

(1) Number of pages 26
(2) Date of repair 22-4-41
(3) Initials of the Referencer +

MADRAS RECORD OFFICE.

Government of Madras.

Industrial DEPARTMENT.

G.O. No. <u>881</u>	Press <u>Mis.</u>
Dated <u>27-4-</u>	18 <u>95</u>

Not to be folded or roughly handled

BACK PAPERS.

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

FURTHER PAPERS.

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

27TH APRIL 1895, No. 881, JUDICIAL.

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—again the following paper:—

G.O., dated 2nd June 1894, No. 1338, Judicial.

ABSTRACT.—Authorizing the Commissioner of Police, Madras, to exercise the powers conferred upon a Presidency Magistrate by section 155 of the Code of Criminal Procedure in respect of such non-cognizable cases as may be referred to him for investigation by Government.

READ—also the following paper:—

From Colonel H. W. H. COX, Commissioner of Police, to the Chief Secretary to Government, dated Madras, 16th March 1895, No. 23.

Recently the Ordnance Officer in charge of the Madras Arsenal, the Presidency Postmaster, the Superintendent, Government Press, the Secretary to the Commissioner for Public Examinations and the Surgeon-General with Government applied for police assistance, which I was unable to accord, as the offences alleged were non-cognizable.

2. The three first I referred to a magistrate, but advised the two last to address Government with a view to the necessary authorisation to investigate being obtained.

3. I think that all servants of Government are, in their official capacities, entitled to the promptest police assistance.

4. It is frequently desirable that the publicity inseparable from a formal complaint to a magistrate should be avoided, while an application to Government involves a loss of time which is occasionally a matter of serious importance.

5. Under these circumstances I have the honour to request that Government will be pleased, under section 7, Madras Act III of 1888, to authorize me to order the police to investigate any non-cognizable offence upon complaint made to me by a Government official in his official capacity.

ORDER—dated 27th April 1895, No. 881, Judicial.

In exercise of the power conferred upon him by section 7 of the Madras City Police Act, 1888, and in extension of G.O., dated 2nd June 1894, No. 1338, Judicial, the Governor in Council is pleased to authorize the Commissioner of Police, Madras, to exercise the powers now conferred upon a Presidency Magistrate by section 155, Criminal Procedure Code, in respect of such non-cognizable cases as may form the subject of a complaint made to him by a Government servant in his official capacity.

(True Extract.)

To the Commissioner of Police, Madras.

Chief Secretary.

Ed. A. Raitt.

Gobt. of {1895} Madras
JUDICIAL.

Issued.

Recd.

Encl.

G.O., 27th April 1895, No. 881.

APRIL.

Commissioner of Police Madras.

Authorizing the — to exercise the powers conferred upon a President Magistrate by section 155, Criminal Procedure Code, in respect of such non-cognizable offences as may form the subject of complaint made by a Government servant in his official capacity.

First copy sent to Press.

Returned for signature.

Despatched in print.

READ AGAIN G.O. No.
189

DAIRY

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF THE GOVT.

ORDER OF GOVERNMENT

STATEMENT WITH NOTES

TO BE FORWARDED TO THE GOVT. BY THE
IN ORIGINAL

NUMBER OF COPIES
REQUIRED.

Order complete.
Letter only.
Order complete with Letter.

And Page
To be Noted
To be Printed
To be Filed

5-9-11

16-1-15

408

Chad - open the following paper

2ND JUNE 1894, No. 1338, JUDICIAL.

16/1/15

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

READ—again the following paper:—

G.O., dated 15th July 1893, No. 1443, Judicial.

ABSTRACT.—Communicating to the Honorable the Judges of the High Court and certain officers letter from the Government of India considering it undesirable to have a general Act regulating Police procedure in Presidency towns, and declaring that the Commissioner of Police, Madras, shall not, in his capacity as a Presidency Magistrate, exercise any of the powers conferred upon Presidency Magistrates by sections 155 and 911 of the Code of Criminal Procedure.

READ—also the following paper:—

From Colonel H. W. H. COX, Commissioner of Police, Madras, to the Chief Secretary to Government, dated Madras, 11th May 1894, No. 58.

I have the honour to request that Government will be pleased to empower me to exercise the power of a Presidency Magistrate under section 155, Criminal Procedure Code, in respect of such non-cognizable offences as may be referred to me for investigation by Government, officially or demi-officially.

ORDER—dated 2nd June 1894, No. 1338, Judicial.

In exercise of the power conferred upon him by section 7 of the Madras City Police Act, 1888, and in modification of G.O., dated 15th July 1893, No. 1443, Judicial, the Governor in Council is pleased to authorize the Commissioner of Police, Madras, to exercise the powers conferred upon a Presidency Magistrate by section 155, Code of Criminal Procedure, in respect of such non-cognizable cases as may be referred to him for investigation by Government.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Commissioner of Police, Madras.

