

Educational (1908) Department.

ORDINARY MS.

G.O., No. 304

DATED 27-4-1908.

order
page M. 9

[Despatch Abstract.]

Translation in District and Sessions Courts.

Informing M. R. Dy. H. N. Ramaswami aiyar,
Correspondent to the Madras Mail, that the Government
are unable to adopt his suggestion that Candidates
for Employment as ——— should be required to pass
the Criminal Judicial Test.

BACK PAPERS.

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FURTHER PAPERS.

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EDUCATIONAL DEPARTMENT

CURRENT FILE.

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Papers of other departments.

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K.N.Ramasami Aiyar,

Correspondent to the "Madras Mail",

Coimbatore,

To

H. D. Taylor, Esq., I.C.S.,

Secretary to Government, Educational Dept.,

Madras.

Respected Sir,

I beg respectfully to bring the following facts in connection with the tests prescribed for the post of Translators in District Courts and to make my humble suggestions for improving their personnel which in my humble opinion (formed after a close observation of these officers in several District Courts), leaves much to be desired at present.

2. In the Public Service Notifications, the tests prescribed for that post are:- (1) Translation Test, Higher Grade and (2) the Precis Writing Test - with Lower Grade Translation Tests in a Second language in certain District Courts. The pay of the Translator is Rs.75.

3. The duties of a Translator in District and Sessions Courts are:-

- i. To Translate documents.
- ii. To interpret to witnesses in Sessions Cases and Civil Suits.
- iii. To translate to the Jury or Assessors the addresses of the Prosecuting and Defence Counsels and of the presiding Judge.

3/1/3

Edno 805
Regd 31/3/08

New Street, Coimbatore,

Dated 29th March, 1908.

iv. To translate to the Jury who are generally men without knowledge of the English language the evidence of Medical witnesses, their Certificates which include notes of post-mortem examinations describing the internal and external appearances of the complex system of the human body after death.

4. In the Judicial Department Head Clerks of District Munsif's Courts on Rs.40 or 50 and of Sub-Courts on Rs.60 are required to pass the Civil Judicial Test, and the Head Clerks and Sheristadars of District Courts to pass the Criminal Judicial Test, Lower Grade, in addition; but the Translator is not required either to pass the Civil or Criminal Judicial Tests, - though his pay is Rs.75, and though from the nature of his work a thorough knowledge of the various subjects included in these two tests is indispensably necessary for that post.

5. Most of the posts on Rs.40, 50 and 60 in the Department require the passing of the Civil Judicial Test, and the posts on Rs.100 and 150, the Criminal Judicial Test also. In my humble opinion, the man on Rs.75 (Translator) must as far as possible be one who is eligible for Rs.100 or 150, at least to prevent his blocking the way to the promotion of his juniors; and to require a Translator to pass the Criminal Judicial Test could in no way be said to be needless, for other reasons as well.

6. The nature of the Translator's work is such that he must have at his fingers' ends the various provisions of the Civil and Criminal Codes and the Evidence Act, and though Government have not prescribed these tests for that post, it must be admitted - that the passing of them gives the Translator a facility in his work and a good command of legal expressions, which can never - be over-rated.

7. By far the most important work in District Courts is - the Sessions work, and the Translator is an important factor in

the verdict of Juries. The Jurors are generally men who know only the vernacular, and when the various provisions of the Evidence Act, Penal and Procedure Codes are to be explained to them by the Judge, the Translator who has made a special study of these Acts will be able to put them to the Jury more clearly and pointedly than one who lacks that study. It cannot therefore be said that a knowledge of those Acts is unnecessary for the Translator.

8. In Grave crimes involving murder, culpable homicide, death by poison, rape, grievous hurt, death by drowning, hanging or strangulation, and robberies and dacoities attended with hurt, which constitute the bulk of the Cases that come up before the Sessions Court, Medical terms are freely used and a Translator who is not thoroughly conversant with Medical Jurisprudence which forms one of the subjects for the Criminal Judicial Test (Higher or Lower Grade) is found by actual experience to be quite unable to express himself correctly or clearly in the interpretation of evidence containing lego-medical terms to the Jury or Assessors, and owing to the inability or want of sufficient knowledge of the terms and principles of Medical Jurisprudence on the part of an interpreter, the Jury or Assessors who are mostly villagers are unable to follow the case with an intelligence which might reasonably be expected of them.

