

Date taken out

FOR WHAT PURPOSE.

Initials of
clerk taking

Judicial (1895.) Department.

G. A. J. S.

ORDINARY MS.

G.O., No. 610.

DATED 23rd Mar 1895.

INDEXED.

[Despatch Abstract.]

CRIMINAL JUSTICE.

Referring to the Inspector-General of Police, for remarks, paragraph 2--5 of letter from the Registrar, High Court, submitting, with remarks, explanation of the points noticed by Government in its review of the High Court's report on the administration of --in 1893.

incl.

BACK PAPERS.

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

FURTHER PAPERS.

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

Date taken out.

FOR WHAT PURPOSE.

Initials of clerk taking

Judicial {1895.} Department.

No.

FROM

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

Order 23 March 1895 No 610
Misc.

Dated 21st February } 1895.
Received 22nd
Regd 23rd

No. 505.
Enc. one.

Submitting remarks in
explanation of the points
observed upon by the Govern-
ment in its review of the
High Court's report on the
administration of Criminal
Justice in 1893.

Office
Remarks should go to
the D. J. who have not
replied.

They have replied.
16.3.95

Recorded -
2. Paras 2-5 of Mr. Foster's
letter will be referred to the
S.G. of Police for remarks.
3. The principal variations in
the number of Special Mag.
working during 1892 & 1893
occurred, it seems, in Anantapur
(7 in 1892, 2 in 1893), Chingleput
(13 in 1892, 0 in 1893),
to the Hon. the C. J. with C.O. SEATCHED
S.G. of Police, Cuddalore.
(4 of paras 2-5 in 1892, 0 in 1893) of Criminal
(5 in 1892, 1 in 1893).

5.3.95
14.3.95
17.3.95
18.3.95
19.3.95
20.3.95
21.3.95
22.3.95
23.3.95
24.3.95
25.3.95
26.3.95
27.3.95
28.3.95
29.3.95
30.3.95
31.3.95
1.4.95
2.4.95
3.4.95
4.4.95
5.4.95
6.4.95
7.4.95
8.4.95
9.4.95
10.4.95
11.4.95
12.4.95
13.4.95
14.4.95
15.4.95
16.4.95
17.4.95
18.4.95
19.4.95
20.4.95
21.4.95
22.4.95
23.4.95
24.4.95
25.4.95
26.4.95
27.4.95
28.4.95
29.4.95
30.4.95
1.5.95
2.5.95
3.5.95
4.5.95
5.5.95
6.5.95
7.5.95
8.5.95
9.5.95
10.5.95
11.5.95
12.5.95
13.5.95
14.5.95
15.5.95
16.5.95
17.5.95
18.5.95
19.5.95
20.5.95
21.5.95
22.5.95
23.5.95
24.5.95
25.5.95
26.5.95
27.5.95
28.5.95
29.5.95
30.5.95
31.5.95
1.6.95
2.6.95
3.6.95
4.6.95
5.6.95
6.6.95
7.6.95
8.6.95
9.6.95
10.6.95
11.6.95
12.6.95
13.6.95
14.6.95
15.6.95
16.6.95
17.6.95
18.6.95
19.6.95
20.6.95
21.6.95
22.6.95
23.6.95
24.6.95
25.6.95
26.6.95
27.6.95
28.6.95
29.6.95
30.6.95
1.7.95
2.7.95
3.7.95
4.7.95
5.7.95
6.7.95
7.7.95
8.7.95
9.7.95
10.7.95
11.7.95
12.7.95
13.7.95
14.7.95
15.7.95
16.7.95
17.7.95
18.7.95
19.7.95
20.7.95
21.7.95
22.7.95
23.7.95
24.7.95
25.7.95
26.7.95
27.7.95
28.7.95
29.7.95
30.7.95
31.7.95
1.8.95
2.8.95
3.8.95
4.8.95
5.8.95
6.8.95
7.8.95
8.8.95
9.8.95
10.8.95
11.8.95
12.8.95
13.8.95
14.8.95
15.8.95
16.8.95
17.8.95
18.8.95
19.8.95
20.8.95
21.8.95
22.8.95
23.8.95
24.8.95
25.8.95
26.8.95
27.8.95
28.8.95
29.8.95
30.8.95
31.8.95
1.9.95
2.9.95
3.9.95
4.9.95
5.9.95
6.9.95
7.9.95
8.9.95
9.9.95
10.9.95
11.9.95
12.9.95
13.9.95
14.9.95
15.9.95
16.9.95
17.9.95
18.9.95
19.9.95
20.9.95
21.9.95
22.9.95
23.9.95
24.9.95
25.9.95
26.9.95
27.9.95
28.9.95
29.9.95
30.9.95
1.10.95
2.10.95
3.10.95
4.10.95
5.10.95
6.10.95
7.10.95
8.10.95
9.10.95
10.10.95
11.10.95
12.10.95
13.10.95
14.10.95
15.10.95
16.10.95
17.10.95
18.10.95
19.10.95
20.10.95
21.10.95
22.10.95
23.10.95
24.10.95
25.10.95
26.10.95
27.10.95
28.10.95
29.10.95
30.10.95
31.10.95
1.11.95
2.11.95
3.11.95
4.11.95
5.11.95
6.11.95
7.11.95
8.11.95
9.11.95
10.11.95
11.11.95
12.11.95
13.11.95
14.11.95
15.11.95
16.11.95
17.11.95
18.11.95
19.11.95
20.11.95
21.11.95
22.11.95
23.11.95
24.11.95
25.11.95
26.11.95
27.11.95
28.11.95
29.11.95
30.11.95
1.12.95
2.12.95
3.12.95
4.12.95
5.12.95
6.12.95
7.12.95
8.12.95
9.12.95
10.12.95
11.12.95
12.12.95
13.12.95
14.12.95
15.12.95
16.12.95
17.12.95
18.12.95
19.12.95
20.12.95
21.12.95
22.12.95
23.12.95
24.12.95
25.12.95
26.12.95
27.12.95
28.12.95
29.12.95
30.12.95
31.12.95

