M.R.O. 1—77,006—8-6-37.

(1) Number of pages 10

(2) Date of repair 7.8.44

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 2922, 2922-A Press / Mis.

Dated 13 11 1844.

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—again the following paper:—

G.O., dated 10th October 1884, Mis. No. 2601, Judicial.

Read—the following letter from D. FITZPATRICK, Esq., Secretary to the Government of India, Legislative department, to the Chief Secretary to Government, dated Simla, 19th September 1884, No. 2143:—

With reference to the correspondence ending with the communication from this department, No. 1515, dated the 5th July last, I am directed to forward herewith six copies of draft rules in regard to the publication of the Indian Law Reports, Madras, Bombay and Allahabad series, which it is proposed to make in substitution for those forwarded to you with the letter from this department, No. 145, dated the 25th January 1878.

2. I am to request that His Excellency the Governor in Council will favor the Government of India in this department by the 1st December next with his opinion and remarks, and with the opinions and remarks of the Honorable the Judges of the High Court, regarding the draft rules.

Order—dated 10th October 1884, Mis. No. 2601, Judicial.

Referred to the Honorable the Judges of the High Court for favor of opinion.

(True Extract.)

(Signed) E. F. WEBSTER,
Chief Secretary.

To the Hon. the Judges of the High Court, with CL.

ENCLOSURE.

DRAFT

INDIAN LAW REPORTS RULES.

The Governor-General in Council is pleased to make the following rules in regard to the publication of the Indian Law Reports, Madras, Bombay and Allahabad Series, in substitution for those published with notification No. 3, dated 24th January 1884.

1. A reporter shall be appointed for each of the High Courts of Madras, Bombay and Allahabad, and shall work under the supervision of a Council to be constituted as follows:—

(1) In Madras—

A Judge of the High Court.
The Advocate-General.
One other Member of the Bar.
One Solicitor.
One Vakil.

The Judge, Member of the Bar, Solicitor and Vakil shall from time to time be appointed by the Chief Justice.

(2) In Bombay—

The Chief Justice.
Two Puisne Judges.
The Advocate-General.
The Government Pleader.

The two Puisne Judges shall from time to time be selected by the High Court.

(3) In Allahabad—

One Puisne Judge.
Two Barristers.
Two Pleaders of the Court.

Each of the above shall from time to time be appointed by the Chief Justice.

2. The Reporter shall be appointed and paid by the Governor-General in Council.

3. The Reporter shall be primarily responsible for the selection and form of the reports, but on all questions of principle he shall consult, and be guided by, the Council.

4. The entire supervision of the literary work and editing of the reports, including such arrangements as may be needed to ensure the report of each case being ready for the press as soon as possible after judgment is delivered, will rest with the Council, the local Government being responsible for all arrangements connected with printing, publication and distribution.

5. If the Judge or Judges who decided any case desire that it should not be reported it shall not be reported.

6. If the Court or the Chief Justice desires that the Reporter shall consult it or him, or any Committee appointed by it or by him, on any case or matter, it shall be his duty to do so.

7. If the Court or the Chief Justice desires that any case decided by the Court or any division or Judge thereof shall be reported, and signifies such desire to the Reporter, the case shall, subject to rule 5, be reported and published.

8. The Council may, with the approval of the Chief Justice, make rules of business for the Council.

9. The reports shall be published under the authority of the Governor-General in Council, and each Council is hereby empowered to publish them under such authority.

10. In framing reports regard shall be had to the following general rules and principles :—

(*a*) Every report ought to contain a statement of all facts necessary for a due understanding of the decision.

(*b*) Reports ought not to state any facts which are clearly unnecessary for a due understanding of the decision.

(*c*) In judging whether to insert or to omit a statement of facts it is better to err on the side of overstatement than of understatement.

(*d*) It is not meant that the Reporter must state the facts over again if there is a clear, full and consecutive statement of them in the judgment.

(*e*) As a general rule cases for which a full statement of facts cannot be obtained are not to be reported.

(*f*) As a general rule every report ought to contain a statement of the arguments of counsel sufficient to show what points were pressed upon the Court.

(*g*) The Reporter should note any material bearing which the decision may have on other decisions or on any principle of law, and which is not otherwise apparent on the face of the report.

(*h*) Every report ought to contain a full copy or account of the judgment delivered by the Court and by each Judge thereof, or of so much of the judgment as bears on the point for which the case is reported.

(*i*) As a general rule cases turning upon evidence or inferences of fact, cases relating to the construction of private documents, and, generally, cases which do not illustrate some principle of law or some important bearing of an enactment in a way not covered by previous decisions, ought not to be reported.

(*j*) In selecting cases for report the Reporters are to be guided by the weight and importance of the decision, and the existence of materials for a satisfactory report, and are not to abstain from reporting a case merely because they may think the decision to be erroneous, or to be in conflict with other decisions.

READ—also the following paper :—

From J. A. DAVIES, Esq., Acting Registrar of the High Court of Judicature at Madras, Appellate Side, to the Chief Secretary to Government, dated Madras, 29th October 1884, No. 316.

I am directed to acknowledge the Proceedings of Government, dated 10th instant, Mis. No. 2001, forwarding, for the opinion of the High Court, a set of amended draft rules received from the Government of India, Legislative department, in regard to the

9. The reports shall be published under the authority of the Governor-General in Council, and each Council is hereby empowered to publish them under such authority.

