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Report on the Administration of Criminal Justice in the Province of Assam

During the year
1940

G-7(9)

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Report on the Administration of Criminal Justice in the Province of Assam during the year 1940.

1. **Judicial staff.**—The Judicial staff employed on criminal work in Assam during the year consisted of two Sessions Judges, one Additional Sessions Judge, one Assistant Sessions Judge, eight District Magistrates, ninety-seven Subordinate Stipendiary Magistrates and twenty-six Honorary Magistrates. Besides these, one temporary Additional Sessions Judge worked in the Assam Valley throughout the year. Three Subordinate Judges vested with the powers of an Assistant Sessions Judge were also employed, viz., one in Assam Valley throughout the year and two at Sylhet for 39 days. There was an increase of one Subordinate Stipendiary Magistrate over the number employed in the previous year; Kamrup, Lakhimpur, Goalpara and Sibsagar showing an increase and Sylhet and Nowgong a decrease in the staff. There was an increase in the number of Honorary Magistrates in Goalpara, Lakhimpur, Nowgong and Sylhet.

2. **Offences reported.**—The number of offences reported during the year combined with the number pending from the previous year was 60,993 against 57,122 in 1939. Of this number, 41,398 were under the Penal Code and 19,595 under Special and Local Laws. There was an increase in offences under the Penal Code in Lakhimpur, Goalpara, Darrang, Sibsagar, Sylhet, Cachar and Kamrup, the largest increase being in Lakhimpur, viz., 437.

3. **Cases found to be true.**—Including cases which were under enquiry at the close of 1939, 43,536 cases were accepted as true during 1940, and of these, 30,856 were brought to trial. Compared with the previous year, the figures represent an increase of 323 under the former and of 506 under the latter head.

Original Jurisdiction.

MAGISTRATES' COURTS.

4. **Cases disposed of.**—Including cases committed to the sessions, 30,100

cases were disposed of in the courts of Magistrates during the year. Of the cases disposed of, 59 were decided by District Magistrates, 27,364 by Subordinate Stipendiary Magistrates, 2,517 by Honorary Magistrates and Benches and 160 by a Special Magistrate. The number of cases decided during the year was 28 more than in 1939. This increase is due to an increase in the disposals of Subordinate Stipendiary Magistrates and Special Magistrate who decided, respectively, 535 and 105 cases more than in 1939. There was, on the other hand, a decrease of 471 and 141 in the number of cases decided by the Honorary Magistrates and Benches and District Magistrates.

5. **Results of trials.**—The number of persons whose cases were decided by Magistrates was 56,011 or 2,279 more than in the previous year. Of these, 16,313 or 29·1 per cent. were convicted. The number of persons convicted in cases under the Indian Penal Code was 7,540 or 19·2 per cent. of those tried. In 1939 the percentage of such convictions was 20·7.

Of the persons acquitted or discharged, the cases of 13,632 were compounded, withdrawn, or dismissed for default. The percentage of convictions of persons actually tried was 38·5 against 40·1 in 1939.

Of the persons tried for offences under the Indian Penal Code, the cases of 11,539 were disposed of otherwise than on a trial on the merits of the case. The percentage of convictions of persons actually tried under the Penal Code was 26·9 against 28·4 in 1939.

6. **Persons awaiting trial.**—Exclusive of persons mentally incapable of standing their trial, 7,958 persons were awaiting trial at the close of the year. Of these, the cases of 1,213 persons were pending for over three, and of 238 for over six months. The number of persons in custody for over three months at the close of the year was 13 as against 39 in the previous year.

The general result of the trials before Magistrates of each class was as follows:—

Class of Magistrates.	Number of persons—		Percentage of convictions.
	Acquitted or discharged.	Convicted.	
Benches of Magistrates ..	125	19	13·2
Subordinate Stipendiary Magistrates.	37,462	14,638	34·8
Honorary Magistrates ..	1,817	1,520	45·5
Special Magistrate ..	220	77	25·9
District Magistrates ..	74	59	44·4

7. **Witnesses.**—The number of witnesses examined was 77,435 or 3,728 less than in the previous year. Of the total number of witnesses who attended, 69·9 per cent. were discharged on the first day of the trial. The total number detained for more than three days was 885 against 1,083 in the previous year. The district in which the largest percentage of witnesses was detained for more than three days was in Kamrup (4·7). All explanations of long detention of witnesses have been dealt with by the High Court.