Ed. J. Harrison

Gobt. of {1894} Madras.
JUDICIAL.

Issued
Recd. Encl.

G.O., 2nd June 1894, No. 1338.

JUNE

Non-cognizable Cases.

Authorizing the Commissioner of Police, Madras, to exercise the powers conferred upon a District Magistrate by section 13 of the Code of Criminal Procedure in respect of such cases as may be referred to him for investigation by Government.

1338/94

No. 1338: 2 June 94 a/c 855
Papers 7

UNDER SECRETARY
16 MAR 95
PUBLICITY DEPT.

From
The Commissioner of Police,
Madras,
To The Chief Secretary to Govt.,
Fort St George,

No. 23.
Dated 16 March 95.
Recd.
24/3

Non-cognizable Offences.
Requesting to authorize
Commr. of Police to order
the investigation by
Police of — upon
complaints made to him
by Government officials
in their official capacity.

24/3
25/3
26/3
27/3
28/3
29/3
30/3
31/3
1/4
2/4
3/4
4/4
5/4
6/4
7/4
8/4
9/4
10/4
11/4
12/4
13/4
14/4
15/4
16/4
17/4
18/4
19/4
20/4
21/4
22/4
23/4
24/4
25/4
26/4
27/4
28/4
29/4
30/4
1/5
2/5
3/5
4/5
5/5
6/5
7/5
8/5
9/5
10/5
11/5
12/5
13/5
14/5
15/5
16/5
17/5
18/5
19/5
20/5
21/5
22/5
23/5
24/5
25/5
26/5
27/5
28/5
29/5
30/5
31/5
1/6
2/6
3/6
4/6
5/6
6/6
7/6
8/6
9/6
10/6
11/6
12/6
13/6
14/6
15/6
16/6
17/6
18/6
19/6
20/6
21/6
22/6
23/6
24/6
25/6
26/6
27/6
28/6
29/6
30/6
1/7
2/7
3/7
4/7
5/7
6/7
7/7
8/7
9/7
10/7
11/7
12/7
13/7
14/7
15/7
16/7
17/7
18/7
19/7
20/7
21/7
22/7
23/7
24/7
25/7
26/7
27/7
28/7
29/7
30/7
31/7
1/8
2/8
3/8
4/8
5/8
6/8
7/8
8/8
9/8
10/8
11/8
12/8
13/8
14/8
15/8
16/8
17/8
18/8
19/8
20/8
21/8
22/8
23/8
24/8
25/8
26/8
27/8
28/8
29/8
30/8
31/8
1/9
2/9
3/9
4/9
5/9
6/9
7/9
8/9
9/9
10/9
11/9
12/9
13/9
14/9
15/9
16/9
17/9
18/9
19/9
20/9
21/9
22/9
23/9
24/9
25/9
26/9
27/9
28/9
29/9
30/9
31/9
1/10
2/10
3/10
4/10
5/10
6/10
7/10
8/10
9/10
10/10
11/10
12/10
13/10
14/10
15/10
16/10
17/10
18/10
19/10
20/10
21/10
22/10
23/10
24/10
25/10
26/10
27/10
28/10
29/10
30/10
31/10
1/11
2/11
3/11
4/11
5/11
6/11
7/11
8/11
9/11
10/11
11/11
12/11
13/11
14/11
15/11
16/11
17/11
18/11
19/11
20/11
21/11
22/11
23/11
24/11
25/11
26/11
27/11
28/11
29/11
30/11
31/11
1/12
2/12
3/12
4/12
5/12
6/12
7/12
8/12
9/12
10/12
11/12
12/12
13/12
14/12
15/12
16/12
17/12
18/12
19/12
20/12
21/12
22/12
23/12
24/12
25/12
26/12
27/12
28/12
29/12
30/12
31/12

Enclosed -
The appended highly desirable
proposal. The power of the Commissioner
of Police to direct investigation into
non-cognizable cases (under) Cr. P.C. 813-5
was prohibited by para 2 of G.O. 15 July
1893 No. 1338. It was however (under the last para
of para 1 of G.O. 20 July 1892 No. 1326) it
was thought expedient to give him this
power, when he was by law incapacitated
from taking cognizance of such cases. -
G.O. 2 June 1894 No. 1338 (herein modified)
is now.
This is an opportunity for directing Govt.
of the City which it is thought might well
be left to the discretion of the Commissioner.
He will not be too ready to throw work on
his subordinates by a lavish use of the
power of investigation.

Jobs filed in Gov. 881 Judicial. 927.4.95

CONFIDENTIAL.

No.

From

to Surgeon General.

Dated 14 March 1895.

FOR ORDERS.

