

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1864

Press
~~Mis.~~

Dated

31-7 1894.

Not to be folded or roughly handled

31st JULY 1894, N. 1864, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—again the following papers:—

G.O., dated 12th Dec. 1873, No. 1981, Judicial.

"	"	29th Apr. 1871	"	575	"
"	"	7th Nov. 1874	"	2062	"
"	"	29th " 1879	"	3025	"
"	"	10th Apr. 1877	"	914	"
"	"	19th Jan. 1886	"	155	"

Order—dated 31st July 1894, No. 1864, Judicial.

The Government is pleased to direct that the following returns now received from Judicial office be discontinued:—

(1) *The Quarterly Return of Cattle destroyed by Wild Beasts submitted by the Inspectors of Cattle in accordance with G.O., dated 12th December 1873, No. 1981, Judicial.*—The report prepared by the Board of Revenue from information furnished by Collectors contains all the requisite particulars.

(2) *The Quarterly Return of Expenditure upon Destitute Travellers which District Magistrates submit under G.O., dated 29th April 1871, No. 575, Judicial.*—The rates sanctioned by G.O., dated 7th November 1874, No. 3025, Judicial, viz. As. 2 for Natives, As. 4 for East Indians, and As. 8 for Europeans should continue to be observed, but District Magistrates will be permitted, in modification of G.O. dated 29th November 1879, No. 3025, Judicial, to fix at discretion the amount which may be expended monthly by each of their divisional officers on the relief of paupers. The only restriction which Government imposes is that, when the total monthly expenditure on relief for the whole district exceeds Rs. 25, its sanction shall be sought for in excess.

(3) *The Quarterly Return of Fees paid to Public Prosecutors which is submitted by District Magistrates under G.O., dated 10th April 1877, No. 914, Judicial.*—District Magistrates will be permitted to sanction without report to Government any fee not exceeding Rs. 50, subject of course to the rules contained in G.O. dated 16th February 1894, No. 373, Judicial, as modified by G.O. dated 20th June 1894, No. 1629, Judicial. Fees in excess of Rs. 50 will, as heretofore, require the special sanction of Government in each case.

(4) *The Quarterly Return of Fees paid to Vakils in Murder Cases which Sessions Judges submit under G.O., dated 19th January 1886, No. 155, Judicial.*—In future, Sessions Judges may sanction the payment of any fee not exceeding Rs. 50 to Vakils.

31st JULY 1894, No. 1864, JUDICIAL.

engaged by the Court to defend persons accused of capital offences. If, however, the trial lasts only one day, the fee should not exceed Rs. 25 and the sanction of Government will be necessary for any fee in excess of Rs. 50.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Hon'ble the Chief Justice, with C.L.
" the Public Department.
" the Revenue Department.
" the Inspector-General of Police.
" all District Magistrates.
" all Sessions Judges.
" the Accountant-General.

Govt. of {1894} Madras.
JUDICIAL.

Issued

Recd.

Encl.

G.O., 31st July 1894, No. 1864.

JULY.

Returns.

Directing, with remarks, the discontinuance of the quarterly — of cattle destroyed by wild animals, expenditure upon destitute travellers, fees paid to Public Prosecutors and fees paid to Vakils in murder cases.

Should discontinue the
M

Judicial Returns

(1) Return of Cattle destroyed by wild animals; submitted quarterly by I. G. of Police &c. asks

- (1) what is the object?
- (2) would half yearly or yearly returns suffice?
- (3) don't we get an annual return from St. Mag?

The return was prescribed in G.O. of 12 Dec. 1873, N^o 1981, Ind. A sample of it will be found in G.O. of 10/5/94, N^o 1115, Ind. It appears to be perfectly useless, for the Board receive an annual report from collectors on the subject (vide G.O. of 2 May 1894, N^o 324, Rev.).

(2) Return of Expenditure on pauper travellers; submitted quarterly by half-yearly by St. Mag.

It asks

- (1) what is the object?
- (2) would yearly returns do?

The submission of this return was ordered in G.O. of 29 Oct. 1871, N^o 575, Ind. The rules regarding expenditure on paupers are contained in G.O. of 7 Nov. 1874, N^o 2062, & G.O. of 29 Nov. 1879, N^o 3025, Ind. Destitute travellers may be paid wages a day if natives, 6 annas if East Indians & 8 annas if Europeans; Division Officers may in charges on this account.

R.10 but, if the total monthly charge for the district exceeds R.25 in a month, a special report has to be sent to Govt. Since I have been in the office this max of R.25 has never in any case been exceeded.

The object of the half yearly return is to enable Govt. to check the details & occasionally, the rates admissible ^(found to have been) exceeded but it is doubtful if this minute check is necessary. The return (a somewhat troublesome one to prepare) might be discontinued altogether the Acct. Gen. being instructed to refuse to pass any expenditure on pauper travel when it exceeds R.25 in the course of the month without sanction of Govt. The restriction to R.5 for Divisional Officers & R.10 for Dt. Mag. might also be withdrawn, Dt. Mag. being allowed to make such distribution of their R.25 among the divisions as they think suitable.

(3) Return of Fees paid to Public Prosecutors: Submitted Quarterly by Dt. Mag.

He asks
(1) Won't half yearly or yearly returns do?
(2) What is the object?

By G.O. 10 Apr. 1877, N° 214, Dt. Mag. were invited with authority to grant

* Distinct, of course, from the half yearly return which includes all items of expenditure on pauper travellers.

25/7/99

* G.O. 15 Feb 94, N° 375, Ld.