Statement showing the number of Special Magistrates who tried cases during the years 1892 and 1893.

Districts.	Stations.	Number of Magistrates who tried cases in -	
		1892.	1893.
Anantapur	Gooty	2	-
	Tadpatri	2	1
	Anantapur	1	-
	Dharmavaram	1	1
	Madakasira	1/2	-
Arct. North	Vellore	1	1
	Walaja	1	1
	Tirupati	1	1
	Ambar	1	1
	Tirumettigur	1	-
	Wandewash	1	1
Arct. South	Porto Novo	1	1
	Cuddalore Town	1	-
	Srinushnam	1	1
Bellary	Sirugappa	1	1
	Kampli	1	1
	Raidurg	1	1
	Harpanahalli	1	1
Canara, South	Kumbala	1	-
	Vittal	1	1
	Mangalore	1	-
Chingleput	Tiruvallur	1	-
	Ponneri	1	-
	Chingleput	1/2	-
Coimbatore	Sulur	1	-
	Anaimalai	-	1
	Buduel	1	-
Cuddapah	Madanapalle	1	-
	Kadiri	1	-
	Vayalpad	1	-
	Raichuti	1	-

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., 5th April 1893, No. 239, Public.)

Districts	Stations	Number of Magistrates who tried Cases in	
		1892	1893
Ganjam	Gopalpur	1	1
	Aska	1	"
	Calingapatam	1	1
Godavari	Narasapur	1	1
	Coringa	1	1
Kistna	Bandar	1	"
	Tenali	1	1
	Ponoor	1	1
Tirunool	Pattikonda	1	"
	Standyal	1	"
	Koilkottla	1	"
	Cumbam	1	"
	Markapur	1	1
Madura	Arupukota	1	"
	Tirupurmanam	1	1
	Porayur	"	1
	Cochin	1	1
Malabar	Vayithi	1	"
	Kadapuram	1	1
	Payoli	1	1
	Kondotti	1	1
	Nilambur	1	"
	Koduvayur	1	"
	Manuarghat	1	"
	Tanur	1	1
	Onjole	1	"
	Edayagiri	1	"
Kellore	Cotacamund	1	1
	Coonoor	1	1

Districts	Stations	Number of Magistrates who tried Cases in	
		1892	1893
Salem	Salem Taluq	1	"
	Trikenjode	1	"
	Thathengaspet	1	1
	Shendamanjalam	1	1
	Madhagiri	1	"
Tanjore	Kegapatam	1	1
	Tirumadi	1	1
	Intupet	1	1
	Adirampattanam	1	1
	Swaminimalai	1	1
Tinnevely	Shermadevi	1	1
	Ettayapuram	1	1
	Tiruchendur	1	1
	Alwastirumagari	1	1
	Nanguneri	1	1
	Sivakasi	1	1
	Kayalpattanam	1	"
Tiruchinopoly	Luticorin	1	1
	Arigalur	1	1
	Sarvasiddhi	1	1
	Anakapalli	1	1
Vizagapatnam	Palakonda	1	"
	Salurw	1	"
Total		82	48

High Court of Judicature,
Appellate Side, Madras
21st February 1895

(Pro Seal)
Registrar.

