

740/21153/84

M.R.O. 1-38,000-16-10-20.

MADRAS RECORD OFFICE.

Government of Madras.

Indreil DEPARTMENT.

G.O. No.	289	Press ~~Mis~~
Dated	22. 2. 1987	

Not to be folded or roughly handled

8/8

*Proceedings of the Madras Government, Judicial Department,
22nd February 1867.*

No. 205. Read the following letter from the Inspector General of Police, to the Secretary to Government, Fort Saint George ; dated Madras, 22nd November 1866, No. 1831.

General Department.

Certain offences duly reported by the Police to the Head Assistant of Coimbatore, do not appear in his B. Form. He has been requested to enter all offences reported by the Police in his file or B. Form, in order that the registration of Criminal and Judicial statistics, which are collected in the Police Office from the Magistrate's files or B. Forms, may be complete. He demurs, and states that he only enters those reports on which proceedings have been taken, and that undetected crimes are not entered. This has been more or less the practice of that District for some time, and I find that the same omissions are made of others also.

2. The registration of the crime, &c., of the District is made entirely from the Magistrate's files or B. Forms ; and if these are incomplete, there is danger that the Returns will be inaccurate. I beg that Magistrates may be requested to enter all offences reported to them by the Police in their B. Forms, with the steps taken by themselves, *e. g.*, if struck off as false, &c., &c. The practice would have the additional advantage of enabling Magistrates to observe whether the Police are bestirring themselves about undetected cases.

3. It is true that the Police Officers can, in a measure, supplement the deficiency by referring to the Register kept in the Police Office of Police cases ; but this involves double work and comparison, and it is obvious that the basis of the registration of Criminal statistics, the Magistrate's file or B. Form, should be complete in itself ; nothing should be left to the somewhat uncertain discovery of omitted cases by the Police from their less perfect Register. The Police do not, as a rule, register *in detail* any offence not included in column 2 of the Schedule annexed to the Procedure Code.

No. 206. ORDER THEREON, 22nd February 1867, No. 289.

Before passing final orders on the question raised in the foregoing letter, the Governor in Council desires to be informed upon what grounds the Inspector General of Police considers it necessary that the statistics of cases merely reported by the Police, and which find a place in Police Registers, but which have not been brought before Officers of the Magistracy in their judicial capacity, should be included in Form B, which, it appears, is only intended to include cases actually brought before the Magistracy for trial.

(True Extract).

Chief Secretary.

To the Inspector General of Police.
Exd. J. Tulloch.

Instructions for the preparation of Form B. Magistrate's File of Criminal Cases.

Number..... Here enter the consecutive number of the charge or complaint, from 1st January to 31st December. Every complaint of every kind so soon as received, will be entered therein without reference to the nature of the charge. All complaints referred to a subordinate Officer, whether Sub-Magistrate or other, will be noted in the Register of the referring Officer, and in the column of Remarks will be shewn whether for disposal or report. In the Register of the Officer to whom the case has been referred, the case will appear under its consecutive number. If disposed of by him, the whole information will be recorded, and a remark will be added, shewing it to be a Referred Case No. — of — Magistrate's File.

Date..... Under two columns show—1st the date on which the complaint was preferred or information received, or when the reference reached the Magistrate's Office;—and 2nd, the date of the commission of the offence.

Locality..... Here shew the Village and Taluq where the offence was committed.

Nature of Offence..... Here shew the Section of the Penal Code or the provision of the Law under which the charge is preferred, and name of the offence—thus "C. P. 353, Assault."

Value of Property..... Care should be taken to reduce exaggerated values as nearly as possible to the truth.

PERSONS.

Concerned.....
Summoned.....
Arrested with Warrant.....
Arrested without Warrant.....
Houses Searched.....
With or without Warrant..... } Here enter the information indicated numerically only.

DISPOSAL.

Convicted..... Juveniles are offenders under 16 years.

Committed..... Show across the Form the Court to which committed.

Sentence..... Section of the Penal Code to be stated.
N. B.—Whenever after trial, a finding has been come to which differs from the original charge, the name of the offence originally entered will be corrected and the Section of the Indian Penal Code altered.

Caste..... Show the caste and if possible occupation or calling of the offender.

