

Educational (1910) Department.

ORDINARY MS.

G.O., No. 463

DATED 8-8-10

(21)

[Despatch Abstract.]

Civil and Criminal Judicial tests.

Issuing certain instructions to the
Commissioner for Govt Examinations in the Connection
with the examinations in the —; and requesting the
Superintendent, Govt Press, to reprint the Acts etc
prescribed for the — in two separate volumes.

BACK PAPERS.

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

FURTHER PAPERS.

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

Memo No 1722-1
~~2-9-1910~~

[$\frac{H. \& L.}{68}$]
3,000-25-2-08

LEGISLATIVE DEPARTMENT.

CURRENT FILE.

CONTENTS.

PAPERS PUT UP WITH CURRENT No. _____

Papers of the department to which the current belongs.

Number.	Date	Original (=O.) or spare copy (=S. C.)	Remarks. (In this column such of the papers as have been removed for copying, printing, etc., should be marked with a cross.)	Initials of Referencer with date in token of return to Reference department.

Papers of other departments.

Department.	Number.	Date.	Original (=O.) or spare copy (=S. C.)	Despatcher to note the return of the papers to the departments concerned.

Stock Form No. 139-a.
3,000 11-11-07.

To *Sub: G.O. 3892-1*
27.6.10
to Educational Dept

Su
27/6

Received



CURRENT No.

CURRENT NO.
3892
JUDICIAL

3

190 , Registered

1900.

Subject.

Special Tests.

Submitting to Government letter from the Secretary to
the Commissioner for Government Examinations requesting information re-
garding the books to be used by candidates for certain ----

ENCLOSURES.

No.

Spare copies

Resolution No. 2341 Mis

Station *Madras* , Dated the *22nd June 1910* 190 .

From

Land Revenue.
The Board of Revenue, Revenue Settlement, etc.
Separate Revenue.

The Hon'ble Mr. W.O. Horne, Commissioner of Land Revenue and
Forests.

Resolution.
Reference.

Read the letter from George Maddox Esqr., M.A., Secretary
to the Commissioner for Government Examinations, Madras, dated
16th June 1910, No. 205/2 D

Resolution:-

Submitted to Government.

2. The matter is not one with which the Board has any con-



(True Extract)

A. G. S. S. S. S.

Secretary.

To the Chief Secretary to Govt. Judicial Department with a letter and
Copy to the Secretary to the Commissioner for Govt. Examinations

OFFICE OF THE COMMISSIONER
FOR GOVERNMENT EXAMINATIONS,

Madras, 16th June 1910.

No. 205
2 D.

pse ✓
Gl 2592/10



17 JUN 1910

GEORGE MADDOX, Esq., B.A.,

SECRETARY TO THE COMMISSIONER

FOR GOVERNMENT EXAMINATIONS,

Madras.

To

The Secretary,
Board of Revenue,
Land Revenue,
Madras

SIR,

As under G. O. No 154 Educational dated the 24th March 1910, Candidates for the Civil and Criminal Judicial Tests at the Special Test Examinations are required to answer certain papers with books, I have the honour, by direction, to enquire whether copies of the books to be allowed in the examination hall should be of Government publication, and if so, whether a sufficient number of copies will be available for sale at the Government Press. I am, also, to enquire whether books containing commentaries or pencil notes in them may be permitted.

Enclosures.
Two

2. A copy of the notification published in the Fort St. George Gazette, together with a copy of the notice relating to the use of books for the Revenue Tests, is enclosed for

3
for information.

3. The favour of an early reply is requested.

I have the honour to be,

Sir,

Your most obedient servant,
G. N. Manam
Secretary.

G. N. Manam
13/8/10

4 4
S
SPECIAL TEST EXAMINATIONS.

NOTICE.

(REVENUE TESTS.)

In continuation of the Commissioner's notice, dated the 30th May 1907, published at page 305, Part I-B of the *Fort St. George Gazette*, dated the 4th June 1907, candidates who have applied for admission to the Revenue Tests at the ensuing Special Test Examinations are hereby informed that the marginally-noted books, as issued by the Superintendent, Government Press, will be treated as text-books, and may be used by them in the examination hall. Notes made by candidates in their books will not be objected to, if they merely consist of corrections, amendments, or generally any references, made for the purpose of facilitating study.