* I am sure that it shall
all come by special
delivered by hand & speed
it at once

to Court -
as proposed

This confidential current was received
on the afternoon's paper & handed over to
me by the Chief Secretary at the time.
The Surgeon General submits a petition
received from a Virageha Madali living
in Chintadripet, pointing out a fraud
going on at the women & children's
hospital & asking Post to meet an
enquiry by the Commissioner of Police.
The nature of the fraud is as follows.
The contractor, one Munnani Sah,
originally submitted a tender for the
supply of the following form

Quantity	Rate	Amount
10,000	2.6	260.00

The above was found to be correct by
the principal medical officer, Dr. Hackett,
who was then in charge of the hospital.
The contractor, Munnani Sah, was then
asked to supply the material at the
rate of 2.6 per 10,000.
The contractor, Munnani Sah, was then
asked to supply the material at the
rate of 2.6 per 10,000.

literally from the original tender, & the certified extract. - The certified extract shows the rate as 8 piers, & in order to prevent the detection of the fraud, the rate in the original tender has been altered from 6 piers to 8 piers. The alteration is clearly visible & the "8." But the amount in the original tender has not been altered as well, the result is that the price total stands the entry was thus in the fraudulently altered original tender:

Material	Quantity	Rate	Amount
Sea	10,000	8 piers	R 312.8-0

The amount is thus incorrect, 10,000 lbs at 8 piers amounting to R 416. 10. 8; R 312. 8-0 being the correct total for 10,000 lbs at 6 piers. - By this device, the contractor gains a sum of R 103. 2-8 on this item.

3. The same thing is repeated at least for 7 other cases. I have a list of 7 items - and have for each about R 100 to the contractor; the following table shows the amount of the error in each case. There are probably others but I have not sufficient time to check them. I have not checked all of them, but I have checked the ones which are most likely to be fraudulent. I have not checked the ones which are most likely to be correct. I have not checked the ones which are most likely to be correct. I have not checked the ones which are most likely to be correct.

X
15

Dear Gordon
I return your note of 10th
a copy has been taken.
I have not heard what has been
result of searching the Contractors House.
He sent his Recd. Books & papers.

Yours sincerely
H. C. C.

18/3/55

new rate of 4 piers, but have enough to guard against a small price base of the rate.
that will be paid.
(9) in this case it has been substituted for "4" with the price col. (rate) & 1000 has been
altered at 1066. 10. 8 by mistake & 1166. 10. 8

No.

From

Dated

189

FOR ORDERS.

Articles	Quantity	Rate	alterd rate	Amount	Amount at alterd rate	Difference
		R ¹ R ² R ³	R ¹ R ² R ³	R ¹ R ² R ³	R ¹ R ² R ³	R ¹ R ² R ³
<u>Schedule A</u>						
Coffee plant	600 lbs.	10	10 6 ^(A)	375	392.12.0	18-12.0
Sugar cane	3000 lbs.	2	2 6 ^(A)	375	465.12.0	93-12.0
Kerosene oil	15000 bottles	1	1 6 ^(A)	112.80	165.12.0	53-2.0
<u>Schedule B</u>						
Chicken	10,000	3	3 6	1875	2186.8-0	311 8-0
Boffer white	10,000	1 1/2	2 1/2	468.12.0	781.4.0	312.8-8
Milk cows	55000 lbs.	1	4	3487.8-0	4553.6-4	1145 13 4
Feeds	10,000	6	8	312.80	416.10.8	104 2 8
Marathon exhibit	5,000	2 1/2 ⁽⁵⁾	2.4	1000	1166.10.8	166 10 8
Stress	5000 lbs.	3 1/4	3 1/2			
Total 2209 6 8						

(A) in these cases the alteration is easy, a figure being added in a column where nothing but 0's were entered before, - a not very rare case.

(B) in this case the total also has been altered in the amount column, a magnifying glass shows the change of the naked eye can see the 20 in the lower loop of the 8 in the same column, which was originally black except for the 20.

(C) here in the rate column "1" has been altered into "2" & the total has been altered in the same column from 468 to 781 but the operator has left the standing in the same column, treating it as changed to 4.

(D) in this case a "4" has been inserted in the price column under rate & the 3 in 3487 in the amount. It has been changed to 4, the total being incorrect for the new rate of 4/4, but near enough to guard against a small place here of the rate & total multiplied.

(E) in this case "4" has been substituted for "5" in the price col. (rate) & 1000 has been added at 1066.10-8, by mistake of 1166.10-8.

Ind. also
No. *21*

City Police Office.

Madras, *16th March 1893*

From

Colonel. H. H. Hoar,
THE COMMISSIONER OF POLICE,
MADRAS.

