BACK PAPERS.

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

FURTHER PAPERS.

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

Political (1899) Department.

CURRENT No. 1583

P.C. 7.12

CHIEF SECRETARY 5 DEC 1899 GOVERNMENT OF MADRAS

From The Resident in Travancore & Cochin

Order Misc No 7978 12.12.99.

Recorded.

Refno No. 3852

Cons. 9.12.99

8/12/99

Dated 30th December 1899 rec'd here

Received 5-12-99

Registered

Enclosures are

Spare copies

Note The arguments are not convincing but it is not clear what more can be done

Cons 7.12.99

To The Resident in T+C. (2+0)

Desp 13/12/99

SUBJECT.

Remarks copy of a Communication from the Dewan of Travancore regarding the levy of process fees from Complainants in Revenue Cases.

BACK PAPERS

G.O.	No.	Department.	Date.
S.e.	575-6	Pdl	1-9-99.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Copy of letter No.6555/J.1929 dated 16th November 1899 from the Diwan of Travancore to the Resident in Travancore and Cochin.

Page 40180 A 575 1-9-99

Adverting to the remark in para 15 of Mr.Nicholson's Review of the Administration Report for 1073, I have the honour to observe that the question of imposing court-fees in noncognizable cases formed the subject of considerable discussion when the Bill which became ~~the~~ law as court-fees Regulation I of 1062 was drafted by the High Court, and it was then distinctly affirmed that all criminal Proceedings other than complaints of criminal trespass and defamation, criminal appeals presented through Vakils, revision petitions to the High Court and complaints of disputed possession, should be left free from"any taxation whatsoever." It was even doubted whether the imposition of the proposed small fee would diminish the number of groundless complaints of trespass and of frivolous appeals and revision petitions, as it might have an injurious effect upon the moral of the people by inducing them to exaggerate their grievances in order to evade payment of fee on complaints of trespass. It was further considered inexpedient, in view of the necessity for exercising close supervision over the proceedings of the subordinate Magistracy, to minimize the facilities for the poor ventilating their grievances before the higher tribunals.

The High Court whose views have now also been invited on the subject adhere to the same opinion and observe: "On fully discussing ~~about~~ the subject and giving our most anxious considerati

to it, we have unanimously come to the conclution that the time has not yet arrived for levying such fees in this State where the majorty of the inhabitants are comparatively poor." His Highness' Government agree in this view and are persuaded that the inposition of process fees in criminal cases will operate as a hardship to the poor, while the rich may not feel the check at all. The poor will be deterred from seeking redress for injuries done to them, while the rich will continue as litigious as ever, and it seems, therefore doubtful whether the main object of suppressing frivolous and false complaints is likely to be secured. It is hoped that the general instructions which the High Court have been requested to issue in reference to the remarks in para 17 of Mr. Nicholson's Review will have the desired effect.

Sd/ K. Krishnaswamy Row,

Diwan.

(True copy)

S.T. Mackenzie

Ag Resident.

A.
CURRENT NO. 1585

Ref: on C No. 3552.

Resident's Office,

Trivandrum, 30th November 1899.

From,

G.T. MACKENZIE ESQ: I.C.S.,

Ag Resident in Travancore and Cochin.

To,

THE CHIEF SECRETARY TO GOVERNMENT,

Fort St George.

Sir,

With reference to para 3 of G.O. No. 575 Political dated 1st September 1899, I have the honour to forward herewith for the information of Government copy of letter No. 6555/J. 1929 dated 16th Instant from the Diwan of Travancore regarding the levy of process fees from complaints in noncognizable cases.

I have the honour to be,

Sir,

Your most obedient servant,

S.T. Mackenzie

Ag Resident.

When given for copying 8/12/13
When copied 189
When examined 12-12
When signed

READ AGAIN G.O., No. , DATED
189 ,

CURRENT No.

ENCLOSURES TO C. No

ORDER OF GOVERNMENT	A	A	A	A	A	A	A	
LETTER OF GOVERNMENT.								
STATEMENT WITH DITTO.								
PAPERS 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.

I
13/11/58

C.F. 73.

Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			

C.F. 73. DEPARTMENT.

Paper taken out of the Records from the charge of the Referencer.

~~Press~~
~~Miscellaneous~~ No. 209, dated 14-12-99 193 .
~~Routine~~

Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			

Rec'd 00
25-10-63

C.F. 73.

Date taken out.	For what purpose.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			

[G / 40]
5,000—13-11-99.

DEPARTMENT.

Paper taken out of the Records from the charge of the Referencer.

Press / ~~Miscellaneous~~ / Routine No. 794 dated 9-12-1899

Date taken out.	For what purpose. Department.	C. No.	Year.	Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
9-12-99	Pol	1654	99		16-1-00	
16-1-00	Pol	21	00		20/1/00	
~~5-8-09~~						
5/11/00	PD	2155 B	00		9/5/11	

[Poll. / 8]
500—15-4-98.

Political (1899) Department.

ORDINARY MS.

G.O., No. 797

DATED 12.12.99.

INDEXED.

5/12/99

11-11

[Despatch Abstract.]

Levy of Process Fees - Recording letter from the Resident in Travancore + Cochin forwarding Copy of a Communication from the Dewan of Travancore regarding the —— in non-Cognizable Cases in Travancore State.