Office of the Comr. for Govt. Examinations,
Madras, 7th August 1907.

T. T. LOGAN,
Ag. Commissioner.

NOTIFICATION.

Fort St. George, March 24, 1910.

No. 43.—The following alterations are made in the Special Tests Notification published in Notification No. 170, dated the 19th December 1908, in Part I-B of the *Fort St. George Gazette* of the 22nd December 1908 :—

(1) In article 5 for the subjects under the Civil Judicial Test, the following shall be substituted, namely :—

- “(1) The Code of Civil Procedure, the Limitation Act and the Rules of Practice (Civil) of the High Court of Judicature at Madras on the Appellate Side and of the Courts subordinate thereto as revised up to date.
- (2) The Indian Evidence Act.
- (3) The Contract Act and the Negotiable Instruments Act.
- (4) The Transfer of Property Act.
- (5) The Provincial Insolvency Act III of 1907.
- (6) The Stamp Act, the Court Fees Act and the Suits Valuation Act.

The paper on the Indian Evidence Act (to be answered without books) shall be the same as the paper for the Criminal Judicial Test, Lower Grade, and generally, the papers for this test shall be of the Lower grade Standard.”

(2) In line 3 in article 6, insert the words “the Civil Judicial Test, the Criminal Judicial Test and” between the words “certain papers in” and “the Revenue Test.”

(3) In the table given in article 11, for the entries against the Civil Judicial Test and the Criminal Judicial Test, Higher and Lower grades, the following shall be substituted, namely :—

Test.	Subjects.	Time allowed.	Maximum marks.
Civil Judicial Test.	The Civil Procedure Code, Limitation Act and the Rules of Practice (Civil).	General principles .. Three hours (without books).	120
		Detailed application .. Two hours (with books) ..	60
	The Indian Evidence Act ..	General principles .. Three hours (without books) ..	80
		Detailed application .. Two hours (with books) ..	40
	The Contract Act and the Negotiable Instruments Act.	 Two hours (without books) ..	90
	The Transfer of Property Act	 One hour and a half (without books).	60
	The Provincial Insolvency Act.	General principles .. One hour and a half (without books).	40
		Detailed application .. One hour (with books) ..	20
	The Stamp Act, the Court Fees Act and the Suits Valuation Act.	General principles .. Two hours (without books) ..	80
		Detailed application .. Two hours (with books) ..	40
Criminal Judicial Test, Higher Grade	The Indian Evidence Act ..	 Three hours (without books).	120
	The Indian Penal Code ..	General principles .. Three hours (without books).	80
		Detailed application .. Two hours (with books) ..	40
	The Code of Criminal Procedure.	General principles .. Three hours (without books).	80
		Detailed application .. Two hours (with books) ..	40
Criminal Judicial Test, Lower Grade.	Medical Jurisprudence ..	 Three hours (without books).	100
	The Indian Evidence Act. ..	 Three hours (without books).	120
	The Indian Penal Code ..	General principles .. Three hours (without books).	80
		Detailed application .. Two hours (with books) ..	40
	The Code of Criminal Procedure.	General principles .. Three hours (without books).	80
		Detailed application .. Two hours (with books) ..	40
	Medical Jurisprudence ..	 Three hours (without books).	100

L. M. WYNCH,
Ag. Secretary to Government.

[E. & L.]
67
7,300-25

EDUCATIONAL DEPARTMENT.



NOTES.

C. No. 1271 From the Board of Revenue No. 2341, dated 22-6-1900.

SUBJECT. Submitting letter from the Secretary to the C. G. E. soliciting instructions as to the use of books in the Judicial tests.

U

In G.O. 596 Bldy 1st November 1909 the Govt. decided that, in future, there would be two sets of papers in the subjects of the three Judicial Special tests — one dealing with the General principles, to be answered without books and the other dealing with the more detailed application of these principles, to be answered with books. The publication of the notification embodying the above decision was ordered in G.O. 154 Bldy 24th March 1910.

