M.R.O. 1—77,006—8-6-37.

(1) Number of pages 8

(2) Date of repair 4-1-05

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 1303	Press / Mis.
75-76.	
Dated 12-9-	18 73.

6/7

Not to be folded or roughly handled

No. 75. Read the following letter from J. F. PRICE, Esq., Acting District Magistrate of Salem, to the Hon. W. HUDLESTON, Chief Secretary to Government, Fort St. George, dated Salem, 1st September 1873, Extra No. 1 :—

I have the honour, with reference to Section 466, Code of Criminal Procedure, to solicit the permission of Government for the prosecution of Jalli Coopoosawmy Naidoo, a Municipal Commissioner of Salem, against whom a complaint of having committed an offence punishable under Section 161, Indian Penal Code, by asking a bribe to, in his capacity as a Municipal Commissioner, re-consider an assessment under the Towns' Improvement Act, has been preferred.

2. I enclose for perusal the deposition given before me by the complainant.

3. From what has been elicited in two other cases in which the Municipal Overseer and Coopoosawmy Naidoo's servant have been tried and convicted by me, as well as from a highly suspicious list of assessments made by the Commissioner above referred to, I am of opinion that the present charge is well founded.

4. I beg that, in the event of Government sanctioning this prosecution, I may be instructed to suspend Coopoosawmy Naidoo from his duties as Municipal Commissioner until the case has been settled.

No. 76. ORDER THEREON, 12th September 1873, No. 1303.

Under the provisions of Section 466 of the Criminal Procedure Code, the Governor in Council authorizes the Acting District Magistrate of Salem to prosecute Jalli Coopoosawmy Naidoo, a Municipal Commissioner, for the offence referred to in the foregoing letter.

2. The result will be reported.

(True Extract.)

Chief Secretary.

To the Acting Magistrate of Salem, with enclosure returned.

Exd. J. H. Burns.

Bdst. of 1873 Madras.
FINANCIAL.
THE ACTING MAGISTRATE OF SALEM.
Dated September, 12th.
Read.
Encl.
G.O., 12th September 1873, No. 1303.
SEPTEMBER.
Nos. 75-76.
Salem Municipality.—The prosecution of J. Coopoosawmy Naidoo, a Municipal Commissioner, for having committed an offence punishable under section 161 of the Indian Penal Code, authorized.

Extract No. One.

Salem D^t Magistrates Office
Salem 1^st September 1873.

From

The Ag D^t Magistrate of
Salem

To

The Chief Secretary to Government
Fort St George.

Sir,

I have the honour with re-
-ference to Section 466 Code of Crimi-
-nal Procedure, to solicit the per-
-mission of Government for the
prosecution of Jalli Coopoosawmy
Naidoo a Municipal Commissioner
of Salem, against whom a com-
-plaint of having committed an
offence punishable under Section
161 I.P.C. by asking a bribe to, in
his capacity as a Municipal

Commissioner, reconsider an assess-
-ment under the Towns Improve-
-ment Act, has been preferred.

2. I enclose for perusal the deposition given before me by the complainant

3. From what has been ci-
-cited in two other cases, in which the Municipal Overseer and Coopoo-
-sawmy Naidoo's servant have been tried and convicted by me, as well as from a highly sus-
-picious list of assessments made by the Commissioner above referred to, I am of opinion that the present charge is well-founded.

4. I beg that, in the event of Government sanctioning this prose-

-cution, I may be instructed to suspend Coopoosawmy Naidoo from his duties as Municipal Commissioner until the case has been settled.

I have the honour to be
Sir,
Your Most Obedient Servant
Fredrick Rice
Ag Dt Magistrate.

Financial Department. 7B

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Ag. District Magistrate of Salem. 2/1 ch Septr 1873.

Ordered
Order thereon. 12 Septr 1873. No 1303

Under the provisions of Section 466 of the Criminal Procedure Code, the Governor in Council authorizes the Ag. District Magistrate of Salem to prosecute Jalli Cooppoosawmy Naidoo, a Municipal Commissioner, for the offence referred to in the foregoing letter.

The Result will be reported

12/9.

The Ag Magte of Salem with enclosure acted

1873
Financial Dept
No. 1303
From
The Asst Magistrate of Salem
Dated 1st September 1873
Received 3 Septr 1873

Subject One.
Sub. I:
Requesting permission to prosecute Jalli Coopoosawmy Naidoo Municipal Commr for contumacy in refusing to sign a bail bond under Sec. 151 Cr. P. C. and to suspend him pending enquiry.

Ans.

Ind Penal Code Sec 21 Cl 11. Illustration
"A municipal Commissioner is a public servant" His misconduct may be punished under Sec 166 I.P.C.

Sanction for prosecution

Govt. of {1873} Madras.

Financial

To

The Jt. Magte. of Salem

Dated 8/12 }
Recd. } 1873, No. 1303

Nos. 75. 76.

Salem Mercy. The prosecution of J. Koopooswamy Naidoo, a Grand Coms. under Sec. 161 of the Indian Penal Code, authorized.