

Coroners Act, 1871

Chapter V - Rights and Liabilities of Coroners

Every Coroner shall be entitled to such salary for the performance of the duty of his office as is prescribed in that behalf by the State Government.

Section 37 - Disbursements to be repaid

All disbursements duly made by a Coroner for fees to medical witnesses, hire of rooms for the jury, and the like, shall be repaid to him by the State Government.

Section 38 - Power to appoint deputy

Every Coroner may from time to time, with the previous sanction of the State Government, appoint, by writing under his hand, a proper person to act for him as his deputy in the holding of inquests {The words "and such deputy shall take and subscribe, before one of the Judges of the High Court, an oath that he will faithfully discharge the duties of office" were rep.by Act 18 of 1873}.

All inquests taken and other acts done by any such deputy, under or by virtue of any such appointment, shall be deemed to be the acts of the Coroner appointing him:

Revocation of appointment.- Provided that no such deputy shall act for any such Coroner except during the illness of the said Coroner, or during his absence for any lawful and reasonable cause.

Exemption from serving on juries.- Every such appointment may at any time be cancelled and revoked by the Coroner by whom it was made.

Section 39 - Privilege from arrest

No Coroner or Deputy Coroner shall be liable to serve as a Juror.

Section 40 - Penalty for failure to comply with Act

Coroners and Deputy Coroners shall be privileged from arrest while engaged in the discharge of their official duty.

Section 41 - Penalty for failure to comply with Act

Any Coroner or Deputy Coroner failing to comply with the provisions of this Act, or otherwise misconducting himself in the execution of his office, shall be liable to such fine as the Chief Justice of the High Court, upon summary examination and proof of the failure or misconduct, thinks fit to impose.

Section 42 - Limitation of suits

No proceeding for anything done under this Act, or for any failure to comply with its provisions, shall be commenced or prosecuted {The words "after the expiration of three months from such fact or

failure nor" were rep.by Act 9 of 1871} after tender of sufficient amends.

SooperKanoon - India's Premier Online Legal Search - sooperkanoon.com