V

2. The Commissioners for Govt. Examinations now enquire

(i) Whether copies of the books to be allowed in the examination hall should be of Govt. publication, and if so, whether a sufficient number of copies will be available for sale at the Govt. Press; and

(ii) Whether books containing commentaries or pencil notes in them may be permitted.

3. The following Codes and Acts have to be answered with books: —

- (i) Civil Judicial test.
1. The Civil Procedure Code, Limitation Act; and the Rules of Practice (Civil).
 2. The Indian Evidence Act.
 3. The Provincial Insolvency Act.
 4. The Stamp Act, the Court Fees Act.

Act and the Suits Valuation Act.

- (ii) Criminal Judicial Ser. Higher Grade. } 1. The Indian Penal Code.
 (iii) " " " Lower Grade } 2. The Code of Criminal Procedure.

4. The Superintendent, Govt Press, may be requested
 u.o. to state whether, in case it is decided to allow
 only books published by Govt, a sufficient number
 of them will be available in the Press for sale.

PR
 5-7-10

78.
 5-7-10

Let
 97

I submit that copies containing
 commentaries shd not be allowed. A
 commentary is required only for the very detailed
 discussion of points, which is rarely, if
 ever, wanted in an examination. A
 man who has taken the trouble to master his
 subject, will not, for the purpose of the exam,
 require a commentary; while a man who
 has not properly studied his subject -
 if furnished w/ find his time simply wasted
 if he had access to a commentary, as he
 would begin searching through it for help,
 instead of relying on his common sense.

Let
 97

2 - Objection need not, I submit, be
 taken to pencil notes.

3. The reference may go to the S.G.P. with
 regard to the number of copies available

Sec 7

Su
 5/7



To enable him to answer the S.P. with regard to want to know how many candidates usually appear for the exam? Have we any info. on the point?

Link 67

The following statement shows the number of Candidates that appeared for the tests during the last five years: -

	year.	Civil Judicial test	Criminal Judicial test, Higher Grade	Criminal Judicial test, Lower Grade
Page 9 of Gono 549 eddy 16-8-06. A.	1904 - 1905	141 ✓	306 ✓	199 ✓
do do	1905 - 1906	121 ✓	296 ✓	237 ✓
p. 10 of Gono 533 eddy 14-8-07. B.	1906 - 1907	122 ✓	268 ✓	183 ✓
p. 9 of Gono 596 eddy 14-8-08. C.	1907 - 1908	133 ✓	257 ✓	171 ✓
p. 10 of Gono 476 eddy 14-8-09. D.	1908 - 1909	142 ✓	301 ✓	237 ✓
	Average	132 ✓	286 ✓	205 ✓

PP
7.7.10
7.8.
7.7-10

We may send the statement to the S.P. Submit.

See

7/7

Gpr. Link 87/10

SP No. 1271-1 S. S. P. u.o.
8. 7. 10

The following statement shows the number of 10
copies of the Acts, &c., in stock in this office
as compared with the number required as per averages
above.



Name of Act, &c.	Approximate number of copies required.	No. of copies in stock.			Actual sales in 1909-10.	Remarks.
		F'cap. folio.	Royal 8vo.	Total.		
<u>I. CIVIL JUDICIAL</u>						
<u>TEST.</u>						
1. India Act V of '08. Code of Civil Procedure.	122.	285.	200.	485.	17.	x
2. India Act IX of '08. Limitation Act.	122.	252.	47.	300.	22.	
3. Civil Rules of Practice.	122.	--	--	--	--	
4. India Act I of '72. Evidence Act.	122.	--	42.	42.	15.	
5. India Act III of '07. Provincial Insolvency Act.	122.	--	50.	50.	12.	
6. India Act II of '99. Stamp Act.	122.	--	30.	30.	26.	
7. India Act VII of '70. Court Fees.	122.	--	80.	80.	8.	
8. India Act VII of '87. Suits Valuation.	122.	--	30.	30.	2.	
<u>II. CRIMINAL JUDICIAL</u>						
<u>TEST, HIGHER GRADE.</u>						
9. India Act XLV of '60. Penal Code.	286.	--	40.	40.	--	
<u>III. CRIMINAL JUDICIAL</u>						
<u>TEST, LOWER GRADE.</u>						
10. India Act V of '98. Code of Criminal Procedure.	205.	--	20.	20.	--	
x Repealed in part IV of 1909, Section 127; no modified edition has yet been issued.						

x Repealed in part IV of 1909, Section 127; no modified
edition has yet been issued.