8. **Punishment.**—Before Magistrates 3,321 persons were sentenced to imprisonment, 11,807 to fine or forfeiture, 105 to whipping and 1,176 ordered to give security.

Fine.—The aggregate of the fines imposed was Rs. 2,07,433. The amount realised, including the arrears of previous years, was Rs. 1,38,949, of which Rs. 16,205 was paid as compensation to complainants. The total amount of fines imposed and realised during the year, increased by Rs. 23,248 and Rs. 3,603, respectively. The short collection of fines was apparently due to the prevailing economic distress.

9. **Frivolous or vexatious accusations.**—The provisions of section 250 of the Code of Criminal Procedure were utilised in 40 cases. The total amount of compensation ordered to be paid by complainants to accused persons against whom they were found to have brought frivolous or vexatious accusations was Rs. 865-8. Of this amount, Rs. 765-8 was realised and paid as compensation.

COURTS OF SESSION.

10. **Cases disposed of.**—The number of cases disposed of in the courts of session was 371 against 318 in the previous year.

11. **Results of trials.**—One thousand and thirty-three persons including those whose cases were pending from the previous year, were under trial before the courts of session. Of these, 935 were tried, 2 died or escaped and 96 remained under trial at the close of the year. Of the persons tried, 488 were convicted and sentenced in the sessions court, 30 were referred for orders of the High Court and 417 were discharged or acquitted; the figures for 1939 were 450, 37 and 321, respectively.

12. **Punishment.**—Sentence of death was passed on three persons in three cases, which were referred to the High Court for confirmation. The result of these references is stated in paragraph 19 below. Twenty-four persons were sentenced in the sessions court to transportation or penal servitude. Four hundred and twenty-four persons were sentenced to various terms of imprisonment, 14 to fine or forfeiture, 5 to whipping and 58 were ordered to give security.

13. **Witnesses.**—The number of witnesses in attendance before the courts of session was 5,451. Of these, 3,325 were examined and 2,126 discharged without examination, against 3,079 and 1,724, respectively, in 1939.

Of the total number in attendance, 12 were detained for more than three days in the Assam Valley Districts and none in the Surma Valley Districts. The proportion of witnesses discharged after the third day to the total number examined was 0·3 against ·03 in the previous year in the Assam Valley and nil against ·05 in the Surma Valley. The amount paid to witnesses on account of the expenses incurred by them in attending sessions trials was Rs. 15,868 as compared with Rs. 13,343 in 1939. Rs. 256-4-6 and Rs. 274-8, respectively, were paid to jurors and witnesses discharged during the year before trial opened and on adjournment after opening.

14. No case from Assam was committed to the Original Jurisdiction of the High Court.

Appellate Jurisdiction.

15. **Appeals to the High Court.**—Twenty appeals were pending before the High Court from the previous year, 107 were preferred, and 114 were disposed of

during the year, leaving 13 pending at its close. Of the appeals preferred, 105 were from convictions by Sessions Judges and 2 by the Provincial Government. The number of persons concerned in the appeals was 217. The results of criminal appeals decided in the High Court during the year under review are shown in the following statement:—

1	Decided after admission.						8	9
	2	3	4	5	6	7		
Appeals from Magistrates acting under section 34, Criminal Procedure Code.	..	..	..	..	..	..	..	..
Appeals from Sessions Judges.	11	..	11	7	..	..	83	112
Appeals by Government	1	..	..	..	..	..	1	2
Total	..	12	..	11	7	..	84	114

16. Criminal work of the High Court.—The following statement shows in detail the criminal business which came before the High Court in its Appellate Jurisdiction during each of the past three years:—

