

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 2142

Dated 15th Oct, 1895

INDEXED.

[Despatch Abstract.]

பொ. ம. புது ஏன். 24—

குறிப்பிட்டவர் பொறுப்பிலிருக்கும் பதிவுக் கட்டினாலும் எடுக்கப்பட்ட தான்.

445

உதாரணம்

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
	483A		1895				

Judicial {1895} Department.

No.

FROM

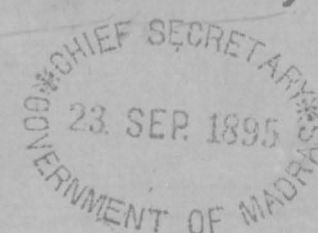
Ag.
The Registrar of the High Court
of Judicature, Appellate Side,
Madras.

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Re circled.

12.10.95
12/10/95

Dated 20th September } 1895.
Received 23



No. 2642.
Enc one.

Office
As to the corrections in the
Ct of the Crim & Justice Report
Ct with the original record
therein.

12/10/95
To Mr. Am. Th. J. sent (Ld)
19/10/95 (Xrd)
Copied 18/95
18/10

Please see (No 4838 of 95)
ST

Communicating certain
particulars in connection
with special statements
CII appended to the Crimi-
-nal Justice Report for
1894.

To amend the return
of a copy to the Crim Justice Report
for 1894.
Copy - sent to the Crim Justice Report
not available in the library.
25/5/95
25/5

Tanjore District Magistrate's
Office, Camp, Tiruthuraippur.
4th September 1895.

From

J. C. Rawson, Esquire,
Ag. District Magistrate of
Tanjore.

To

The Registrar of the High Court,
Appellate Side,
Madras.

Sir,

With reference to your letter dated 8th August 1895, No. 2114, requesting me to explain the pendency of 105 cases in the Courts of the Village Magistrates at the close of 1894, I have the honor to explain as follows.

2. On receipt of the Government Review of the Criminal Administration Report for 1893, my predecessor, Mr. Thompson, issued a Circular under date the 22nd October 1894, warning the Village Magistrates against delays in the disposal of cases and directing the Sub-ordinate Magistracy to exercise proper supervision and control over their work and to bring to the notice of the Superior authorities

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Every letter, whether printed or in manuscript, should be docketed and abstracted on the back; and the abstract should state clearly the purport of the letter and not merely its title subject.

Enclosures and statements also, whether sent with letters, or merely under cover, should be numbered, docketed and abstracted. The headings of statements should be written in full to prevent mistakes. (G. O. 8th April 1893, No. 289, Public.)

any remissness of duty on their part. A similar circular is now being issued by me.

3. Of the 105 cases shown as pending, 83 cases appear to have been since disposed of from reports called for on receipt of your letter under reply. 44 cases appear to have been filed in December 1894, all of which with the exception of 3 cases, were disposed of in the early part of the current year.

4. The chief causes that contribute to delay in the disposal of Criminal cases before Village Magistrates appear to be the following:-

(1) In some cases, the accused persons leave their villages after the commission of the offence and the Village Magistrates have to await their return before they can dispose of the cases against them. The law, as it stands, gives no power to a Village Magistrate to issue summonses to other villages than his own.

(2) Secondly, accused persons residing in villages adjoining French territory, sometimes take refuge there in order to evade appearance before Village Magistrates.

(3) Thirdly, parties and witnesses either refuse to accept the summonses issued by the Village Magistrates or do not appear before them.

Village Magistrates exercising their powers under Regn. XI of 1886 & Regn. IV of 1891

them in obedience thereto. The Village Magistrates have then to report such cases of disobedience to the Sub-Magistrates concerned, and it is only after the disposal of such cases by the Sub-Magistrates that the parties appear before the Village Magistrates. This procedure often causes a delay of 2 or 3 months.

(4) Lastly and probably chiefly, lack of supervision on the part of the Subordinate Magistrates, and dilatoriness on the part of the Village Magistrates themselves, are accountable for the delay in the disposal of many cases.

5. I would mention a case before the Village Magistrate of Srivangiam, which was filed on 16th January 1894 and lay over pending the appearance of the accused. After the receipt of this Office order calling on him to explain the delay, the present Sub-Magistrate of Nannilam issued a summons directing the appearance of the accused before the Village Magistrate on 17th August 1895. The accused appeared accordingly and the case was disposed of on that date. But this procedure, though effective, was unauthorized and illegal.

I have, &c.,

(Signed) J. S. Muttusami
Jr. Ag. District Magistrate
6-9-95.

(True Copy)
High Court of Judicature,
Appellate Side,
Madras, 20th September 1895.

D. W. L. Connel
Acting Registrar.

Enclosure No. *I*, to letter from the
High Court of Judicature, Appellate Side, Madras,
dated 20th September 1895, No. 2642.

Copy of the explanation
of the District Magistrate of
Tanjore regarding the pendency
of 105 cases in the Courts of
the Village Magistrates in
his District.

RENT No. 4507
N: 2642.

High Court of Judicature,
Madras, 20th September, 1890.

From

D. W. G. Lowie Esquire,
Acting Registrar of the
High Court of Judicature,
Appellate Side, Madras.

I.

The Honorable J. F. Price, C.S.I.,
Chief Secretary to Government,
Fort Saint George.

Honorable Sir,

I am directed to state
for the information of Government in
connection with the Criminal Justice
Report for last year, that in returning
the number of witnesses detained beyond
three days in the Subordinate Magis-
trates' Courts in Malabar during that
year as 2 - vide Special Statement
C IV appended to the Report, the District
Magistrate doubted the accuracy of the figure
and stated that enquiries would be insti-
tuted and the result reported. He sub-
sequently states that from the information
received

received from all the Sub-Divisional Magistrates in the District except the Deputy Magistrate, Calicut, and the Special Assistant Magistrate, it was found that the number so detained was 273 and that the two officers last mentioned had not sent in their reports although reminders had been sent to them. A reminder has now been sent to the District Magistrate on the subject. A copy of his reply will be communicated as soon as received.

2. I am also to enclose herein a copy of the explanation of the District Magistrate of Tanjore dated 4th Instant, regarding the pendency of 105 cases in the Courts of the Village Magistrates in the District at the close of last year shown in the Special Statement CI attached to the Report.

I have the honor to be,
Honorable Sir,
your most obedient servant,

D. W. B. Comil
Acting Registrar.

When given for copying _____
When copied _____
When examined _____
When signed _____

189

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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.