2. It will be seen that there is a sufficient
number of copies of items (1) and (2) in stock;
copies of (3)* are not in stock and a sufficient
number will be printed and stocked if necessary;
the stock of items (4) to (10) may be replenished
by indenting on the Government of India.

* Civil Rules of Practice

100/357

3. It will probably be more convenient and certainly much cheaper for the candidates if, as some of etc., the Acts must be reprinted, all the Acts, to be used in the Examination Hall for the Civil Judicial Test are printed in smaller type in octavo form in one volume in the same way as the Revenue Acts and Regulations have been published and sold to candidates for Special Test Examinations. On the basis of an edition of 500 copies such a Volume could be sold for Rs.2--4-0 while the cost of a set of the Acts separately would be Rs.7-14-9.

4. The other Acts required for the Examination if issued in the same way in another Volume could be sold for Rs.0-12-0 against Rs.2-13-0, the ordinary price of the Acts.

Jd.
29-7-10.

Gone to Legi. min H.
8-8-07
+ " 94 Legi. min I
29-7-10

Acts required for the
Criminal Test?

It is for consideration whether the proposal made by the Superintendent, Govt Press, in paras. 3 and 4 of his note on page 5 ante, namely, that all the Acts &c to be used in the examination hall by Candidates for the Civil Judicial test may be printed in one volume in the same way as the Revenue Acts and Regulations, may be approved.

2. By "the other acts required for the examination" in para. 4 of his note the Superintendent apparently means the acts required for the examination in Criminal Judicial tests. They may also be printed in one volume if the Acts required for the Civil Judicial test are so printed.

3. If, however, this proposal does not meet with the approval of Govt. the Superintendent may be directed to print and keep in stock a sufficient number of copies of item (3) and also to indent on the Govt of India for copies of items (4) to (10).
The S.G.P.'s Suggestion may be adopted.

PR
2-8-10

RD
3-8-10

LS

Sir

3/5

See

The draft order placed below is submitted for approval. If approved it may issue with the concurrence of the Judicial and the Legislative Dept.

Sd/- No. 1271-2



PR
4-8-10

RD
4-8-10

See
4/5
Jud
Leg

CURRENT NO.
4911
JUDICIAL

In as

There is no objection to the draft being accepted in this department.

AS
8-8-10

Su
6/8

Leg^{ve} no

Legislature Dept

May be accepted in Leg^{ve}

Lump
8/8

Eat. no.

Educational Dept

The draft may now issue.

ED
8-8-10

Ys
Su
8/8

Just: d.o. 4911-1
6.8.10



Ref. No. 7820.
Dis.

12
Government Press.

Mint Buildings.

Madras, E. 16th August 1900.

From

T. Fisher, Esq.,

Superintendent,

Government Press,

To

The Registrar,

High Court, Madras.

Sir,

Enclosure.

G.O. 463 Ed. R.
8.8.10

As Government have ordered the printing of a collection of Acts and Rules of Practice prescribed for the Civil and Criminal Judicial Tests, I have the honour to request that you will be so good as to forward at a very early date a copy of the Rules of Practice Civil of the High Court of Judicature at Madras (Appellate Side) and of the Courts subordinate thereto as revised up to date.

I have the honour to be,

Sir,

Your obedient Servant,

(Sd.) T. Fisher,

Superintendent.

(P.T.O.)

Dis.No.1014 of 1910.

Dated 25th August 1910.

From

The Registrar,

High Court of Judicature, Madras,

To

The Superintendent,

Government Press, Madras.

Sir,

In reply to your letter Ref. No. 7820, dated 16th August 1910, asking for a copy of the Civil Rules of Practice for inclusion in a collection of Act and Rules of Practice prescribed for Civil and Criminal Judicial Tests, I am directed to refer you to G.O. No. 170, Educational, dated 19th March 1910, in which it has been ordered that for the present the examination in the Civil Rules of Practice in the Civil Judicial Test shall be confined to the Schedules appended to the Code of Civil Procedure. Since the issue of the Code, Schedule I has been amended as shown in the notification published at page 876 of Part II of the Fort St. George Gazette, dated 24th May 1910.

