

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 947

Dated 8th May 1895

INDEXED.

[Despatch Abstract.]

PLEADERS' FEES.

Sanctioning, with remarks, payment of a fee of Rs. 300 to M.R. RY. C. Krishnan Nayar for conducting the prosecution of the second clerk of the Salt and Abkari Inspector's Office, Palghat Circle, for criminal breach of trust.

BACK PAPERS.

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

FURTHER PAPERS.

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

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CS

Jul 25/95

Order. Sanction is accorded to the payment of Rs 500 to M. K. K. Krishna Nayan for conducting the prosecution in Reg. 50: Krishna Nayan Criminal Branch, Palghat.

To The Secy. Palghat (1905)
The Secy. Palghat (1905)

[Signature]

From

The Ag. District Magistrate
of Malabar. Chief

To

The Chief Secretary to
Govt. Judicial Dept.
Madras.

Dated 17.

CHIEF SECRETARY
GOVERNMENT OF MADRAS

25/8

Recd 24/11/95

Recd 25/11/95

No 172 in
Encl. 98.95
3

Requesting that Rs 500
may be sanctioned to 1st
grade Pleader C. K. N. Nayan
Nayan for conducting the
prosecution of the 2nd class
of the Salt & alkali Regd.
Office at Palghat Circle, for
Criminal branch of Insp.

Enclosures

Note

It will be seen from
the Memo: Attached that the
pleader was actually engaged
in Court for 11 days in conducting
this case at different periods.
In 91, 92, 93 - and 94.
His fees for eleven days at the
rate of Rs. 25 per day would
amount to Rs. 275. It is
however recommended that
a sum of Rs 500 be paid to
the pleader in consideration
of the extra labour, special cases
detached cases, and the fact
that having to keep up constant
correspondence with the District
Office in connection with this case
for three years.

[Signature]
25/11

Regina: Vers: H. Krishna Wariar
 Statement showing the dates and the nature of the work
 done in Court.

N ^o	Date	Nature of the Work done
1	2-12-91	Complaint put in and the Complainant Examined.
2	15-1-92	Applied for warrant for the arrest of the accused in the name of a Police Officer in Calicut as the accused was then reported to be hiding in Manasherry Amshom.
3	2-5-92	Do Do in the name of Sub Inspector Rama Satter.
4	6-3-93	Applied for a Special Detective Officer to discover and arrest the accused.
5	17-8-93	One witness was examined and several documents filed in Extradition Proceedings.
6	18-8-93	2 witnesses were examined Do
7	18-9-94	2 witnesses were examined and several documents filed.
8	19-9-94	3 witnesses were examined and some documents filed.
9	10-12-94	4 witnesses were examined and some documents filed.
10	11-12-94	The prosecution witnesses were cross examined and re-examined.
11	12-12-94	Arguments.

Palghat }
 15-12-94 }

Signed, L. Krishna Nair
 Pleader

(True Copy)

[Signature]

For of District Magistrate

[Signature]
 v.w.

The District Magistrate Malabar

No.	Particulars	Amount
1.	Fees for conducting the prosecution in re. Regina Vers L. Krishna Wariet	500/-

(Signed) L. Krishna Wariet
Pleader

Palhant
15-12-94

(True Copy)

For ag District Magistrate

[Signature]
ad

[Faint, mostly illegible handwritten text, likely bleed-through from the reverse side of the page.]

5
3
287

Palhant
15-12-94

Handwritten text on a piece of paper, likely a letter or document, with a date stamp in the center.

1895
10/10/95
287

The text is written in cursive and is mostly illegible due to fading and the angle of the paper. It appears to be a letter or a document from the late 19th century.

Palghat 15th December 1884.

From,

C. M. Krishna Rao Nair,
1st Grade Pleader, Palghat.

To,

The District Magistrate, Malabar,
Calicut.