	Brought before the Court.			Heard and determined.			Pending at the close of—		
	1938	1939	1940	1938	1939	1940	1938	1939	1940
Appeals—									
Under section 410, Criminal Procedure Code	94	99	105	105	88	112	9	21	13
Under section 417, Criminal Procedure Code .. ..	..	1	2	..	1	2	..	..	..
References—									
Under section 307, Criminal Procedure Code	9	11	17	6	15	14	4	..	3
Under section 374, Criminal Procedure Code	3	8	3	3	6	3	..	2	1
Revisions—									
Under section 435, Criminal Procedure Code	129	112	110	150	100	110	3	15	15
Under section 438, Criminal Procedure Code	48	31	55	50	29	59	7	9	5
Under section 476, Criminal Procedure Code	3	..	2	3	..	2	..	..	..
Under section 526, Criminal Procedure Code	5	13	10	5	12	9	..	1	2

17. Appeals to Courts of Session.—The number of appeals disposed of in the courts of session was 1,333 against 1,068 in the previous year. There were 2,276 persons concerned in these appeals. The appeals resulted in confirmation of the original sentence in 1,508 instances or 66·3 per cent.; in modification in 385 instances or 16·9 per cent.; and in

reversal in 376 instances or 16·5 per cent. The cases of 7 persons were otherwise disposed of.

18. Appeals to Magistrates.—In the courts of District Magistrates 117 appeals of 251 persons were disposed of during the year. Of the persons concerned, 142 or 56·5 per cent. were altogether unsuccessful, 87 or 34·7 per cent. obtained a reversal and 12 or 4·8 per cent. a modification of their original sentences. The cases of 10 persons were otherwise disposed of.

The proportion of appellants completely or partially successful to the number whose appeals were heard by Sessions Judges and District Magistrates was 33·7 and 43·4 per cent., respectively, against 31·3 and 40·6 in the previous year.

Reference and Revision.

I—HIGH COURT.

19. Three references under section 374 of the Code of Criminal Procedure for confirmation of death sentences were

made to the High Court during 1940 and one was pending at the opening of the year. Three cases in which three persons were concerned were decided during the year. One of the accused persons was sentenced to death and two to transportation or penal servitude. Twenty-five cases of revision were pending from the previous year and 177 cases were filed

during the year. Of these, 180 were disposed of, leaving 22 cases undecided at the end of the year.

II—COURTS SUBORDINATE TO THE HIGH COURT.

20. **Sessions Courts.**—The number of applications for revision disposed of in the courts of session was 402 against 423 in the previous year. In these cases, 1,570 persons were implicated. The orders of the lower courts were affirmed in the cases of 1,366 persons, and reversed in the cases of 3 persons. The cases of 201 persons were otherwise disposed of.

21. **Magistrates' Courts.**—In the courts of the District Magistrates 220 applications were decided during the year. The number of persons concerned in these cases was 676. The orders of the lower courts were affirmed in the cases of 498 persons and reversed in those of 9 persons. The cases of 169 persons were otherwise disposed of.

22. **Receipts and charges.**—The charges in the criminal courts amounted to Rs. 6,21,156 and the receipts to Rs. 2,89,243. Compared with the figures of 1939, the charges show an increase of Rs. 1,251 and the receipts a decrease of Rs. 14,287.

The increase in expenditure was principally under the head "Other contingencies and refunds". The decrease in receipts occurred chiefly under the head "Other receipts credited to Government".

23. **General.**—(a) The number of offences reported during 1940 stood at 60,993 which is 3,871 more than in 1939 and 5,615 more than in 1938. The number of cases disposed of in the courts of Magistrates rose from 29,684 in 1938 and 30,072 in 1939 to 30,100 in 1940. There has been a gradual fall in the percentage of convictions of persons actually tried during the last three years; the figures being 42.5 in 1938, 40.1 in 1939 and 38.5 in 1940. The cases of 13,632 persons were compounded, withdrawn or dismissed for default in 1940; the figures for 1938 and 1939 were 13,896 and 12,593, respectively.

(b) The total amount of fines realised rose by about Rs. 3,600 as compared with the figure for 1939 which was less than that of 1938 by about Rs. 900.

(c) The number of cases disposed of in the courts of session during 1940 was 371 which is 53 more than in 1939 and 14 more than in 1938. The percentage of convictions which had risen from 49.9 in 1938 to 58.4 in 1939, fell to 53.9 in 1940.