I have, &c.,

(Sd.) Arthur Davies,

for Registrar.

(True Copies).

Madras, E.

29th Aug. 1910.

Superintendent,

Govt. Press.

No. 8991

143 / 21-1722
15

Note for the Deputy Registrar,

Educational Department.

Ref.--G.O. No. 462, Educational, dated 8th Aug. 10.

Please see copies of my letter to the Registrar, High Court, No. 7820, dated 16th August 1910 and his reply Dis. No. 1014, dated 25th August 1910 and say whether the "Civil Rules of Practice" should be included in the collection of Acts, &c., to be printed for the Civil Judicial test.

Madras, E.

29th Aug. 1910.

Superintendent,

Govt. Press.

Rev 30-8-10

For T.K.

This is for Educational to deal with.
Please treat the current as urgent
& take over soon.

CRV. 20-8-10

Please see G.O.No.463 Edl., dated 8th August

R. 1910; in which the Superintendent, Government Press was requested to arrange to reprint the Acts etc. prescribed for the Civil and Criminal Judicial tests as a collection in book form for the use of the candidates appearing for those tests.

2. The Superintendent now enquires whether the "Civil Rules of Practice" one of the subjects prescribed for the Civil Judicial test should be included in the collection.

3. The examination in the Civil Rules of Practice is now confined to the schedules appended to the Civil Procedure Code (Act V of 1908) because the rules have not been revised by the Rules Committee and brought into harmony with the new Code of Civil Procedure and its schedules-

Q. vide G.O.No.170, Edl., dated 19th March 1909 and para.2 of the ^{High}Court's letter on page 3 thereof. From the letter of the Registrar, High Court, on page 2 supra, it appears that the Civil Rules of Practice have not been revised by the Rules Committee as yet. It is submitted that the Superintendent, Government Press, may

therefore

NOTES.

Page 15

therefore be told that the Civil Rules of Practice
~~need not~~ need not be included in the collection for
the present.

4. The draft Memorandum placed below is for
approval.

FR
2.9.16
7K.
2.9.16

Issue
Sun
2/9

17
18

MEMORANDUM:

no 1722-1
2.9.10

With reference to his note No.

p. 3 of note file.

8991, dated 29th August 1910, the

Superintendent, Government Press, will

be informed that the "Civil Rules of

Practice" need not ^(at present) be included in the

collection of Acts referred to in G.O.

R No.463, Edl., dated 8th August 1910.

PP
2.9.10

7/6
2-9-10

Sm
2/9

least 7/6
2/9

To the Superintendent, Govt. Press.

✓
2/9/10

C.No.1271, from the Board of Revenue, L.R., No.2341, dated 22nd June 1910.

ORDER:
Mis.

N^o 4638/8.8.10

The Commissioner for Government Examinations will be informed that the books which candidates for the Civil and Criminal Judicial tests may be permitted to use at the examination-hall for the purpose of answering some of the question papers at those examinations need not necessarily be Government publications. Books containing commentaries should not, however, be permitted, although books containing pencil notes made in them merely for the purpose of facilitating study need not be objected to.

2. The Superintendent, Government Press, will be requested to arrange to reprint the Acts &c. prescribed for the Civil and Criminal Judicial tests as a collection in book form similar to the collection of "Revenue Acts and Regulations" issued in 1907, the Acts for the Civil and Criminal tests being printed in two separate volumes and copies being kept at the Government Press for sale at a moderate price to candidates appearing for the respective examinations.

4569

2.

examinations.

20

$\frac{4.8.10}{4.8.10}$

Sum
4/5

To

- The C. G. E. ✓
- " Board of Revenue, L.R. ✓
- " Judicial Department. ✓
- " Legislative Department. ✓
- " S. A. P. ✓

Recd
8/8/10

When given for copying _____
When copied _____ } 1st
When examined _____
When signed _____

READ AGAIN G.O., No. _____ DATED
19 _____

CURRENT No. _____

ENCLOSURES TO C. No. _____

ORDER OF GOVERNMENT.

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DIUTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.