Sir,

Requira ~~vs~~ N. Krishna Warrar

In obedience to your Proceedings embodied in a letter to the Assistant Commissioner, Salt and Abkari Revenue, Calicut Division and dated 26th October 1881, I have the honor to report that I have conducted the prosecution in the said case against Krishna Warrar the late 2nd Clerk, in the office of the Inspector of Salt and Abkari Revenue, Palghat field and that the accused has been committed to the Court of Sessions by the Stationary Magistrate of Palghat, on the 12th Instant. The case was originally instituted before the Tahsildar 2nd Class Magistrate of Palghat and was subsequently transferred to the file of the Magistrate by whom the accused has now been committed to the Court of Sessions—

The accused was absconding for a period of nearly three years and various were the steps taken to discover his whereabouts, before his Extradition could be applied for, but when

it was applied for and granted the accused
turned up and presented himself in Court.

I have filed 59 documents in the case
and I have examined 9 witnesses - There remains
one more witness to be examined under Section
219 of the Criminal Procedure Code - This witness
having been not available on the date on which
the case was heard - The major portion of those
59 documents relate ~~to the~~ accounts such
as bi-monthly returns, acquittance rolls &c.
The said documents were selected from
a very large amount of records of the Circle
Office at Palghat. The Inspector, and the Clerk
who were in office at the time of the forgery,
Entezlemulha, were not available. Hence it
entailed a good deal of labour on my part to
go through volumes of records to select the
necessary ones, and also to go through the
figures in several exhibits for discovering or
rather understanding the way in which the
fraud was perpetrated. I had besides to keep
myself up in Continual Correspondence with
the Adami Department for a period of three
years in connection with the case.

Subjoined I submit a statement show-
ing the number of days I have been engaged
in Court in connection with this case. I had
also

? The necessity
for this is not
apparent.
2
18/1

Also to attend Court on several other occasions
when for one reason or other, the case had to be
adjourned - Both before and after the institution
of the case I had to be engaged outside the Court
in going through the records as I have already
submitted, for several days.

I beg respectfully therefore that my bill
hereunder annexed may be accepted and
the amount sanctioned.

I have the
(Signed) C. M. Krishnan Nair
Pleader.

True copy.

For District Magistrate

N. 72 no
gl. 95.

284

Malabar & S. Magistrate's Office,
Camp Pandikhad, 17th Jan'y 1895

From

H. Roberts Esquire,
Cg District Magistrate of Malabar
Calicut.

To

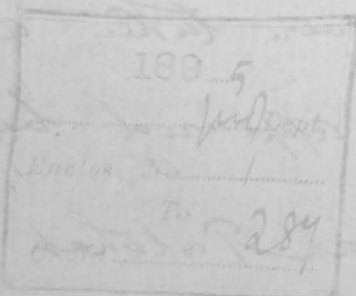
The Chief Secretary to Government
Judicial Department
Madras.

Sir,

At the instance of the Assistant
Commissioners of Salt and Abkari Revenue
Calicut Division, M. R. N. C. Krishna Rao, 1st
grade Headar practising at Palghat was,
on 26th October 1891, entrusted with the conduct
of the prosecution of the 2nd Clerk of the
Inspector of Palghat Circle, for Criminal breach
of trust and other offences as the then govern-
ment Headar could not conveniently go
and conduct the prosecution at Palghat.

2. The accused was absconding
for the last 3 years and when at last
extradition proceedings were taken against
him, he voluntarily appeared before the
Stationary Magistrate at Palghat who

Conducted



No.

From

Dist. Magistrate, Malabar

Dated

17 Jan 1895

FOR ORDERS.

The fees proposed appears rather excessive.

The pleader lives at Palghat where the enquiry was conducted; the case seems to have occupied 4 days or 8 including that on which the complaint was put in; besides this, the pleader twice appeared in Court to apply for the issue of a warrant of arrest against the deft.

It seems to ask that a special detective might be appointed to discover him. His letter states that he also had to "attend Court on several other occasions when for one reason or another the case had to be adjourned".

In any case there were only seven full days hearing, but allowing the claim for 11 appearances - the maximum ordinary fee admissible is Rs. 245.

The case is said to have involved the examination of numerous records, & "extensive correspondence with the Atkari Department for a period of three years". The necessity for such correspondence may, it is submitted, be doubted.