(d) The number of appeals disposed of in the courts of session rose from 1,128 in 1938 and 1,068 in 1939 to 1,333 in 1940. About 66 per cent. as against 69 in 1939 of the appeals resulted in confirmation of the original sentences and the sentences of the rest were either modified, reversed or otherwise disposed of. Compared with the figures for 1939, appeals to Magistrates show a lower percentage of sentences being upheld and a higher percentage of sentences reversed.

(e) The number of applications for revision disposed of in the courts of session fell from 466 in 1938 and 423 in 1939 to 402 in 1940, while those heard by Magistrates rose from 166 in 1938 and 147 in 1939 to 220 in 1940.

(f) The total number of witnesses examined in the Magistrates' and sessions courts during the year under report fell by 3,482 as compared with the figure for 1939, which was more than that of 1938 by 2,920. There was a gradual fall in the number of witnesses detained over three days during the last three years, the figures being 1,142 in 1938, 1,085 in 1939 and 897 in 1940.

(g) Charges rose by about Rs. 1,250 as compared with those for 1939 and fell by over Rs. 9,000 as compared with those for 1938. Receipts decreased by nearly Rs. 14,300 as compared with the figure for 1939 and by about Rs. 24,150 when compared with that for 1938.

Shillong Division.

24. The number of offences reported during the year, combined with the number pending from the previous year, was 709 as against 721 in 1939. Of this number, 408 were under the Indian Penal Code and 301 under Special and Local Laws. Of the total number of cases under enquiry, 611 were found to be true, and of these 487 were brought to trial. During the year, 447 cases were decided in the Magistrates' courts

and 40 remained pending at its close. One case was decided in the sessions court. The number of witnesses examined was 503 and none was detained for more than three days.

There were 550 persons under trial in the Magistrates' courts. The cases of 508 persons were decided, 10 died or escaped and 32 remained under trial at the close of the year. Of the persons tried, 173 were acquitted or discharged and 335 were convicted. The case of one person in the sessions court ended in acquittal. All the appeals and motions filed during the year have been disposed of.

The total amount of fines imposed was Rs. 4,147. Rs. 1,635-8 was realised, of which Rs. 136-8 was paid as compensation to complainants.

The charges in the criminal courts amounted to Rs. 533 and the receipts to Rs. 4,732-2.

By order of the High Court,

T. H. ELLIS,

Registrar, Appellate Side.

Imperial Statements (Criminal), Assam, 1940

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Imperial Statements (Criminal), Assam, 1940

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Imperial Statements (Criminal), Assam, 1940

ANNUAL STATEMENT 1—(Criminal).

[Revised to conform with the Government of India revised tables Nos. 25 and 26.]

Number of Judicial Divisions, and number of officers exercising Appellate or Original Jurisdiction, in the Province of Assam, on 31st December, 1940, and number of cases decided in, and receipts and charges of, the Criminal Courts during that year.

Districts.	Judges of Chief Court of Province.	Number of Sessions Divisions.	Number of Districts.	Sessions Judges.	Other Judges.	District Magistrates.	Other Magistrates.		Number of criminal cases decided.				Total receipts of courts.	Total charges of courts.	
							Stipendiary.	Honorary.	Original.		Appellate.				
									Regular.	Miscellaneous.	Regular.	Miscellaneous.			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	
														Rs.	Rs.
Assam Valley—															
Darrang	}	1	1	2*	2*	1	5	4	2,333	111	118	18	14,930	41,695
Goalpara						1	9	2	2,321	126	71	40	20,155	55,863
Kamrup						1	10	2	2,413	185	122	48	23,402	60,282
Lakhimpur						1	29	6	4,271	136	290	32	36,890	46,449
Newgong						1	5	5	2,766	211	86	26	14,512	39,441
Sibsagar						1	12	3	4,500	165	174	56	29,537	98,727
Total		1	1	2	2	6	70	22	18,604	934	861	220	1,39,426	3,42,457
Surma Valley—															
Cachar	}	1	1	2*	2*	1	5	..	1,744	130	114	63	20,700	58,125
Sylhet						2	21	4	10,123	630	475	339	1,29,117	2,20,574
Total		1	1	2	2	3	26	4	11,867	760	589	402	1,49,817	2,78,699
High Court	17	..	114	171	..	..
GRAND TOTAL		2	2	4	4	9	96	26	30,488	1,694	1,564	793	2,89,243	6,21,156

*Do both Civil and Criminal work.