10. In framing reports regard shall be had to the following general rules and principles :—

(*a*) Every report ought to contain a statement of all facts necessary for a due understanding of the decision.

(*b*) Reports ought not to state any facts which are clearly unnecessary for a due understanding of the decision.

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(*i*) As a general rule, cases turning upon evidence or inferences of fact, cases relating to the construction of private documents, and, generally, cases which do not illustrate some principle of law or some important bearing of an enactment in a way not covered by previous decisions, ought not to be reported.

(*j*) In selecting cases for report, the reporters are to be guided by the weight and importance of the decision, and the existence of materials for a satisfactory report, and are not to abstain from reporting a case merely because they may think the decision to be erroneous, or to be in conflict with other decisions.

ORDER—No. 932, Judicial, dated 8th April 1885.

Communicated to the Honourable the Judges of the High Court in continuation of G.O., No. 2922, dated 13th November 1884.

(True Extract.)

E. F. WEBSTER,
Chief Secretary.

To the Honourable the Judges of the High Court.

L.O. 232
8.4.85

Please print this G.O.
as above: —

(1) Read again G.O. No 2922-22
13.11.84 — G

(2) Letter from Sri D, Legal
No 541 of 16.3.85 — Annexure A with

(3) G.O. in full
+ and 20 copies

Regd
8/4/85.

INDIAN LAW REPORTS RULES.

MADRAS SERIES.

The Governor General in Council has been pleased to make the following Rules in regard to the publication of the Indian Law Reports, Madras Series, in supersession of those published with Notification No. 3, dated 24th January, 1878.

1. A Reporter shall be appointed for the High Court of Madras, and shall work under the supervision of a Council to be constituted as follows:—

A Judge of the High Court.

The Advocate General.

One other Member of the Bar.

One Solicitor.

One Vakíl.

The Judge, Member of the Bar, Solicitor and Vakíl shall from time to time be appointed by the Chief Justice.

2. The Reporter shall be appointed and paid by the Governor General in Council.

3. The Reporter shall be primarily responsible for the selection and form of the Reports, but on all questions of principle he shall consult, and be guided by, the Council.

4. The entire supervision of the literary work and editing of the reports, including such arrangements as may be needed to ensure the report of each case being ready for the press as soon as possible after judgment is delivered, will rest with the Council, the Local Government being responsible for all arrangements connected with printing, publication and distribution.

5. If the Judge or Judges who decided any case desire that it should not be reported, it shall not be reported.

6. If the Court or the Chief Justice desires that the Reporter shall consult it or him, or any Committee appointed by it or by him, on any case or matter, it shall be his duty to do so.

7. If the Court or the Chief Justice desires that any case decided by the Court or any division or Judge thereof shall be reported, and signifies such desire to the Reporter, the case shall, subject to rule 5, be reported and published.

8. The Council may, with the approval of the Chief Justice, make rules of business for the Council.

9. The reports shall be published under the authority of the Governor General in Council, and each Council is hereby empowered to publish them under such authority.

10. In framing reports regard shall be had to the following general rules and principles:—

(*a*) Every report ought to contain a statement of all facts necessary for a due understanding of the decision.

(*b*) Reports ought not to state any facts which are clearly unnecessary for a due understanding of the decision.

(*c*) In judging whether to insert or to omit a statement of facts, it is better to err on the side of overstatement than of understatement.

(*d*) It is not meant that the Reporter must state the facts over again if there is a clear, full and consecutive statement of them in the judgment.

(*e*) As a general rule, cases for which a full statement of facts cannot be obtained are not to be reported.

(*f*) As a general rule, every report ought to contain a statement of the arguments of counsel, sufficient to show what points were pressed upon the Court.

(*g*) The Reporter should note any material bearing which the decision may have on other decisions or on any principle of law, and which is not otherwise apparent on the face of the report.

(*h*) Every report ought to contain a full copy or account of the judgment delivered by the Court and by each Judge thereof, or of so much of the judgment as bears on the point for which the case is reported.

(*i*) As a general rule, cases turning upon evidence or inferences of fact, cases relating to the construction of private documents, and, generally, cases which do not illustrate some principle of law or some important bearing of an enactment in a way not covered by previous decisions, ought not to be reported.

(*j*) In selecting cases for report, the Reporters are to be guided by the weight and importance of the decision, and the existence of materials for a satisfactory report, and are not to abstain from reporting a case merely because they may think the decision to be erroneous, or to be in conflict with other decisions.

Govt. of India Central Printing Office.—No. 819 L. D.—13-3-86.—50.

AGAIN Order of Government, dated 10 Dec
188 , No. 2607 Miscellaneous. 11-2

ENCLOSURES.

CURRENT No
4312

STATEMENT WITH DITTO.

ORDER, &c. OF GOVERNMENT—A.

PAPERS KEPT OUT OF FILE FOR DESPATCH IN ORIGINAL.
(not paged.)

PRESS.

Jud. Department.

G.O. dated 13th Nov/14

No. 2922 + 2922 A.

13-11 1884.

First copy sent to Press. 13/11/14

Returned for signature. 17/11

Despatched in print.

[Despatch Abstract.]

Indian Law Reports

Comg. to the G.I. the remarks of the High Ct. on the amended draft rules regarding the publication of the ——, and concurring in the opinion expressed.

20.8.4

7.1.05

21.11.05

3-10-10

28-11-10

13.5.14

12-1-15

11/6/15

18-11-16

5.7.15

13.6.340