Bailed by the Police..... Under this head show cases enquired into by the Police, under Sections 137-153 C. C. P., in which the Magistrate has not seen reason to issue any orders for further proceedings.

Dismissed for default or neglect to prosecute..... } Explains itself.

Withdrawn by amicable adjustment..... } Explains itself.

File of Cases before the

Number.	Date.		Locality.	Nature of Offence and Provision of the Law under which charged.	VALUE OF PROPERTY	
	Of Registry.	Of Offence.				Recovered.

B.
Magistrate of _____ during the month of _____

B.
Magistrate of _____ during the month of _____

B.
Magistrate of _____ during the month of _____

[illegible]

CHIEF OFFICE OF INSPECTOR GENERAL
OF POLICE.

From *Jud. Pro. 22nd Feb 1867*
Docket No. 205
 The Asst. Insp. Genl.
 of Police.

To
 The Chief Secretary
 to Government

Dated Madras, 22nd Aug 1867.

Has the honor to
 forward copy
 of the B. Form
 as requested in
 Docket Memo.
 No. 25 of this date.

[Signature]
 Asst. Insp. Genl.
 of Police

cb 22/1/67
 27/1/67
 22/2/67

*Referred to the Acting
 Magistrate of Coimbatore
 for his remarks*

Chief Secy

To the Asst. Mag. of Coimbatore

of the foregoing letter

EM

Robinson

our

*settling our
 for the trial or determination
 of cases brought on their crim-
 inal files. I am not clear that
 the functionaries of that class can
 properly be expected to keep a record
 of cases by the Police may be
 have been committed. But
 I should like to see that*

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter
from the Inspector General
of Police

Merc, enter 22 November 1881.

C. D. or.

The Governor in
Council concurs with the Inspector
General of Police and directs
that Magistrates will cause
all offences reported to them
by the Police to be entered
in their B. Forms as sug-
gested in the second para
of the foregoing letter.

E. M.

I feel satisfied about
our compliance with Mr. Robinson's
request. As now constituted, our
Magistrates are one and all sitting
Magistrates, available for the trial or determination
of cases brought on their courts.
To the Insp. Genl. of Police. I am as clear that
Magistrate of - fundamental of that class can
properly be expected to keep a record
of offences w. by the Police may be
stated to have been committed. But
before coming to a conclusion, I should like to know what

"Form B" is what
authorities it was ordered
to be kept. WDM
19.12.66

What is required to be done
by Section 139 Code of Criminal
Proc: seems all that is necessary.

Form B is a file of cases before a Magistrate in
any one month. If an offence remains undetected,
it is quite clear that there cannot be a case to try
in respect of that offence. A Police Officer may
under Section 135 report the occurrence, but
our Magistrates, as now organized, with
concern and I do not understand why they should
act the part of registration officers. If a burglary committed in the West End of
London, remains undetected, the Magistrate at
Malborough Street might know of it through
an article in a N. Paper, but he would not be
informed of any of Sir R. Mayne's subordinates
officially, that a burglary had taken place & he requested
to note it on any record kept at Malborough Street
office.

The Magistrate should be kept quite distinct from
the Police, and the sooner we check the system, which
has done up of allowing Police Officers
to control in various little matters, the better. We
have a notable instance of what may be done with
a Master Sub Magistrate by a Police Superintendent
in the Birmingham case.

I would therefore decline to meet Mr. Robinson's
proposal as I see the matter has been very
properly rejected by the H. A. Magh. Committee.

7.2.67.

WDM

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following
letter from the Inspector General of Police.

Dated 22 Nov 1866 No 1831.

Order thereon No 289 of 22 Feb 1867.

Before passing final
orders on the question
raised in the foregoing letter,
the Government in Council
desires to be informed
upon what grounds the
Inspector General of Police
considers it necessary that
the statistics of cases
merely reported by the
Police and which find
a place in Police Registers,
but which have not
been brought before
officers

WDM

officers of the magistracy
in their judicial capacity
should be included in
Form B which it appears
is only intended to include
cases actually brought
before the magistracy for
trial.

by

To the Hon. Secy of Police Dec 10/24

Indicent 1862. Department.

No. 209.

PROCEEDINGS OF GOVERNMENT.

Oct 1/60 - 2061.

Delm. 22 - 21 February 1861.

205-206.