CURRENT No. 6231

Order

From The Govt of India
Rt a Dept.

No. 1790-258-2

Dated 30th August 98

Received 8th September 98

Registered 8th September 98

Enclosures "

Spare copies "

SUBJECT.

Communicating orders re:
the memorial of the Madras
land holders' Association
praying for the enactment of a
measure for the relief of
encumbered estates in the
Presidency.

By
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BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

1898.
GOVERNMENT OF INDIA.
DEPARTMENT OF REVENUE AND AGRICULTURE.
LANDREVENUE.

File No. 258 of
1897.
Serial No. 2.

To

THE SECRETARY TO THE GOVERNMENT OF MADRAS,
REVENUE DEPARTMENT.

No. 1790—258.2.

Dated Simla, the 30th August 1898.

SUBJECT.

Communicates orders regarding the memorial of the Madras Landholders' Association praying for the enactment of a measure for the relief of encumbered estates in the Presidency.

No. 1790--258-2.

FROM

T. W. HOLDERNESS, ESQ., C.S.I.,

Secretary to the Government of India,

TO

THE SECRETARY TO THE GOVERNMENT OF MADRAS,
REVENUE DEPARTMENT.

*Dept. of Rev. & Agri.
Land Revenue.*

Simla, the 30th August 1898.

SIR,

WITH reference to Mr. Stokes' letter No. 509-R., dated the 29th June 1897, giving cover to the two memorials noted on the margin and forwarding for the information of the Government of India a copy of Madras Government's Order No. 508 of the same date, in which the views of His Excellency the Governor in Council on the requests of the memorialists are expressed, I am directed to communicate the following observations.

(1) From the Madras Landholders' Association, to Her Majesty's Secretary of State for India, dated the 5th February 1897.
(2) From the Madras Landholders' Association, to the Government of India, dated the 3rd March 1897.

2. With regard to the 2nd memorial referred to above, in which the enactment of a measure for the relief of encumbered estates on the lines of the Sindh Encumbered Estates Act and similar special Acts is prayed for, the Government of India adhere to the decision communicated in their letter No. 467, dated the 15th February 1894, that no such exceptional circumstances have been shown to exist in the case of the Madras zamindaries as would justify the supersession of the ordinary tribunals of the country by a special machinery for the judicial determination and reduction of the liabilities of indebted proprietors. In the letter cited above it was suggested that the difficulties under which indebted proprietors in Madras labour might, to a great extent, be met by the amendment of the Court of Wards Regulation, V of 1804, and this view was again expressed in the Government of India's subsequent letter No. 1229, dated 4th June 1897, on the subject of special legislation to relieve the Rajah of Karvetnagar. It is observed that effect has been given to these suggestions in the Bill to amend Regulation V of 1804, sent up with your letter No. 199, dated 5th April last. The special provisions which that Bill contains for dispossessing usufructuary mortgagees and for remitting Civil Court decrees against the immoveable property of a ward to the

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11-3-98

Collector for execution will, it is thought, give the Court of Wards sufficient powers to deal with estates which are not hopelessly involved. I am to request that the memorialists may be informed to this effect.

3. As regards the memorial of the 5th February 1897, I am to say that it is being separately dealt with, and that orders will issue in due course.

I have the honour to be,

SIR,

Your most obedient Servant,

J. Holker
Secretary to the Government of India.



*made
8/3
14/10/97*

REAI letter from the Govt of India,
Rev and Agri Dept, No. 1790-258-2
d/ 30.3.98. C.No. 6231

Order. *N^o 212540762/12-20-98*

With reference to the memorial from the Madras Landholders' Association to the Govt of India, dated 3rd March 1897, in which the enactment of a measure for the relief of encumbered estates ^{in this respect} on the lines of the Sindh Encumbered Estates Act and similar special Acts was prayed for, the President of the Association will be informed that the ~~Supreme~~ ^{Govt} have replied to the effect that no ~~such~~ special circumstances have been shown to exist in the case of the Madras zamindars ^{such} as would justify the ~~an~~ supersession of the ordinary tribunals of the country by a special machinery for the judicial determination and reduction of the liabilities of indebted proprietors and that the difficulties under which indebted proprietors in Madras labour might, to a great extent, be met by an amendment of the Court of Wards Regulation, V of 1804.

2. ^{The question of amending} ~~the Court of Wards Regulation~~ the Court of Wards Regulation so as to empower the Court of Wards to deal with estates which are not hopelessly involved is now engaging the attention of the Govt.

*RS
10-10-98*

*Mr
11-4-98* *11/4/98*

2 To the President, Madras Landholders' Association

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

189 .

READ AGAIN G.O., No.

DATED

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CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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