A fee of Rs. 300 would perhaps be sufficient, seeing that the case was only a preliminary enquiry into the pleader's own town.

28.1

the preliminary inquiry in December last and committed the accused to stand his trial at the January sessions.

3. The Pleader has now, in his letter dated 15th December last, (Copy with statement of work enclosed) requested that he may be paid Rs. 500 on account of his fees. The Assistant Commissioner to whom this claim was referred for remarks, recommends that the amount may be sanctioned. It will be observed from the Pleader's letter that he has examined 9 witnesses, filed 59 documents relating to accounts selected out of a mass of records, and that he had to keep himself in correspondence with the Atkari Department for 3 years. As no previous arrangement was come to with the pleader, I have the honour to recommend that Government may be pleased to sanction Rupees 500 on account of the Pleader's fees.

I have the honour to be
Sir,

Your most obedt servant

W. B. B. B.

As District Magistrate.

17.1.

I certainly think Rs 500 too much
their back open these months under
any day. The Dist. Magistrate has
accepted by thing said as Gospel.
Asking the nature of the documents
put in, whether it was the Abkari
Dept which looked them over
or the vakil also request him
to obtain from the Abkari Dept.
a statement of the "continued
correspondence for three years" which
is said to have passed between it
and the pleader. The number
of letters written by the pleader and
the number written by the Abkari
Dept is what is wanted.

Vakil's fan

C.S.
H.P.
(for orders)

307/95

Refering 4/4-2-95 to 206

The Dist. Magistrate is requested
to ascertain report the nature
of the numerous documents said
to have been put in, to state whether
it was the Abkari Dept. or the pleader
that made the selection of documents.
He should further obtain from the
Abkari Dept. a statement showing
the number of letters written by the
pleader by the officers of the
Dept. and whether the "continued
correspondence for a period of three
years" involved any serious labour

D
31.1.95

The D.M. Malabar 1/2/95

[Encls 2] Malabar District Magistrate's letter Ref 1547 of 22-4-95

Nº 1262

Office of the Assistant Commissioner
Salt & Abkari Revenue Calicut D.
Dated 1st April 1895

The District Magistrate
Malabar

Sir,

With reference to your reference nº 494
dated 9th February 1895 regarding the work of Govern-
ment Pleaders in Krishna Variar's Case, I have
the honor to submit a statement showing the
letters addressed by this Department to the
Pleaders and vice versa

2 The documents filed were mainly reward
statements, reward acquittance rolls and accounts
connected with rewards and diaries of officers
and are of a voluminous nature. Assistant
Inspector Mr. Brown who was in charge of
the case from the outset up to its final disposal
gave the vakil all the documents in the possession
of the Department and attended the case throughout,
but as the case was an important one, the vakil
selected the documents to be filed in the case.

3 The enclosures to your reference are
also herewith returned.

Shave &c
W. B. F. Wilson
for Asst Commissioner

(True Copy)

M. A. M. M. M.
23 April
for of Dist Magistrate

1861

1861

1861

1861

1861

1861

1861

1861

1861

5
Full
2061

7,001-4-12-93.

7,001-4-12-93.

From Register of Letters, &c., received during the year 189 .