20/2

1870

1. 1st of Jan
2. 2nd of Jan
3. 3rd of Jan
4. 4th of Jan
5. 5th of Jan
6. 6th of Jan
7. 7th of Jan
8. 8th of Jan
9. 9th of Jan
10. 10th of Jan
11. 11th of Jan
12. 12th of Jan
13. 13th of Jan
14. 14th of Jan
15. 15th of Jan
16. 16th of Jan
17. 17th of Jan
18. 18th of Jan
19. 19th of Jan
20. 20th of Jan
21. 21st of Jan
22. 22nd of Jan
23. 23rd of Jan
24. 24th of Jan
25. 25th of Jan
26. 26th of Jan
27. 27th of Jan
28. 28th of Jan
29. 29th of Jan
30. 30th of Jan
31. 31st of Jan

1. 1st of Feb
2. 2nd of Feb
3. 3rd of Feb
4. 4th of Feb
5. 5th of Feb
6. 6th of Feb
7. 7th of Feb
8. 8th of Feb
9. 9th of Feb
10. 10th of Feb
11. 11th of Feb
12. 12th of Feb
13. 13th of Feb
14. 14th of Feb
15. 15th of Feb
16. 16th of Feb
17. 17th of Feb
18. 18th of Feb
19. 19th of Feb
20. 20th of Feb
21. 21st of Feb
22. 22nd of Feb
23. 23rd of Feb
24. 24th of Feb
25. 25th of Feb
26. 26th of Feb
27. 27th of Feb
28. 28th of Feb
29. 29th of Feb
30. 30th of Feb

1. 1st of March
2. 2nd of March
3. 3rd of March
4. 4th of March
5. 5th of March
6. 6th of March
7. 7th of March
8. 8th of March
9. 9th of March
10. 10th of March
11. 11th of March
12. 12th of March
13. 13th of March
14. 14th of March
15. 15th of March
16. 16th of March
17. 17th of March
18. 18th of March
19. 19th of March
20. 20th of March
21. 21st of March
22. 22nd of March
23. 23rd of March
24. 24th of March
25. 25th of March
26. 26th of March
27. 27th of March
28. 28th of March
29. 29th of March
30. 30th of March
31. 31st of March

