

Madras Revenue Summonses Act, 1869

03 of 1869

[01 June 1869]

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PREAMBLE

An Act to empower Revenue-officers, to summon persons to attend at their kacharis for the settlement of matters connected with Revenue-administration.

Whereas it is found that the revenue-administration of the country is retarded, because Revenue-officers, namely, Collectors, Sub-Collectors, Assistant Collectors, Deputy Collectors, Tahsildars, and Deputy Tahsildars, are not made competent, by express provision of law, to issue summonses for the attendance of persons, or the production of documents in certain cases in which it is their duty to hold investigations; It is hereby enacted as follows:-

1. Short title, "The Madras Revenue Summonses Act, 1869" was given by the Repealing and Amending Act, 1901 (Central Act XI of 1901).

This Act was extended to the merged State of Pudukkottai by section 3 of, and the First Schedule to, the Madras Merged States (Laws) Act, 1949 (Madras Act XXXV of 1949).

This Act was extended to the Kanyakumari district and the Shencottah taluk of the Tirunelveli district by section 3 of, and the Schedule to, the Madras (Transferred Territory) Extension of Laws Act, 1957 (Madras Act XXII of 1957), repealing the corresponding

law in force in that territory.

1. Revenue-officers empowered to summon persons to appear or to produce documents :-

Collectors, Sub-Collectors, Assistant Collectors, Deputy Collectors, Tahsildars and Deputy Tahsildars shall have power to summon all persons resident within the district, whose evidence may appear to them to be necessary for the investigation of any matter in which they are authorized to hold an inquiry, and also to require the production of any document relevant to the matter under inquiry, which may be in the possession or under the control of such person.

2. Terms of summons :-

¹Such summons shall be in writing, and authenticated by the signature and seal of the officer by whom it is issued.

It shall require the person summoned to appear before the said officer at a stated time and place, and shall specify whether his attendance is required for the purpose of giving evidence or to produce a document, or for both purposes; and any particular document, the production of which is required, shall be described in the summons with convenient certainty.

1. Ss. 2 to 5 of this Act apply, mutatis mutandis, to summons under Mad. Act V of 1893-see s. 3 of that Act.

3. Service of summons :-

¹The summons shall be served personally on the person summoned, or, if he cannot be found, it may be left for him with some adult member of his family residing with him, or with the head of the village in which he lives.

1. Sections 2 to 5 of this Act apply, mutates mutandis, to summons under Madras Act V of 1893-see section 3 of that Act.

4. Persons summoned to produce may send documents by third party :-

¹Any person may be summoned to produce a document, without being summoned to give evidence; and any person summoned merely to produce a document shall be deemed to have complied

with the summons if he causes such document to be produced, instead of attending personally to produce the same.

1. Sections 2 to 5 of this Act apply, mutates mutandis, to summons under Madras Act V of 1893-see section 3 of that Act.

5. When personal attendance of witnesses dispensed with
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¹When the person whose evidence may be required is unable, from sickness or infirmity, to attend before the officer issuing the summons, or is a person whom by reason of rank or sex it may not be proper to summon, the officer issuing the summons may, of his own motion, or on the application of the party whose evidence is desired, dispense with the appearance of such person, and order him to be examined by a subordinate deputed by such officer for the purpose.

1. Sections 2 to 5 of this Act apply, mutates mutandis, to summons under Madras Act V of 1893-see section 3 of that Act.