Conso- cutive Number	No. and Date of Letter.	No. of Encls- ures.	From whom received.	Subject.	To whom delivered.	When received back.	To what file belonging.	Refer- ence to Order of Dis- posal.	When Record- ed into Initials.
1150	12.11.91		R. D. Pyg E. Kiohuan Hain	Stating that he sees no evidence against the dead slave and that in that getting a certain paper nothing is possible.					
262	12.3.92		Do.	Reporting on the progress made in the case against the Kiohuan Hainian a requested.					
1433	23.4.93.		Do.	Forwarding a letter from Jakubakar Nagai to the Palyatui Kiohuan Hainian's case and requesting to take steps to obtain the information there. Called for.					
4341	26.4.92		Do.	Forwarding the record is connection with the case against Kiohuan Hainian as requested.					
572	9.5.93		Do.	Stating that the witness who are required to give evidence are lodged within.					
802	27.6.93		Do.	Informing that the case against Kiohuan Hainian has been adjourned for hearing on 15 th August 1893.					
834	3.7.93.		Do.	Stating that the Hainian's to be lodged within may be removed and that certain friends may be sent to him for release.					
431	31.3.94		Do.	Forwarding the case against Kiohuan Hainian's case.					
1047	10.8.94		Do.	Informing the names of witnesses who are to be examined in Kiohuan Hainian's case.					
1251	20.9.94		Do.	Informing that the case against Kiohuan Hainian has been postponed for final hearing on 22 nd October 94.					
1414	25.10.94		Do.	Stating that Kiohuan Hainian's case has been postponed to 15 th and requesting to secure the attendance of the prosecuter witnesses.					
1053	9.11.94		Do.	Forwarding Palyatui Nagai's letter stating that the case against the Kiohuan Hainian will not be heard on 15/11/94.					
1704	13.12.94		Do.	Stating that the case could be taken to cause the appearance of 1 st (P. 4) 3 (P. 4) Hainian Hain, before the Court of sessions on 9.1.95.					
1753	23.12.94		Do.	Stating that a letter from Nagai, the court to be held on 18 th Dec 1 st (P. 4) 3 (P. 4) Hainian Hain is appear before the Court of sessions on 9.1.95.					

W. A. Miller
The Colonial Commissioner

Calicut, 22nd April 1895,

Reg. No. 1547
cu 95
FROM

H. Moberly Esquire

Ag District Magistrate MALABAR.

To

Calicut

The Chief Secretary to Government
Judicial Department

Sir

In reply to memorandum dated 4th February 1895 N^o 206 Judicial, I have the honor to submit herewith copy of a letter dated 1st April 1895 N^o 1262 from the Assistant Commissioner of Salt and Abkhari Revenue Calicut Sub D^o and to state that the numerous documents referred to were mainly reward statements, reward acquittance rolls, accounts connected therewith and diaries of officers. Statements showing letters written by the Pleaders and the Abkhari officials, furnished by the Assistant Commissioner, are enclosed.

2 The Assistant Inspector Mr. Brown attended the case throughout, and assisted the Daktar, who selected the documents to be filed in Court.

I have the honor to be

Sir

Your most Obedient Servant.

Constable

Ag District Magistrate

CURRENT NO. 2061

Judicial Department

Encl. N 206/95

CH H M

For order

Law Officer

FROM

COLLECTOR
THE DISTRICT MAGISTRATE OF MALABAR.

CHIEF SECRETARY
26 APR 1895
GOVERNMENT OF MADRAS

TO

The Chief Secretary to
Government Judicial
Department

Dated 22
D. spatched 23
Received 26

April 1895

No. 1547

Enclosures 3

Subject.

Payment of fees to pleader C. Krishnan nayar

Submitting Copy of letter from the Assistant
Commissioner regarding the numerous
payments referred to in Krishna Wariar's
and stating that the Asst Insp.
Brown assisted the pleader on behalf
of Govt

attention is invited to
the notes ~~attached~~ under
letter of Reference of 4. Feb.
95, No 206. The case does
seem to have involved a good deal
of labour

The fee claimed (Rs 500) appears
excessive it is equal to 20
days work at Rs 25 per diem.

But ~~maintaining~~ seven or
say eight days appears to
have been devoted to the enquiry.

The long correspondence referred
to resolves itself into twenty
five letters written and
fifteen written during a space
of three years. Rs 300 it is
submitted would be a reasonable
fee to give.

2/5/95

I think so

Cs.

M

3/5/95

Order 8 May 1895, No 947.

The Govt is not prepared to
accept the Dist. Judge's recommendation
and considers that a fee of Rs 300-
will meet the case. Sanction is accorded
for the payment of this amount to
the pleader C. Krishnan nayar.

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

189 .

READ AGAIN G.O., No.
189 ,

DATED

CURRENT No.

ENCLOSURE TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPEES 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.