1. 1st of April
2. 2nd of April
3. 3rd of April
4. 4th of April
5. 5th of April
6. 6th of April
7. 7th of April
8. 8th of April
9. 9th of April
10. 10th of April
11. 11th of April
12. 12th of April
13. 13th of April
14. 14th of April
15. 15th of April
16. 16th of April
17. 17th of April
18. 18th of April
19. 19th of April
20. 20th of April
21. 21st of April
22. 22nd of April
23. 23rd of April
24. 24th of April
25. 25th of April
26. 26th of April
27. 27th of April
28. 28th of April
29. 29th of April
30. 30th of April
31. 31st of April
1. 1st of May
2. 2nd of May
3. 3rd of May
4. 4th of May
5. 5th of May
6. 6th of May
7. 7th of May
8. 8th of May
9. 9th of May
10. 10th of May
11. 11th of May
12. 12th of May
13. 13th of May
14. 14th of May
15. 15th of May
16. 16th of May
17. 17th of May
18. 18th of May
19. 19th of May
20. 20th of May
21. 21st of May
22. 22nd of May
23. 23rd of May
24. 24th of May
25. 25th of May
26. 26th of May
27. 27th of May
28. 28th of May
29. 29th of May
30. 30th of May
31. 31st of May
1. 1st of June
2. 2nd of June
3. 3rd of June
4. 4th of June
5. 5th of June
6. 6th of June
7. 7th of June
8. 8th of June
9. 9th of June
10. 10th of June
11. 11th of June
12. 12th of June
13. 13th of June
14. 14th of June
15. 15th of June
16. 16th of June
17. 17th of June
18. 18th of June
19. 19th of June
20. 20th of June
21. 21st of June
22. 22nd of June
23. 23rd of June
24. 24th of June
25. 25th of June
26. 26th of June
27. 27th of June
28. 28th of June
29. 29th of June
30. 30th of June
31. 31st of June
1. 1st of July
2. 2nd of July
3. 3rd of July
4. 4th of July
5. 5th of July
6. 6th of July
7. 7th of July
8. 8th of July
9. 9th of July
10. 10th of July
11. 11th of July
12. 12th of July
13. 13th of July
14. 14th of July
15. 15th of July
16. 16th of July
17. 17th of July
18. 18th of July
19. 19th of July
20. 20th of July
21. 21st of July
22. 22nd of July
23. 23rd of July
24. 24th of July
25. 25th of July
26. 26th of July
27. 27th of July
28. 28th of July
29. 29th of July
30. 30th of July
31. 31st of July
1. 1st of August
2. 2nd of August
3. 3rd of August
4. 4th of August
5. 5th of August
6. 6th of August
7. 7th of August
8. 8th of August
9. 9th of August
10. 10th of August
11. 11th of August
12. 12th of August
13. 13th of August
14. 14th of August
15. 15th of August
16. 16th of August
17. 17th of August
18. 18th of August
19. 19th of August
20. 20th of August
21. 21st of August
22. 22nd of August
23. 23rd of August
24. 24th of August
25. 25th of August
26. 26th of August
27. 27th of August
28. 28th of August
29. 29th of August
30. 30th of August
31. 31st of August
1. 1st of September
2. 2nd of September
3. 3rd of September
4. 4th of September
5. 5th of September
6. 6th of September
7. 7th of September
8. 8th of September
9. 9th of September
10. 10th of September
11. 11th of September
12. 12th of September
13. 13th of September
14. 14th of September
15. 15th of September
16. 16th of September
17. 17th of September
18. 18th of September
19. 19th of September
20. 20th of September
21. 21st of September
22. 22nd of September
23. 23rd of September
24. 24th of September
25. 25th of September
26. 26th of September
27. 27th of September
28. 28th of September
29. 29th of September
30. 30th of September
31. 31st of September
1. 1st of October
2. 2nd of October
3. 3rd of October
4. 4th of October
5. 5th of October
6. 6th of October
7. 7th of October
8. 8th of October
9. 9th of October
10. 10th of October
11. 11th of October
12. 12th of October
13. 13th of October
14. 14th of October
15. 15th of October
16. 16th of October
17. 17th of October
18. 18th of October
19. 19th of October
20. 20th of October
21. 21st of October
22. 22nd of October
23. 23rd of October
24. 24th of October
25. 25th of October
26. 26th of October
27. 27th of October
28. 28th of October
29. 29th of October
30. 30th of October
31. 31st of October
1. 1st of November
2. 2nd of November
3. 3rd of November
4. 4th of November
5. 5th of November
6. 6th of November
7. 7th of November
8. 8th of November
9. 9th of November
10. 10th of November
11. 11th of November
12. 12th of November
13. 13th of November
14. 14th of November
15. 15th of November
16. 16th of November
17. 17th of November
18. 18th of November
19. 19th of November
20. 20th of November
21. 21st of November
22. 22nd of November
23. 23rd of November
24. 24th of November
25. 25th of November
26. 26th of November
27. 27th of November
28. 28th of November
29. 29th of November
30. 30th of November
31. 31st of November
1. 1st of December
2. 2nd of December
3. 3rd of December
4. 4th of December
5. 5th of December
6. 6th of December
7. 7th of December
8. 8th of December
9. 9th of December
10. 10th of December
11. 11th of December
12. 12th of December
13. 13th of December
14. 14th of December
15. 15th of December
16. 16th of December
17. 17th of December
18. 18th of December
19. 19th of December
20. 20th of December
21. 21st of December
22. 22nd of December
23. 23rd of December
24. 24th of December
25. 25th of December
26. 26th of December
27. 27th of December
28. 28th of December
29. 29th of December
30. 30th of December
31. 31st of December

Enclosure No. *I* to letter from the
High Court of Judicature, Appellate Side, Madras,
dated 21st Feby. 195, No. 505.

Statement showing
the number of special
magistrates who tried cases
during the years 1892 and
1893.

109
Enclos. No.
To
C. N.

Date taken out:

For wh.