ANNUAL STATEMENT 2—(Criminal).

Nature of offences reported and number of persons tried, convicted and acquitted in the Province of Assam in the year 1940.

Description of offences.	Number of cases.			Number of persons.				
	Offences reported.	Returned as true.	Brought to trial.	Under trial, including pending from previous year.	Acquitted or discharged.	Convicted.	Died, escaped or transferred to another province.	Remaining under trial.
1	2	3	4	5	6	7	8	9
Against the State	1	1	1	1	..	1	..	..
Relating to Army and Navy .. ..	..	..	..	..	..	..	..	..
Against public tranquillity	1,598	966	744	5,662 ^a	3,143	1,407	3	1,109
By or relating to public servants	13	7	7	9	..	5	1	3
Contempts of the lawful authority of public servants	793	623	555	992	480	395	1	116
False evidence and offences against public justice	286	214	179	297	138	123	..	36
Relating to coin	20	10	11	19	3	7	..	9
Relating to Government stamps	7	5	4	4	..	4	..	..
Relating to weights and measures	25	23	18	26	5	10	..	2
Affecting the public health, safety, convenience, decency and morals	254	199	161	205	69	121	..	15
Relating to religion	10	7	6	25	16	2	..	7
<i>Affecting the human body.</i>								
Affecting life	441	334	263	565	236	204	1	124
Causing miscarriage, injuries to unborn children, exposure of infants and concealment of birth	13	10	9	15	11	4	..	..
Hurt	5,716	4,159	3,124	8,200	5,926	1,028	7	1,239
Wrongful restraint and wrongful confinement	1,193	611	462	1,407	1,140	104	..	163
Criminal force or assault	3,460	2,309	1,949	4,690	3,329	802	2	557
Kidnapping, forcible abduction, slavery and forced labour	673	349	261	618	485	48	3	82
Rape	29	16	16	35	20	8	1	6
Unnatural offence	18	12	7	8	4	4	..	..
<i>Against property.</i>								
Theft	9,828	6,929	3,718	8,438	5,525	1,544	4	1,365
Extortion	108	50	53	137	106	1	..	30
Robbery and dacoity	116	72	44	151	108	18	..	25
Criminal misappropriation	251	181	155	231	168	36	..	27
Criminal breach of trust	867	520	450	634	458	84	..	92
Receiving stolen property	599	505	412	803	346	351	6	100
Cheating	791	492	442	642	486	76	..	80
Fraudulent deeds and disposition of property	32	20	22	50	39	7	..	4
Mischief	2,992	2,107	1,716	4,089	2,993	452	..	644
Criminal trespass	9,399	6,870	3,414	7,351	5,610	980	8	753
Relating to documents and to trade or property marks	53	25	19	45	34	3	1	7
Criminal breach of contracts of service	2	2	2	2	2	..	..	..
Relating to marriage	1,242	494	524	976	762	92	..	122
Defamation	267	123	99	246	196	5	..	45
Criminal intimidation, insult and annoyance ..	301	180	168	268	206	47	..	15
Under special and local laws	19,595	15,111	11,841	18,205	8,082	8,831	9	1,283
Total	60,993	43,536	30,856	65,046	40,126	16,813	47	8,060

ANNUAL STATEMENT 3—(Criminal).

General Results of Trials of Criminal Cases in the Province of Assam in the year 1940.

