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SELECTIONS FROM THE RECORDS OF THE BOMBAY
GOVERNMENT.

No. CLVII —NEW SERIES

PAPERS AND PROCEEDINGS

CONNECTED WITH THE PASSING OF THE

DECCAN AGRICULTURISTS' RELIEF ACT,
XVII. OF 1879,

From 6th April 1877 to 24th March 1880.



Bombay

PRINTED AT THE GOVERNMENT CENTRAL PRESS.

1882

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42. Inspection reports on Village Registry offices should be as brief as the circumstances of the case will admit of. They should state generally whether the fees are properly levied, whether instruments are properly stamped and carefully drawn, whether the work of registration is done with accuracy (especially with reference to the endorsements of attestation) and despatch; whether the writing in the registers is neatly done, and whether the correct amounts have been remitted to the Treasury. Any matter deserving of special remark should, of course, be specially brought to notice.

43. Táluka Village Registrars when on inspection tour will be entitled to draw batta at the rates prescribed for subordinates in the Revenue Department, but will not be entitled to draw commission on fees levied in their offices during their absence.

Táluka Village Registrars to be entitled to draw batta, but not fee commission, when on tour

(o) *Annual Reports*

44. The Collector of each District in which the Deccan Agriculturists Relief Act, 1879, is in force, shall, shortly after the close of the official year on the 31st of March, submit to the Inspector-General a brief annual report containing such general remarks as he may deem necessary on the work performed during that year by the Village Registrars of his District, with any suggestions which he may have to offer for facilitating, extending, or improving the system of Village Registration. He shall also forward with such report such forms of annual returns as may be called for by the Inspector-General.

Annual Report (and returns if called for) to be furnished to the Inspector-General by Collectors.

APPENDIX A—(See Rule 3.)

Endorsements.	Copy of Instrument

APPENDIX B.

FORM OF INDEX UNDER RULE 6 AND OF MEMORANDUM UNDER RULES
24 AND 31.

Name of Executant or Executants.	Residence.	Nature of Instrument and consideration or value.	Name of Office in which instrument is registered and date of registration and reference to Register-Book.	If instrument relates to immoveables, description of property.	Name of party claiming under the instrument.	Residence.	Total fees paid at time of registration.

APPENDIX C.—(See Rule 9.)

FORM OF CLAIM-NOTE BOOK.

On production of this note by the conveyance or mortgage belonging to him attested by me this day will be delivered to him by me (or a copy of the conveyance or mortgage executed by him and attested this day will be delivered to him by me, or otherwise, as the case may be).

Village Registrar.

On production of this note by the conveyance or mortgage belonging to him and attested by me this day will be delivered to him by me (or a copy of the conveyance or mortgage executed by him and attested this day will be delivered to him by me, or otherwise, as the case may be).

Village Registrar.

APPENDIX D.—(See Rule 10.)

FORM OF DAY AND CASH-BOOK.

<i>Wednesday, 7th January 1880.</i>		<i>Rs. a. p.</i>
Fees on entry No. 131 of 1880 at page 88 of Register Book :		
Registration 4 annas, copy 1 anna ..	0	5 0
Fees on entry No. 132 of 1880 at page 89 of Register Book :		
Registration 4 annas	0	4 0
		0 9 0
Portion of above due to Village Registrar ...	0	4 6
Balance to be remitted to the Treasury ...	0	4 6

(Signed) *A B.*,
Village Registrar of

APPENDIX E.—(See Rule 30)

Received from _____ for _____ (search, or grant of copy, or inspection).	Received from _____ for _____ (search, or grant of copy, or inspection).
Village Registrar.	Village Registrar.

APPENDIX F.—(See Rule 31.)

INSTRUMENTS REGISTERED DURING MONTH ENDING _____

Name of Office	Moveables	Immoveables	Registration and Copy fees	Fees under Rule 30	Total Receipts	Village Registrar's Pay	Village Registrar's Commission	Total of columns 7 and 8.	Difference between columns 6 and 9	
									Surplus of Receipts.	Deficit.
1	2	3	4	5	6	7	8	9	10	11

NOTE.—The amount remitted to the Treasury in the case of each office should be represented the difference between the amount shown in column 6 and that in column 8.