9. The Translator cannot be expected to discharge his duties satisfactorily and efficiently unless he is required to pass the Criminal Judicial Test, at least, the Lower Grade, and thereby acquaint himself with the principles and technicalities of Medical jurisprudence and human Physiology.

10. To enforce the passing of the Criminal Judicial Test his case would be in the interests of Public service; and it is not too much to expect ^{this} from an officer who is paid Rs.75 a month (almost the pay of a Sub-Magistrate). This will also

enable him to rise to posts on Rs.100 and 150, which are next above his.

11. An Officer who is appointed to Rs.100 in the District Court is required to have passed the Criminal Judicial Test; my humble suggestion is that it would be in the interests of public service to require an officer who is appointed to Rs.75 to pass this test.

12. It is my humble suggestion that this Test be included in the Public Service Notifications as one of those which must be passed by Translators in District and Sessions Courts. I feel no doubt that if this suggestion of mine is approved, as I think it will be, we will then have a class of Translators whose efficiency will be unquestionable. The field now is far too wide to select such efficient Translators from.

13. I have submitted a copy of this communication to the Commissioner for Government Examinations, Madras.

I humbly beg to remain,

Respected Sir,

Your most obedient servant,

K. Rameswami.

29/iii/08

From

K.N.Ramasani Iyer,
New Street,
Coimbatore,

To

The Secretary to Govt.,
Educational Department,
M a d r a s.

Dated 29th March 1908.

SUBJECT

Suggesting, for reasons stated
within, the inclusion of the Criminal
Judicial Test, Lower Grade, for the
post of Translators in District Courts.

[$\frac{G.}{2}$]
G.O. 10-2-08.

NOTES.

C.No. 805 From the K.N. Ramaswami Aiyar No. - , dated 31- 3- 1908.

SUBJECT.

Recommending that Criminal Judicial Test may be prescribed as a Test for the Translators of District Courts.

K.N. Ramaswami Aiyar of Coimbatore, a Correspondent to the "Madras Mail", suggests that in the interests of public service, Criminal Judicial Test may be included in the Public Service Notification as one of the tests which are required to be passed by Translators in District and Sessions Courts.

2. He says that a copy of this communication has been submitted by him to the Commissioner for Government Examinations Madras.

3. The Judicial Department may perhaps be consulted w. with regard to the expediency of adopting the suggestion made by the Correspondent.



Dist. 7/2
Ed no. 805-1
4.4.08

3.4.08.

3.4.08.

Jud. w.

4.4.8.

CURRENT NO.
2228
JUDICIAL

Recd 16.4.08

In us.

For orders as to whether subject is to be...

Consent

805

K. N. Ramaswami

Recommendation that Criminal Justice Commission be set up to study the criminal justice system and make suggestions for its improvement.

K. N. Ramaswami, Criminal Justice Commission, a correspondent to the 'Madras Mail' suggests that in the interests of public justice that a Criminal Justice Commission be set up to study the criminal justice system and make suggestions for its improvement.

The report that a copy of this communication has been submitted to the Commission for Government consideration.

The Criminal Justice Commission may perhaps be constituted as a sub-committee of the Commission for Government.

A draft order is placed below for approval.



matter of the suggestion made by this correspondent of the 'Madras Mail' & the pet's suggestion were really necessary the High Court may presumably have suggested it. It is for consideration whether they should be asked.

by 7.12.08
H. V.
7.4.08

C.

I don't see much in the suggestion. Translators do not require an extensive knowledge of law.

Cal
8.4.8

I agree.

79
Judicial L. 2228/1
9.4.08

Draft please

Cal
11.4.8

Educational Dept.

A draft order is placed below for approval.

Cal
14.4.08

Sec

” ” ” ” ” ” 190

C. No. 815, From the K. R. Ramaswami Aiyar, No. . . . , dated 29. 3. 1908

[illegible]

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No. 304, dated 27-4-1908

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The petitioner will be informed that the Govt. are unable to adopt his suggestion that Candidates for employment as Translators in S^d and Sessions Courts should ^{be required to} pass the Criminal Judicial Test.

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CURRENT No.

ENCLOSURES TO G. No

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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