Class of Tribunal.	Number of offences reported.	Number of persons under trial.	Persons whose cases were disposed of—				Persons remaining under trial at the end of the year.
			Discharged or acquitted.	Convicted.	Committed or referred.	Died, escaped or transferred to another province.	
1	2	3	4	5	6	7	8
I.—MAGISTRATES.							
Special Magistrates under section 14		471	220	77	35	..	139
Subordinate Magistrates—							
Honorary Magistrates sitting singly—							
Second and Third Class		2,193	1,012	1,002	..	..	179
First Class		1,471	805	518	5	1	142
Stipendiary Magistrates sitting singly—							
Second and Third Class		2,976	1,878	708	..	3	387
First Class—							
Under ordinary powers	60,993	57,459	35,584	13,930	832	41	7,072
Under special powers under section 34 .. ..		..	..	..	..	..	..
Benches of Magistrates		171	125	19	..	..	27
District and Divisional Magistrates—Cases referred under sections 347 and 349 .. ..		..	..	..	..	..	..
Chief Magistrates of districts—							
Under ordinary powers		155	74	59	10	..	12
Under special powers under section 34 .. ..		..	..	..	..	..	..
Total ..	60,993	64,896	39,698	16,313	882	45	7,958
II.—COURTS OF SESSION.							
Assistant Judges		153	84	45	..	1	23
Judges and Additional Judges		880	333	443	30	1	73
Total ..	..	1,033	417	488	30	2	96
III.—HIGH COURT GENERAL JURISDICTION.							
HIGH COURT.							
Cases coming before the Court under section 526, Cr. P. C. .. ..		..	..	..	..	..	..
Cases committed under Act XIV of 1908 .. ..		..	..	..	..	..	..
Cases committed under section 447, sub-section (2), Cr. P. C. .. ..		..	..	..	..	..	..
Cases referred by Sessions Judges under section 307, Cr. P. C.		(a)26	11	9	..	..	5
Cases referred by Sessions Judges under section 374, Cr. P. C.		4	..	3	..	..	1
Total ..	..	30	11	12	..	..	6
GRAND TOTAL ..	60,993	65,959	40,126	16,813	912	47	8,060

(a) Includes one person in one case in which High Court ordered retrial.

ANNUAL STATEMENT 4—(Criminal).

Punishments inflicted in Criminal Cases in the Province of Assam in the year 1940.

Class of Tribunal.	Number of persons executed.	Number of persons sentenced to—							Total amount of fines—			Number of persons sentenced to imprisonment of—				
		Death.	Transportation or penal servitude.	Imprisonment.	Fine or forfeiture.	Whipping.	Give security.	Fine of—		Imposed.	Realised.	Paid as compensation.	Fifteen days and under.	Above fifteen days to six months.	Above six months to two years.	Above two years.
								Rupees 10 and under.	Over Rs. 10.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
I.—MAGISTRATES.																
Special Magistrates under section 14	29	49	1	..	20	29	Rs. 1,967	Rs. 1,367	Rs. 237	2	22	5	..
Subordinate Magistrates—																
Honorary Magistrates sitting singly—																
Second and Third Class	8	910	..	..	855	55	3,874	2,760	202	1	7	..	..
First Class	30	477	1	..	414	63	2,610	2,069	407	4	23	3	..
Stipendiary Magistrates sitting singly—																
Second and Third Class	15	688	..	..	544	144	5,764	4,099	596	3	12	..	..
First Class—																
Under ordinary powers	3,236	9,619	101	775	5,577	4,042	1,92,259	1,28,012	14,651	236	1,935	1,065	..
Under special powers under section 34
Benches of Magistrates	19	..	..	18	1	108	111	32	..	..	..	..
District and Divisional Magistrates—Cases referred under sections 347, 349
Chief Magistrates of districts—																
Under ordinary powers	3	45	2	1	9	36	851	531	80	..	2	1	..
Under special powers under section 34
Total	3,321	11,807	105	1,176	7,437	4,370	2,07,433	1,38,949	16,205	246	2,001	1,074	..
II.—COURTS OF SESSION.																
Assistant Judges	45	3	..	..	..	3	150	..	..	..	8	18	19
Judges and Additional Judges	24	379	11	5	58	..	11	945	180	..	7	42	129	201
Total	24	424	14	5	58	..	14	1,095	180	..	7	50	147	220
III.—HIGH COURT GENERAL JURISDICTION.																
HIGH COURT.																
Cases coming before the Court under section 526, Cr. P. C.
Cases committed under Act XIV of 1908
Cases committed under section 447, sub-section (2), Cr. P. C.
Cases referred by Sessions Judges under section 307, Cr. P. C.	2	7	..	..	..	..	..	..	..	..	..	..	4	3
Cases referred by Sessions Judges under section 374, Cr. P. C.	1	2	..	..	..	..	..	..	..	..	..	..	..	..	..
Total	1	4	7	..	..	..	..	..	..	..	..	..	..	4	3
GRAND TOTAL	1	25	3,752	11,821	110	1,234	7,437	4,384	2,08,528	1,39,129	16,205	253	2,051	1,225	223