Excess of R.25 but not exceeding R.50 subject to a quarterly report to Govt. of the reasons for granting the excess fee. This G.O. extends the powers previously possessed by Dt. Mag. for, under G.O. of 1 Sept. 1866, N° 1369, Ld. This authority extended only to the grant of a fee not exceeding R.25 in each case (i.e. per 14 of the). It is submitted that the return may now be discontinued altogether, the rule being that Dt. Mag. may sanction any fee not exceeding R.50 & that all fees above that amount shall require (as at present) the sanction of Govt. Dt. Mag. have recently been informed that the fee may never exceed R.25 for each day the case lasts, so the discontinuance of the return will not have the result of encouraging extravagant fees.

(4) Return of Fees in Murder Cases: Submitted Quarterly by Sessions Judges.

He asks
1. Won't half yearly or yearly returns do?
(2) What is the object?
In G.O. 19 Jan. 1856, N° 155, Ld., Govt. authorized Sessions Judges to grant a fee of R.25 to Vakils employed in sending persons charged with Murder who had been

Exceeding Rs 25 but not exceeding Rs 50 subject to a quarterly report to Govt. of the reasons for granting a sum in excess of Rs 25. It is submitted that this return may be discontinued, Sessions Judges being informed that in no case may more than Rs 50 be given & that when the case lasts only one day the fee should not exceed Rs 25.

This will put Sessions Judges & Dist. Mags. on the same footing as regards fees to pleaders.
(b) Return of whippings in Sails; Sails? Quarterly by the J.G. of Sails. H.M. asks

"won't half yearly or yearly do?"
This is submitted under the orders of the G. of I. contained in para. 6 of its Resolution read on 30 Jan. 1882, No 172, Ind. Information on this subject appears in Statement VI appended to the Annual Sail Report to the return might very well be discontinued but its preparation is sooner than it is hard worth retaining India shott.

[8]
100-20-4-24.

Again G.O., dated 12 Dec.
29 Ap.
Again G.O., dated 7 Nov.
29 Nov.
Current No. 10 April 19 Jan 2

1873, No. 181, Sud.
1871, No. 575, Ind.
1874, No. 2062, Ind.
1879, No. 3025, Ind.
1877, No. 914, Ind.
1886, No. 155, Ind.

Current No. of 18, dated

Direct that the following returns now received from Judicial officers may be discontinued.

in accordance with G.O. of 12 Dec. 1873, No 1981, Ind.

from order of 31 July 94, No 186-PS.
The Govt. is pleased to pass the following orders regarding certain periodical returns now received from Judicial officers.

- (1) The quarterly return of Cattle destroyed by wild animals which is submitted by the J.G. of Police may be discontinued. The annual reports prepared by the Board of Revenue from information furnished by Collectors contains all the requisite particulars.
- (2) The quarterly return of Expenditure upon District Magistrates which is submitted under G.O. of 29 Ap. 87, No 575, Ind. may be discontinued. The rates of relief sanctioned in G.O. of 7 Nov. 1874, No 2062, Ind. (viz, 2 annas a day for native, 4 annas for British Indian, & 8 annas for Europeans) should continue.

observed but St. Mag's will be permitted, in modification of G.O. of 29 Nov. 1879, No. 3025, Ld., to ^{at discretion} the amount which may be expended, each of their ^{provisional} officers, for the relief of paupers. The only restriction which Govt. imposes is that, its sanction shall be sought for any sum in excess of R. 25 which may be expended on relief in the course of the month when the total monthly expenditure on relief for the whole District exceeds R. 25; its sanction shall be sought for the excess.

when the total ^{monthly} expenditure on relief for the whole District exceeds that amount, in the course of a month

(3) The quarterly return of fees paid to Public Prosecutors which is submitted by St. Mag's under G.O. of 10 Apr. 1877, No. 14, Ld., will be permitted to sanction any fee not exceeding R. 50, subject, of course, to the rules contained in the rules which were laid down in G.O. of 15 Feb 1894, No. 373, Ld., as modified by G.O. of 29 June 1894, No. 1629, Ld. Fees in excess of R. 50 will, as heretofore, require the special sanction of Govt. in each case.

(4) The quarterly return

of fees paid to Vakils in murder cases which Sessions Judges submit under G.O. of 19 Jan 7. 1886, No. 155, Ld. In future Sessions Judges may sanction any fee not exceeding R. 50, for Vakils to defend persons accused of capital offences. If, however, the trial lasts only one day, the fee shall not exceed R. 25 & the sanction of Govt. will be necessary for any fee in excess of R. 50.

(From orders)

26 July
 To the Hon. the C. J. with Cld.
 Public Dept. 1
 Rev. Dept. 7
 Dy. of Police. 6
 All District Mag. 173
 Sessions Judges 149
 The Acct. General 6

Discontinuation
of Returns

Form No. 4190 of 73

5226/94

ORDINARY, PRINTED:

• • *T* DEPARTMENT.
G.O., DATED *31st July 1894*
No. *1864*

INDEXED

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[Despatch Abstract.]

Returnus

Directing, with view
to the continuance of the
quantity of cattle
lost or by wild animal
expenditure upon destitute
travelers, fees paid to
those who encounter & take
care of the cattle in the district.

12-3-06

17-12-06

9-4-07

21/12/07

18-1-08

28-3-10

29-X-X

13-7-12

2/9/05

13/3/04

10-12-17

1-1-18

21-5-11

11-7-22

8-5-23

25-1-24

13-1-27

2-3-17