To

The Chief Secretary to Government,
Fort St. George,
Madras,

Sir,

Recently the Indian Office in charge of the Madras branch, the President, Postmaster, the Superintendent, Government Press, the Secretary to the Commissioner of Police, and the various other officers and the various other officers with Government assistance have been able to accord as much as a legal case to a Magistrate and advise the Government to address the Government to the necessary authorities to investigate the case contained.

I think that a certain amount of Government assistance is necessary in the case of the Government.

UNDER SECRETARY
16 MAR 1893
B.L.

to the promptest Police assistance.

4 — It is frequently desirable that the publicity inseparable from a formal complaint to a Magistrate should be avoided, while an application to Government involves a loss of time which is occasionally a matter of serious importance.

5 — Under these circumstances I have the honor to request that Government will be pleased, under Section 7 of the Madras Act III of 1888, to authorise me to order the Police to investigate and report on the offence upon which I have been authorised to me by a Government Officer in his official capacity.

FOR ORDERS.

The total fine to the Contractor on the 9 items pointed out is Rs 2200 & upwards. - The offence is clearly cheating - a non-cognizable offence (IPC 420); & also forgery (s. 468) - which also is non-cognizable. The Commissioner of Police is therefore unable to enquire into the case without an order of Govt. or a magistrate. It keeps matters in a state of quiet, or submission. But he may be so authorised (if he has not been allowed to do so in his office)

X.
20/1/38 Jde
84

16/1/38 85
The total amount of the entries with a magnifying glass. This cannot be the slightest doubt that alterations have been deliberately made and fraud perpetrated. The case is decidedly one for investigation by the Police though it will probably be difficult to find the names of persons concerned. Police however if instructed to proceed may be able to make out this with a view to securing the information.

one of a considerable portion of
the establishment of the W & C hospital
as well possibly of some on the strength
of the S. S. Office. There must be something
very wrong in the management of the
H. of's hospital but this can be
attended to when the Police have held
their investigations

LD
18/3/95-

From the Surgeon General.

To the Chief Secy.

No 950

Enclosure 7

14 March 1895
Recd 15 March —

Subject

Forwarding a petition
received regarding the
tenders of the women &
children hospital &
recommending that it rather
be placed in the hands of the
Commissioner of Police for
Enquiry.

(Order)

2

Referred to the Commr of
Police (in original) who will
with ref to G.O. of 22 June 1894
No 1338 just be authorized to
enquire into the non-cognizable
offences which appear to have
been committed

By 25

LD

16.3.95

Given to him in person
this morning at 11.10 am
at his office

[G.]
25.
100-21-12-94.

DEPARTMENT.

No. 1318

From

The Commr of Police, Madras

Dated 16.3.1895.

Recd G.O. of 22 June 1894 No. 1338 (W.C. & P.)

C 1318 (A)

FOR ORDERS.

Order 27 April 1895, No. 881.

In exercise of the power conferred upon
him by 87 of the Madras City Police Act
1888 and in extension of G.O. of 22 June 1894
No 1338 just, the Governor in Council is
authorizing the Commissioner of
Madras, to exercise the powers conferred
upon a Presidency Magistrate by
Act No. 1 of 1888 in respect of such non-
cognizable offences as may be brought
before him by a

This is not exactly what has been
asked for power to order the Police
to investigate - I see no objection
to the Commissioner of Police being
empowered to do so.

The Commissioner of Police has
formally power to direct the investi-
gation of non-cognizable cases, but it was
withdrawn from him by G.O. of 15 July
1893 No 1443 just because it was thought
expedient to have the power in the
hands of an officer who was himself held
incompetent to take cognizance of cases
as a Magistrate (vide para 1 of G.O. of 15 July
1893 No 1443 just). The power was
modified to previous order of July 1893 by
allowing the Commissioner to investigate
non-cognizable cases referred to him by
G.O. of 15 July 1893 No 1443 just.
He now seeks a further modification
to allow him to inquire into non-
cognizable cases "upon complaint made by
any official in his official capacity".

The course, it is submitted, is highly
desirable as it will obviate the delay
caused by a reference to G.O. & save
a good deal of unnecessary labour. It
is recommended that the power be
granted.

Enquiry into how copies
case

H.M.

Produce
 C Issues
 26.4
 (proceeding)

The following is a list of the
 as the multiple of the
 10 which was the same
 the sample results of the
 23/4/1

Page no. 3/4/1
 2

When given for copying
 copied
 examined
 When signed

191

READ AGAIN, G.O., No.
 191

CURRENT No.

ENCLOSURE TO C. No.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

LETTER WITH DEDUCTION.

LETTER WITH DEDUCTION FOR DEDUCTION

A A A A A A A

LETTER WITH DEDUCTION
 LETTER WITH DEDUCTION
 LETTER WITH DEDUCTION
 LETTER WITH DEDUCTION