*By order of His Excellency the Honourable
the Governor in Council*

J. R. NAYLOR,

Acting Chief Secretary to Government.

JUDICIAL DEPARTMENT.

Bombay Castle, 7th February 1880.

No. 890.—In exercise of the power conferred by Section 6 of the Deccan Agriculturists Relief Act, the Governor in Council is pleased to make the following Rules regulating the appointment, suspension, dismissal and remuneration of Village-Registrars, and prescribing the fees to be levied by them —

1. Every Village-Registrar shall be appointed, and may be suspended or dismissed by the Collector, or subject to his orders, by the Assistant or Deputy Collector in charge of the taluka in which such Village-Registrar has jurisdiction:

Provided that Sub-Registrars who are appointed *ex-officio* Village-Registrars shall not be suspended or dismissed without the concurrence of the Inspector-General of Registration

2. In respect of the suspension and dismissal of Village-Registrars the same provisions, whether as to the reasons for which such persons may be suspended or dismissed, or as to the manner in which an order for suspending or dismissing shall be recorded, or as to the right of appeal against such order, shall apply as are applicable to village accountants.

3. The remuneration to be paid to Village-Registrars shall be as follows :—

- (1.)—To a Village-Registrar who is also officiating kulkarni or a sharer in the kulkarni's watan, $\frac{3}{4}$ ths of the fees.
- (2.)—To a Stipendiary Village-Registrar, a salary of from Rs. 5 to Rs. 10 per month, to be fixed by the Collector in consideration of the work of the office, plus $\frac{1}{2}$ of the fees.
- (3.)—To Sub-Registrars who are *ex-officio* Village-Registrars, the same rate as they are entitled to as Sub-Registrars :

Provided always that in case of neglect of duty, carelessness or other official misconduct, the Collector may (with the concurrence of the Inspector-General of Registration, if the Village-Registrar be a Sub-Registrar) withhold payment of such remuneration to such amount or for such period as he shall think fit.

4. The fees to be levied by Village-Registrars shall be at the following rates, (viz.) :—

For writing, or superintending the writing of, and for attesting and registering any instrument, other than a simple receipt for money, falling within the provisions of section 56, and for making one certified copy thereof under section 58.....	4	0
Ditto when the instrument is a simple receipt for money	1	0
For every certified copy in excess of one furnished under section 58	1	0
For searching for any entry in the Register, except as hereinafter provided	1	0
For making one copy of any entry in the Register or of a memorandum filed under No. 24 of the Rules framed under section 61 except as hereinafter provided	1	0

Search for or making copy of any entry or of a memorandum filed under the said Rule, if such search or copy is made by the applicant himself or by any person whom he brings for this purpose } Free.
 Search by Registrar when the applicant can name the actual month in which the registration of the entry required took place ... }

By order of His Excellency the Honourable the Governor in Council,

J. R. NAYLOR,

Acting Chief Secretary to Government.

Bombay Castle, 24th March 1880.

No. 2109.—It is hereby notified for general information that the Rules regarding registration made under Section 61 and 63 of the Deccan Agriculturists Relief Act, 1879, and published in the *Government Gazette* of the 12th February 1880, shall come into force in the four Collectorates of Poona, Ahmednagar, Sholapur and Sátára from the 1st proximo.

By order of the Honourable the Governor in Council,

C. GONNE,

Chief Secretary to Government.

JUDICIAL DEPARTMENT.

Bombay Castle, 19th February 1880.

