பாதுகாப்பு பிரிவு - 1

செப்பனிடுபவர் பெயர் – ராமையஸ்தாயகி

செப்பனிடுவதற்காக எடுத்துக் கொள்ளப்பட்ட நாள் 11/2006

செப்பனிட்டு முடித்த நாள் 3/2007.

சரிபார்க்கும் முதல் மு.நி.பா.எ. கையொப்பம்

சரிபார்க்கும் 2ம் நி.பா.எ. கையொப்பம்.

ஒப்புயர்வாளர் கையொப்பம்

No. 49. Read the following Extract from the Minutes of Consultation in the Judicial Department, under date the 16th September 1857, No. 1188.

Read the following letter from the Acting Register to the Court of Foujdaree Udalut.

Submitting certain observations with reference to Extract Minutes of Consultation, dated 6th Instant, relative to the gang and highway robberies, committed in the Salem District, during the 2nd quarter of the current year. (Here enter 22d August 1857, No. 50.)

The Judges submit their observations on the letter from the Magistrate of *Salem*, which was referred for their report in Extract Minutes Consultation, No. 962, dated the 6th August.

2. The Magistrate adverted in para. 5 of his letter to the great difference, in the scale of crime, between gang robbery, with all its accompaniments of ferocity and daring, *in houses*, and gang robbery *in fields*. The object in the latter case is, generally, the carrying off of a sheep or a few sheaves of grain. The thieves come armed indeed with staves, and these weapons are exhibited or used to overawe or quell any resistance that may be offered. If the theft is effected quietly the offence is simple larceny; if otherwise, it becomes robbery, and, if two or three join in it, of course a *gang* robbery. The Judges report that they will, as suggested by *Mr. Brett* make provision, in future returns, for the two offences being entered under separate heads: and this course will give more value and accuracy to the statistics of crime.

3. In para. 10 of his letter, the Magistrate suggests certain measures for exercising a greater control on the part of the local authorities over the *Ooppoo Coravurs* and other wandering tribes. The Foujdaree Udalut object, "because it is manifest that the mere fact of the "itinerant traders being obliged to dispose of their goods at particular towns, would not secure "travellers from being waylaid by them on the high road." But the Judges appear to have overlooked the other half of the Magistrate's suggestion, which is, that the *Coravurs* shall be obliged to travel with passes, and they are of opinion that the scheme as a whole is worthy of experiment, for which *Salem*, a District at all times notorious for the periodical visits paid to it by large troops of these classes, may well be made available. *Mr. Brett* is accordingly authorized to take measures for carrying it into adoption, submitting a full and particular report, with the results, after the lapse of one year. The Government have long since expressed their unqualified opinion that the Regulations of 1816, no where limit or interfere with the ancient authority of the Provincial Police, in the matter of adopting very large powers of surveillance and restraint over the movements of these itinerant communities and other suspicious characters.

Extract Minutes Consultation, dated 31st March and 17th May 1837.
Vide Civilian's Remembrancer, part 3, p. 186, (413).

4. In para. 14, the Magistrate having incidentally alluded to the wide difference of opinion (highly favorable to the guilty) between the Magistrate and the Judge as to the persons from whom security can be legally required, the Foujdaree Udalut express their confidence, that "wherever it (security) is demanded upon really sufficient grounds, the Magistrate's order is "never set aside in appeal." To this the Government have to remark that they are not aware upon what *data* the assurance of the Court is based, while they fail at the same time to understand why the Judges in the *Mofussil* should exhibit an unfailing discrimination in their decisions on this point alone. Supposing the Judge on review to cancel the order made by the Magistrate for security, the judgment operates, as a verdict of acquittal, in the immediate discharge of the prisoner. The question is one solely for the discretion of the Judge, and the Magistrate is not at liberty (Regulation XXII. of 1802) to lodge an appeal with the higher Court. A copy of the Judge's order may reach the Foujdaree Udalut, but not the whole record, nor can such order, if it be in favor of the accused, be disturbed.

5. With reference to para. 7 of their letter, Government concur with the Court that provision cannot be made under the present system for the adjournment of the Sessions Court to *Darumpoory*.

6. The Foujdaree Udalut allude to the necessity of improving the rural Police of the several Districts, and it appears from para. 18 of his letter, that the Magistrate submitted his Report on this subject to the Board of Revenue on the 7th January last. The working of the village Police, the Government observe, has been fully discussed in Extract Minutes Consultation 6th October 1853, Revenue Department, No. 587 (2660,) when the Board was called upon to obtain from all Collectors, reports on the arrangements necessary for the reform of that body within their respective limits. These reports, when received by the Board, were to be sent up, with the Board's own remarks, to Government, without delay, *in every case within a month of their receipt.* The whole subject, under this arrangement, it was confidently hoped, would be disposed of at an early date. The Governor in Council, now resolves to enquire, through the Revenue Department, how many of these reports have been received by the Board, from what officers and at what dates, and how many of them have been submitted to Government.

C. O. Board of Revenue, 21st November 1853.

(True Extract.)

(Signed) E. MALTBY,
Acting Chief Secretary.

No. 50. ORDER THEREON, No. 998 ; dated 29th September 1857.

Ordered to be communicated to the Board of Revenue, who will be requested to supply the information required in the concluding para. of the above Minutes of Consultation.

(Signed) H. FORBES,
Acting Secretary to Government.

JUDICIAL DEPARTMENT.

No. 1188.

Extract from the Minutes of Consultation under date the 16th September 1857.

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C. O. Board of Revenue, 21st November 1853.

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(True Extract.)

Richard Rathbone

Acting Chief Secretary.

Frederick Cockerell

To the Judges of the Court of Foujdaree Udalut.
,, Revenue Department.

Exd. F. Cartledge.

No 998

Revenue 18th Sept.
Cont 29th Sept.

No 1104.

Extract from the Proceedings of the Govt. of Fort St. George in the Judicial Department.

Dated 16th September 1853.

Read the 22d ditto

Resolution in consequence of the Revenue Board having reported that they have received only 112 Collectors' reports for the month of June last, and requiring them to state from what officers the remainder are due, and at what dates, and how many of them have been submitted to Government.

Ordered that the Revenue Board be informed that they will be required to report monthly to Government the number of reports received by them from Collectors, and the dates on which they were received, and the number submitted to Government.

Ordered that a Copy of the above Minute be communicated for the information of the Board of Revenue.

(True Extract.)

R. Rathbone
Acting Chief Secretary.

Mdgpatm

Exd. F. Cartledge
29th September 1853

To the Judges of the Sudder Adawlut. Circular

No 998. 29th Sept. 53

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Revenue Department

Minutes of Consultations

29th Sept 1837

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