

Judicial (1895) Department.

ORDINARY PRINTED.

G.O., No 1570

Dated 25 July 1895

INDEXED.

[Despatch Abstract.]

EXTRADITION.

Communicating to District Magistrates, for the issue of the necessary instructions, letter from the Government of India stating that it is desirable that Subordinate and Honorary Magistrates should invariably obtain the approval of District Magistrates before taking action in cases where the---- of an accused person seems requisite.

BACK PAPERS.

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

FURTHER PAPERS.

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

25TH JULY 1895, No. 1570, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—the following paper:—

From J. P. HEWETT, Esq., C.I.E., Officiating Secretary to the Government of India, Home Department—Judicial, to the Chief Secretary to the Government of Madras, dated Simla, the 27th June 1895, No. 1013-17, Judicial.

A case has recently been brought to the notice of the Government of India in which an Honorary Magistrate of the 1st class, in issuing a warrant for the arrest of a gunner in the Royal Artillery at Hongkong, entirely ignored the provisions of the Fugitive Offenders Act, 1881, and the procedure to be followed thereunder, which was published with Home Department Notification No. 1048 (Judicial), dated the 30th July 1886, and in Home Department Resolution No. 30, Judicial, 1896-1907, dated the 30th November 1887.

2. As the non-observance of the proper procedure causes delay and unnecessary correspondence, the Governor-General in Council considers it desirable that Subordinate and Honorary Magistrates should not, of their own authority, take action in cases where the extradition of an accused person seems requisite. His Excellency in Council is of opinion that the approval of the District Magistrate should invariably be obtained in such cases, and I am to request that, with the permission of His Excellency the Governor in Council, the necessary instructions to this effect may be issued.

ORDER—dated 25th July 1895, No. 1570, Judicial.

The foregoing letter from the Government of India will be communicated to all District Magistrates for the issue of the necessary instructions.

(True Extract.)

Chief Secretary.

To all District Magistrates.
 „ the Chief Presidency Magistrate.
 „ the Inspector-General of Police.
 „ the Commissioner of Police, Madras.

Exd. J. P. Aliver.

Gobt. of {1895} Madras.
JUDICIAL.

Issued

Recd.

Encl.

G.O., 25th July 1895, No. 1570.

JULY.

Extradition.

Communicating to District Magistrates, for the issue of the necessary instructions, letter from the Government of India stating that it is desirable that Subordinate and Honorary Magistrates should invariably obtain the approval of District Magistrates before taking action in cases where the — of an accused person seems requisite.

Judicial Dept
CURRENT NO. 3185

From, The Govt of India
Home Dept (Jud)

No. 17 Jud
1013

Dated 27th June
Recd 4th July } 1895
Regd 5th do }
Encl. 7 cc. of the c.

Subject
Requesting that necessary instructions may be issued to the effect that Subordinate and Honorary Magistrates should invariably obtain the approval of the District Magistrate and take action in cases where the extradition of an accused person seems requisite.

30/7/95 19/8/95 No. 2218 Judicial
No. 2909: 21 12 07 nish.

d/ 25th July 1895 No. 1570

Order
P.S.

The foregoing letter from the Govt of India will be communicated to all District Magistrates, ~~and to the~~ for the issue of the necessary instructions.

22/7/95
13.7.95

To
All Dms. 173.
The Chief Presy. Magistrate.
" Dy. of Police.
" Comr. of Police, Madras.
MR 137-95
8/8/95

(W)

CURRENT NO. 3185

17 full
No. 1013

FROM

J. P. HEWETT, ESQ., C.I.E.,
Offg. Secretary to the Government of India,

TO

The Chief Secy. to the Govt. of Madras.

Home Department.
Judicial.

CHIEF SECRETARY
Simla, the 27 June 1895.
GOVERNMENT OF MADRAS

SIR,

A case has recently been brought to the notice of the Government of India in which an Honorary Magistrate of the 1st class, in issuing a warrant for the arrest of a gunner in the Royal Artillery at Hongkong, entirely ignored the provisions of the Fugitive Offenders Act, 1881, and the procedure to be followed thereunder, which was published with Home Department Notification No. 1048 (Judicial), dated the 30th July 1886, and in Home Department Resolution No. ^{30-Judicial} 1896-1907, dated the 30th November 1887.

2. As the non-observance of the proper procedure causes delay and unnecessary correspondence, the Governor General in Council considers it desirable that Subordinate and Honorary Magistrates should not, of their own authority, take action in cases where the extradition of an accused person seems requisite. His Excellency in Council is of opinion that the approval of the District Magistrate should invariably be obtained in such cases, and I am to request that, with the permission of His Excellency the Governor in Council, the necessary instructions to this effect may be issued.

I have the honour to be,

SIR,

Your most obedient Servant,

J. P. Hewett.

Offg. Secretary to the Government of India.

June 20 to 1570 of 25 July 1895

Sept 8/8/95

The Collectors of
The District Magistrates of

Anantapur. — 8
North Arcot, Chittoor. — 8
South Arcot, Cuddalore. — 8
Bellary. — 8
South Canara, Mangalore. — 8
Chingleput, Saidapet. — 8
Coimbatore. — 8
Cuddapah. — 8
Ganjam, Chatrapur. — 8
Godavari, Cocanada. — 8
Kistna, Masulipatam. — 8
Kurnool. — 8
~~Madras (when necessary)~~
Madura. — 8
Malabar, Calicut. — 12
Nilgiris, Ootacamund. — 8
Nellore. — 8
Salem. — 8
Tanjore. — 9
Tinnevely. — 8
Trichinopoly. — 8
Vizagapatam. — 8

STATEMENT WITH DITTO.

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

N.B. —

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.