No. 1226.—With the approval of the Governor General in Council, the Governor in Council of Bombay is pleased to direct, under Section 78 of the Indian Registration Act, 1877, that the Fees prescribed in the following Table shall be leviable in respect of any instrument registered under Section 71 of the Deccan Agriculturists Relief Act, 1879, in lieu of the Fees prescribed in the Table published at pages 881 to 883 of the *Bombay Government Gazette* of the 11th October 1877 :—

<i>Table.</i>	As. p.
For registering an instrument	4 0
For a copy of an entry, except as hereinafter provided.	1 0
For searching for an entry, except as hereinafter provided	1 0

Search for, or making copy of any entry if such search
 or copy is made by the applicant himself or by any
 person whom he brings for this purpose. }
 Search by Registrar when the applicant can name the } Free.
 actual month in which the registration of the entry }
 required took place. }

*By order of His Excellency the Honourable the
 Governor in Council,*

J. R. NAYLOR,
 Acting Chief Secretary to Government.

REDUCTION OF COURT FEES AND STAMP DUTIES.

JUDICIAL DEPARTMENT.

Bombay Castle, 31st December 1879.

No. 7926.—The following rules made by Her Majesty's High Court of Judicature at Bombay, under Section 20 of the Court Fees Act (VII. of 1870), have been confirmed by the Government of Bombay and sanctioned by the Governor General of India in Council, and are published for general information:—

1. Under the provisions of Section 20 of the Court Fees Act (VII. of 1870), the High Court is pleased to direct that the fees levied for all processes in suits to which Chapter II. of the Deccan Agriculturists Relief Act (XVII. of 1879) applies, except suits of the description mentioned in Section 3, Clauses (x) and (r), to which an agriculturist is not a party, shall be one-half the fees which would be leviable in similar suits to which the said Act does not apply.

2. The fee leviable for the service of every notice, or other process issued in proceedings taken under Chapter IV. of the said Act (XVII. of 1879) shall be four annas.

3. Nothing contained in these rules, nor in any rules heretofore made by the High Court under Section 20 of the Court Fees Act (VII. of 1870) shall apply to process issued by a Village Munsif under Chapter V. of the said Act (XVII. of 1879).

*By order of His Excellency the Honourable
 the Governor in Council,*

J. R. NAYLOR,
 Acting Chief Secretary to Government.

JUDICIAL DEPARTMENT.

Bombay Castle, 7th January 1880.

No. 89.—The following Notifications by the Government of India are republished:—

DEPARTMENT OF FINANCE AND COMMERCE.

The 3rd January 1880.

“No. 10.—In exercise of the powers conferred by Section 8 of Act I. of 1879 (The Indian Stamp Act, 1879), the Governor General in Council has remitted the duties with which the undermentioned classes of instruments are chargeable under the said Act, namely:—

- (1) Agreements of the kind described in Section 43 of the Deccan Agriculturists Relief Act, 1879;
- (2) Copies of instruments which the Village Registrar has to deliver to the parties under Section 58 of the Deccan Agriculturists Relief Act, 1879;
- (3) Powers-of-attorney furnished to relatives, serv dependants under Section 68 of the Deccan Agriculturists Relief Act, 1879.”

“No. 11.—In exercise of the powers conferred by Section Act VII. of 1870 (The Court Fees Act, 1870), the Governor General in Council has—

- (I) remitted the fees payable in respect of powers-of-attorney furnished to relatives, servant or dependants, under Section 68 of Act XVII, 1879 (The Deccan Agriculturists Relief Act, 1879);
- (II) remitted in the case of suits instituted before Village Munsifs under Chapter V. of Act XVII. of 1879 (The Deccan Agriculturists Relief Act, 1879), the fees payable in respect of the documents specified in the first or second schedule to the said Court Fees Act annexed;
- (III) reduced such fees to one-half in the case of (a) suits to which Chapter II. of the said Deccan Agriculturists Relief Act applies, except suits of the description mentioned in section 3, clause (w) or clause (r) of the said Act to which an agriculturist is not a party; (b) proceedings in matters relating to insolvency under Chapter IV. of the said Deccan Agriculturists Relief Act.

(Signed) R. B. CHAPMAN,
Secretary to the Government of India.”

*By order of His Excellency the Honourable
the Governor in Council,*
J. R. NAYLOR,
Acting Chief Secretary to Government.