ANNUAL STATEMENT 5—(Criminal).

General Results of Appeals and Revisions in the Province of Assam during the year 1940.

Class of Tribunal.	Number of persons.							
	Number of appellants and applicants for revision before the Courts.	Appeals or applications rejected.	Sentence or order confirmed.	Sentence altered.	Sentence reversed.	Otherwise disposed of.	Died, escaped or transferred to another province.	Pending trial.
1	2	3	4	5	6	7	8	9
APPEALS.								
To District Magistrates from Subordinate Magistrates	306	76	66	12	87	10	..	55
To Courts of Session from—								
Magistrates	2,382	821	675	385	376	7	..	118
Assistant Judges	18	11	1	..	..	..	..	6
To Superior Courts—								
By persons convicted—								
Magistrates acting under section 34, Cr. P. C. .. .. .	..	..	..	..	..	..	..	..
Sessions Judges	215	131	16	31	15	1	..	21
By Government from judgments of acquittal, section 417 from all courts..	2	1	1	..	..	..	..	..
Total ..	2,923	1,040	759	428	478	18	..	200
REVISION.								
By District Magistrates of order of Subordinate Magistrates	699	258	240	..	9	169	..	23
By Courts of Session of order of Magistrates ..	1,628	615	751	..	3	201	..	58
By High Court (cases referred for orders under sections 432, 438) of order of Magistrates ..	197	..	31	8	30	92	..	36
By High Court (cases dealt with under section 435) of order of—								
Magistrates	19	14	..	..	3	..	..	2
Courts of Session	394	238	41	22	25	18	..	50
Total ..	2,937	1,125	1,063	30	70	480	..	169
GRAND TOTAL ..	5,860	2,165	1,822	458	548	498	..	369

Criminal business coming before the High Court from the Province of Assam in 1940.

Description of cases.	Remaining from 1939.	Filed in 1940.	Disposed of in 1940.	Remaining at the close of 1940.
1	2	3	4	5
ORIGINAL CRIMINAL JURISDICTION.				
<i>Sessions Cases.</i>				
Cases under section 526, Criminal Procedure Code ..	..	..	..	..
Cases committed under section 447, sub-section (2), Criminal Procedure Code .. .. .	..	..	..	..
Cases committed under Act XIV of 1908 .. .. .	..	..	..	..
Total ..	..	..	..	..
APPELLATE JURISDICTION.				
<i>Appeals.</i>				
By persons convicted—				
Magistrates acting under section 34, Criminal Procedure Code ..	..	..	..	..
Sessions Judges	20	105	112	13
By the Provincial Government—				
From judgments of acquittal of all Courts .. .. .	..	2	2	..
Total ..	20	107	114	13
<i>References.</i>				
Cases in which the Sessions Judge dissented from the verdict of a Jury and referred under section 307, Criminal Procedure Code ..	..	17	14	3
Cases in which sentences of death passed by the Sessions Judge were referred for confirmation under section 374, Criminal Procedure Code, and section 4 of Act XXII of 1860 ..	1	3	3	1
Cases in which proceedings held against persons who cannot understand them were referred for orders under section 341, Criminal Procedure Code .. .. .	..	..	..	..
Total ..	1	20	17	4
<i>Revisions.</i>				
Cases referred for revision by District Magistrates and Sessions Judges under section 438, Criminal Procedure Code ..	9	55	59	5
Cases dealt with by the Court under section 435, Criminal Procedure Code, and under section 15 of the Charter Act—				
(1) Cases decided by Magistrates	2	8	8	2
(2) Cases decided by Sessions Judges	13	102	102	13
Cases under sections 195 and 476, Criminal Procedure Code ..	..	2	2	..
Cases dealt with under section 526, Criminal Procedure Code ..	1	10	9	2
Total ..	25	177	180	22
Full Bench Reference
Miscellaneous orders in Court	3	3	..
Total	3	3	..

