

*Proceedings of the Madras Government, Judicial Department,
22nd March 1873.*

No. 113. Read the following letter from the Officiating Under Secretary to the Government of India, Home Department (Judicial), to the Secretary to the Government of Fort St. George, dated Fort William, 11th March 1873, No. 514:—

I am directed to acknowledge the receipt of your letter, No. 199, dated the 4th ultimo, explaining why the notification promulgating rules made under the new Code of Criminal Procedure was issued before the 1st January 1873.

2. In reply, I am directed to say that, in the opinion of the Governor-General in Council, the explanation given does not meet the objection raised in the letter from this office, No. 159, dated the 20th January last. The point is not that the notification was expressly stated to have effect from the 1st January, but that it contained rules said to be framed under the provisions of a certain Act, which at the time of the publication of the notification had not come into effect. It appeared, therefore, to be within the scope of argument whether, as the power to make these rules had not come into existence when they were made, these rules were legally in force. And His Excellency in Council considers that it will be better to re-publish the notification, bearing a date subsequent to that on which the Act came into operation.

3. It is true that the Bombay Government issued a similar notification, and the error in this case also has been pointed out.

No. 114. ORDER THEREON, 22nd March 1873, No. 460.

Ordered that the notification be re-published in the *Fort St. George Gazette*, bearing date 1st January 1873.

(True Extract.)

W. HUDLESTON,
Chief Secretary.

Exd. J. Wright.

N. 574

71

From
J. S. Michael Esq. Secy
Office Secy to the Govt of India

The Secretary to the Govt of Madras.
Fort William 11 March 1873.

1. I have received your letter of the 11th inst. explaining why the notification promulgating rules made under the new Criminal Procedure was issued before the 1st January 1873.

2. In reply, I am desirous to say that in the opinion of the Govt. Secy in Council the explanation given does not meet the objection raised in the letter from this office No. 159, dated the 20th January last, the point is not that the Notification was issued before the 1st January but that the rules said to be made under the new Criminal Procedure were not made until after the 1st January.

Govt. of Madras
JUDICIAL.

Dated March, 22nd.

G. O., 22nd March 1873, No. 460.

MARCH.
Nos. 113-114.

Directing that the notification promulgating rules made under the new Criminal Procedure Code be re-published in the *Madras Gazette*, bearing date 1st January 1873.

framed under the provisions of a certain
Act, which at the time of the publication
of the Notification had not come into ef-
fect. It appeared therefore to be within
the scope of my jurisdiction, as the power
to make these rules had not come into ex-
istence when they were made, these rules
were legally in force. And His Excellency
in Council considers that it will be better
to republish the Notification bearing a

It is true that the Bombay Govt issued
a similar Notification and the error in
this case also has been pointed out.

I have the honor to be,

Sir,

Your most obedient servant

Wm. Miller

Off. Secy to Govt of India

Wm. Miller
will be the Govt. be republished
in the F.W. George Gazette

Sept 25/3

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Not the January 1893 - A.R.

22. March 1850.
Herrn Prof. Dr. K. v. P. in die Ehrenkammer

219/3
221/3

From

The Govt. of India
Home Dept.

No. 54.

Dated 11th Mar }
Received 18th Mar } 1873

No. 543.

Enc. Consider that for certain reasons stated, it would be better to re-publish the Notipen signs promulgating rules made under the new Code of Cr: Procedure with a date subsequent to that on which the Act came into operation.

Act. of 1873 Madras.
Judicial

March 22 }

10. 22 March 1873, No. 460.

Nos. 113, 114.

Directing that the Rules promulgated
under the new Criminal
Pro. Code be republished in the
East of India Gazette bearing
date 1st Jan 1873.

1-6-83

19.8.24

29-5-02 ✓

16-5-11 ✓

6-7-14 ✓

2-12-15 ✓

5-12-16 ✓

1-9-20 ✓

27-5-88 ✓

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