Initials of
clerk taking

192

CURRENT NO. 881

N^o. 505.

High Court of Judicature,
Madras, 21st February 1895.

From

H. W. Foster Esquire,
Registrar of the High Court
of Judicature, Appellate Side,
Madras.

To

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

Honorable Sir,

I am directed to submit
the following remarks in explana-
-tion of the points observed upon by the
Government in its review of the High
Court's report on the administration
of Criminal Justice in 1893.

2. The Government notes
that whereas the High Court's report
shows 290,395 cases reported during
the year the Police report gives the
number

number as 275,329. The High Court figures in column 2 of Imperial statement No. II, Part I, are compiled in the Districts under the following instructions — "All offences (cases) of which information was given, complaint made to, or cognizance taken by, a Magistrate under Chapters IV, V, XIV, XV and XVI, Criminal Procedure Code, for the first time during the year, are to be shown, although some of the charges may not have been prosecuted, or may have turned out to be false. As to cases taken up on Police report, only those in which the Police forward the accused under custody to a Magistrate or otherwise secure his appearance before such Magistrate under Section 170, Criminal Procedure Code, should be included in this column."

3. The

3. The instructions under which the figures furnished by the Inspector General of Police are compiled are as follows. —

"Column 4. — This column will include all cognizable cases reported during the year, either to the Magistrate direct, or through the police, including cases which, on inquiry or trial, are decided to be wilfully and maliciously false, but excluding —

"(1) Cases which turn out, on inquiry or trial, to be non-cognizable, and which will find entry in part II of this statement; and

"(2) Cases which turn out, on inquiry or trial, to be false, owing to mistake of law or fact, and in which no crime is established."

4. It will be observed that the Police figures purport to include all cases

Kind instructions
on the back of the
form presented in
p. 8373 - 1884
p. 8373 last.

The second best copy being
this go no other copy. These
instructions fully in the
may be the High Court be collected
to get authority? 11/11

cases found on inquiry or trial to be wilfully false, but to exclude all cases which turn out on inquiry or trial to be false owing to mistake of fact or law. The High Court is not aware of the exact interpretation put upon these instructions in practice.

Section 203 of the Criminal Procedure Code may be applied equally to cases

Dismissal of complaint in the absence of sufficient grounds for proceeding

deliberately false as to complaints based upon mistake of fact or law,

but if it be assumed that all cases disposed of by Magistrates under section

203 of the Criminal Procedure Code are excluded from the Police State-

-ment, the discrepancy is almost entirely accounted for, as the Police

figure (275,329) is in close agree-

-ment with that shown in column 5 of the High Court statement - (275,778).

Cases returned as true.

5. The discrepancy in the number of persons convicted no doubt arises

arises, as remarked by the Government, from difference in the system of ledgering. The instructions issued in 1884 (G. O. No. 2245, dated 3rd September 1884, Judicial) were designed to ensure correspondence between the two sets of statistics, Police and Judicial, and the attention of Magistrates will again be drawn to these instructions.

6. It is in consequence of the provisions of section 11 of the Towns Nuisances Act, III of 1889 that the divergency of practice, remarked upon by the Government, in registering nuisance cases has arisen. In some Districts that section has been interpreted to mean that all cases under section 3 or 4 of the Act are to be treated as cases under the Police Act XXIV of 1859, while elsewhere the cases have been treated as cases under

under the Act of 1889. Instructions have now been issued requiring all such cases to be registered under the latter Act, and a newly revised list of special and local laws has been prepared for guidance of Courts in preparing their statements for 1894.

7. By way of explanation of the decline in the number of Special Magistrates a list is enclosed showing in detail the Magistrates of that class returned as having exercised powers in 1892 and 1893 respectively.

8. Paragraph 9 of the G.O.—

The discrepancy noted by the Government in the statistics relating to the number of appeals is one that cannot be avoided as it arises in respect of cases actually in course of transmission (under order of transfer) from one Court to another at the close of the year. Such cases are

of course shown as removed from the file of the original Court but not brought on the file of the receiving Court during the period to which the statistics relate. The total number of appeals shown as "transferred" during the year was 221—the total number shown as "received by transfer" was 198—the difference being the figure brought out by the Government's calculation—23.

9. With reference to the observation at the end of the 10th paragraph, I am to say that in future reports the average duration of appeals in each District will be shown.

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

Arabi
Registrar.

EDW

Date taken out.

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