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B

Results by districts of all cases reported to the Courts in 1940.

Divisions.	Districts.			Offences reported to the Courts.	Cases in which complaint was dismissed under section 203, Cr.P.Code.	Other cases struck off as false.	Cases accepted as true.	Cases brought to trial.	Persons—	
									Acquitted or discharged.	Convicted.
1	2			3	4	5	6	7	8	9
Assam Valley	Darrang ..	..	..	4,595	695	209	3,182	2,235	2,380	1,213
	Goalpara ..	..	..	5,923	592	32	4,344	2,377	2,808	1,575
	Kamrup ..	..	..	8,053	539	46	6,055	2,455	3,379	1,575
	Lakhimpur ..	..	..	7,175	977	1,168	4,842	4,181	2,624	3,072
	Nowgong ..	..	..	4,977	709	53	3,999	2,805	4,580	930
	Sibsagar ..	..	..	8,126	1,585	111	5,210	4,503	4,349	2,378
	Total ..			38,840	5,097	1,619	27,632	18,556	20,120	10,743
Surma Valley	Cachar ..	..	..	3,346	548	24	2,369	1,824	2,669	846
	Sylhet ..	..	..	18,798	3,014	103	13,535	10,476	17,337	5,224
		Total ..			22,144	3,562	127	15,904	12,300	20,006	6,070
	GRAND TOTAL ..			60,993	8,659	1,746	43,536	30,856	40,126	16,813
	GRAND TOTAL FOR 1939 ..			57,122	7,060	1,400	43,213	30,350	37,568	16,968

C

Statement showing the number of witnesses in attendance, the time for which they attended, the number examined, and the amount paid as expenses of witnesses in the Courts of Session and Courts of Magistrates in 1940.

Divisions.	Districts.	Courts of Session.							Courts of Magistrates.						
		Number of witnesses discharged—				Total in attendance.	Number examined.	Amount paid as expenses.	Number of witnesses discharged—				Total in attendance.	Number examined.	Amount paid as expenses.
		On the first day.	On the second day.	On the third day.	After the third day.				On the first day.	On the second day.	On the third day.	After the third day.			
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
								Rs.							Rs.
Assam Valley.	Darrang	381	36	25	..	442	324	1,616	4,110	1,289	513	67	5,979	5,491	8,315
	Goalpara	492	94	16	..	602	340	1,998	4,296	1,309	440	77	6,122	4,566	9,044
	Kamrup	512	109	41	12	674	355	2,108	5,264	2,122	977	417	8,780	6,559	10,466
	Lakhimpur	502	77	8	..	587	408	2,108	6,879	3,271	529	110	10,789	8,279	15,327
	Nowgong	531	103	3	..	637	342	591	3,823	1,698	624	92	6,237	4,992	5,103
	Sibsagar	279	139	17	..	435	316	1,302	9,415	2,891	907	50	13,263	9,976	13,828
	Total	2,697	558	110	12	3,377	2,085	9,723	33,787	12,580	3,990	813	51,170	39,833	62,083
Surma Valley.	Cachar	249	50	..	..	299	184	413	5,851	1,521	261	38	7,671	5,770	2,456
	Sylhet	1,542	219	14	..	1,775	1,056	5,732	33,188	9,631	2,516	34	45,369	31,802	20,121
	Total	1,791	269	14	..	2,074	1,240	6,145	39,039	11,152	2,777	72	53,040	37,572	22,577
	GRAND TOTAL ..	4,488	827	124	12	5,451	3,325	15,868	72,826	23,732	6,767	885	1,04,210	77,435	84,660
	GRAND TOTAL FOR 1939 ..	3,720	937	144	2	4,803	3,079	13,343	75,687	25,564	6,549	1,083	1,08,883	81,163	75,301

