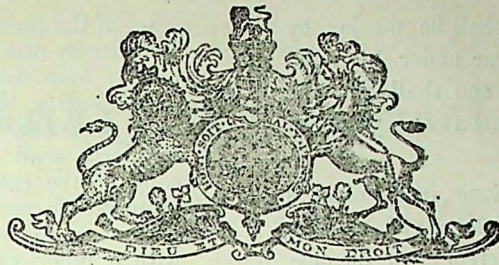


THE



Bombay Government Gazette.

Published by Authority.

WEDNESDAY, 20TH NOVEMBER 1901.

Separate paging is given to this Part, in order that it may be filed as a separate compilation.

PART V.

PROCEEDINGS OF THE LEGISLATIVE DEPARTMENT, BOMBAY.

(To be translated into Maráthi, and the translation to be published in the "Bombay Government Gazette". The dates of publication to be reported.)

The following Bill, together with the Statement of Objects and Reasons accompanying it, is published in accordance with Rule 22 of the Rules for the conduct of business at Meetings of the Council of His Excellency the Governor of Bombay for making Laws and Regulations:—

Bill No. V of 1901.

A Bill to amend the Dekkhan Agriculturists' Relief Acts, 1879 to 1895.

WHEREAS it is expedient to amend in manner hereinafter appearing the Dekkhan Agriculturists' Relief Acts, 1879 to 1895; and whereas the previous sanction of His Excellency the Governor General required by section 5 of the Indian Councils Act, 1892, has been obtained for the passing of this Act; It is hereby enacted as follows:—

1. (1) This Act may be called the Dekkhan Agriculturists' Relief Act, 1901; and it and the Dekkhan Agriculturists' Relief Acts, 1879 to 1895, may be cited collectively as the Dekkhan Agriculturists' Relief Acts, 1879 to 1901.

(2) This Act shall come into force on the day of 1901.

2. In this Act "section" means a section of the Dekkhan Agriculturists' Relief Act, 1879.

3. To section 59 there shall be added the following, namely:

"Provided that if it is alleged that any such previous instrument is on the record or otherwise in the custody of a

Court, or is lost, or has been destroyed, the Village Registrar, after ascertaining that such previous instrument was duly registered, may permit a certified copy thereof to be produced in lieu of the original; and in every such case the following procedure shall be observed, that is to say:

(a) the contents of the certified copy shall be fully described in the modifying or superseding instrument,

and the said copy shall be marked by the Village Registrar under his hand for identification, and shall then be delivered to the person who produced it;

(b) if the previous instrument is lost, or has been destroyed, and the registered entry thereof is in his custody, the Village Registrar shall endorse on such entry a note under his hand as to the modification or supersession of the said instrument;

(c) if the previous instrument is in the custody of a Court, or if it is lost, or has been destroyed, and the registered entry thereof is in the custody of another officer, the Village Registrar shall forward a certified copy of the entry in his register relating to the modifying or superseding instrument to such Court or officer, with a report explaining the circumstances, and such Court or officer shall on receipt thereof endorse on such previous instrument or registered entry a note as to the modification or supersession of the said instrument."

STATEMENT OF OBJECTS AND REASONS.

The object of this short Bill is to introduce into the law known as the Dekkhan Agriculturists' Relief Acts an amendment, which appears calculated to obviate an inconvenience to which attention has been directed by the Inspector-General of Registration and Stamps. Paragraph 3 of section 59 of the Act (XVII of 1879) requires that the original of any instrument which is to be modified, or wholly or partly superseded by a fresh instrument, shall be produced before the Village Registrar. It has been found that the absence of any exception to provide for cases in which the original may have been lost or destroyed, or is otherwise for good reasons not available, occasionally produces hardship; and the Local Government after consulting officers of experience are of opinion that such an exception, provided with adequate safe-guards against the possibility of its being used as a means for fraud, should be embodied in the Act. It is considered that this end may be effectively secured by the proposed amendment of section 59 of the Dekkhan Agriculturists' Relief Act, 1879, to which the previous sanction of the Governor General has been obtained, as required by section 5 of the Indian Councils Act, 1892.

(Signed) E. C. K. OLLIVANT.

19th November 1901.

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

A. S. A. WESTROPP,

Secretary to the Council of the Governor of Bombay
for making Laws and Regulations.

Bombay Castle, 19th November 1901.