

OFFICE OF THE CHIEF MINISTER  
PUDUCHERRY  
No: 3402  
Received on: 7.11.16  
Despatched on: 9.11.16

**CONFIDENTIAL**



GOVERNMENT OF PUDUCHERRY  
LT. GOVERNOR'S SECRETARIAT

OFFICE OF THE DGP  
PUDUCHERRY  
No. 5466/CR  
07/11/2016  
Date: 10.11.2016

OFFICE OF THE  
SUPDT. OF POLICE (EAST)  
No. LGS/2016/MN/02  
No. 4740/SVC/22/12  
Date: 18/11/16

MENTORING NOTE

In the recent past, proposals seeking grant of sanction for filing of appeal against the acquittal orders of trial courts have been received by this office from Home Department, after lapse of statutory time limit. Careful examination of these proposals show that avoidable delays had occurred at various levels and the proposals were kept pending in the Office of the then Chief Minister for years together. The concerned files were returned to the Home Department by the Office of the then Chief Minister without any remarks by the then Chief Minister and also without submitting the file to the then Lt. Governor. After assumption of the new Government, the proposals have been submitted through Hon'ble Chief Minister to this Office. Accordingly, approvals were granted to file appeal along with petition to condone the delay before the appellate court.

MUTHIALPET CIRCLE  
No: 1652/547/16  
Date: 19/11/16

88P (Two)  
88P (CR)  
K  
10/11

It is the statutory duty of Lt. Governor to consider and grant sanction for filing appeal against the orders of trial court under Section 378(1)(6) of Cr.PC., 1973. The alibi that the file was kept without further process at the office of the then Chief Minister is not at all acceptable, since, it is the duty of the department to track the file for timely disposal and the file is the property of the department. It is the responsibility of the Police/Home Departments to pursue the matter and to bring it to the notice of Lt. Governor, in the event of any delay. By not submitting the file to competent authority, the statutory time limit has been exceeded thus putting the Government in a serious legal disability. This should have been avoided at any cost.

Therefore, Chief Secretary and Director General of Police are requested to issue suitable directions to the officers to pursue their files at various levels and to ensure that the file reaches the Competent Authority in time. Delay, if any, should be brought to the notice of Competent Authority directly under intimation to all concerned by the departments.

Forwarded for Necessary action  
Mut. PS / Kal. PS / O.P.

INSPECTOR OF POLICE  
MUTHIALPET CIRCLE  
PUDUCHERRY

Chief Secretary to Government, Puducherry.  
Director General of Police, Puducherry

*C.S. all OAR may please be done.*  
(Dr. KIRAN BEDI)  
LIEUTENANT GOVERNOR  
7.11.2016

Copy to: Hon'ble Chief Minister, Puducherry  
All SHOs of East and  
C-2. muttialpet for n/a.  
Announcement  
18/11/16  
C.P (E)

Office of the DGP  
Puducherry  
No. 3057  
Date: 12.11.16