

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	239	Press ~~Mis.~~
	9-10	
Dated	26-2-	18 57.

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 3rd March 1857.

No. 9. Read the following letter from GEORGE ELLIS, Esq., Register to the Court of Sudr Udalut; to T. PYCROFT, Esq., Chief Secretary to Government, dated 10th February 1857, No. 18.

SIR,

1. I have the honor to acknowledge the receipt of Extract from the Minutes of Consultation, under date the 7th January, forwarding copies of a Dispatch from the Honorable the Court of Directors, (12 of 1856), and of a letter dated the 27th November 1856, from the Under Secretary to the Government of India, and requesting that the Court of Sudr Udalut will with reference to the remarks of the Honorable Court, re-consider the question of Establishment necessary for the new Zillah of Kurnool, and also to report, whether the Establishments of Bellary and Cuddapah can be at all reduced, in consequence of this diminution of the extent of those Districts.

2. In reply, I am desired by the Court of Sudr and Foujdaree Udalut to submit for the consideration of the Right Honorable the Governor in Council, certain Statements shewing the amount of Civil and Criminal work devolving on the Civil and Session and Subordinate Courts of Bellary and Cuddapah, and of the Courts of the Government Agency in Kurnool, during the years 1853, 1854, 1855, and the greater part of 1856, (vide Statement A)

3. From Statement B it will be seen that of the whole number of Criminal Cases committed to the Subordinate Court of Bellary during the period referred to in the foregoing para: from the Talook of Punchapollium, the annual average was little more than 27; from the Talooks of Cumbum, Doopad and Kovilgoontla, to the Subordinate Court of Cuddapah, the average was slightly above 38.

4. By the transfer of the three Talooks from the Collectorate of Cuddapah to that of Kurnool, the distribution of the District Moonsiffs of Cuddapah and Kurnool may, the Court are of opinion, be modified.

5. At present the jurisdiction of the District Moonsiff of Nossum extends over the Talook of Kovilgoontla, and part of Jummulmadoogoo; that of the District Moonsiff of Nundalumpett over one-third of Doovoor and part of Budwal that of the District Moonsiff of Cumbum over Cumbum, Doopad, and a small part of Budwal.

6. The Court of Sudr Udalut would now propose to remove the Moonsiff of Cumbum to Kurnool with jurisdiction over Cumbum, Doopad, and so much of the District of Kurnool contiguous to these Talooks as may be recommended by the local Officers, assigning the small portion of Budwal now under his jurisdiction to that of the District Moonsiff of Nundalumpett, transferring that part of Jummulmadoogoo now under the Moonsiff of Nossum, to the District Moonsiff of Doovoor, and abolishing the situation of the District Moonsiff of Nossum, whose services as will presently be stated, can with advantage be employed elsewhere.

7. Statement C shows the number of suits filed in the different Moonsiffs Court of Cuddapah above referred to, during the years 1853, 1854, 1855, and 9 months of 1856.

8. The Court of Sudr Udalut having thus represented the state of the Civil and Criminal files of the Courts affected by the new arrangement which are to be carried out, and the modifications they would propose in regard to the jurisdiction of some of the District Moonsiffs of Cuddapah, are decidedly of opinion, that the diminution of labor which will in consequence take place in the Courts of Bellary and Cuddapah, is not of such a nature as would justify them in proposing any reduction in the establishments of their respective Courts, which are hardly equal to the amount of work they are called upon to perform, and they therefore recommend that these should remain undisturbed. Nor would they at present recommend a reduction of the establishment proposed in this Court's letter of the 13th November 1854, for the new Civil and Session Court at Nundial, which it will be observed, was fixed on the lowest possible scale, viz., equal to the present 5th Class establishments assigned to some of the Civil and Session Courts, as sanctioned in Extract from the Minutes of Consultation, dated the 29th August 1843, as it is believed that by the transfer of 4 Talooks, and the arrangement proposed in a subsequent para: of reducing the powers of the present Kurnool Cases, the extent of the duties that will devolve on the new Court

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will increase and be equal to those performed in several of the present Courts, whose establishments are of the 5th Class, and have been found to be scarcely adequate to the work required of them, experience will however show whether the proposed Establishment can be eventually reduced.

9. The Judicial Establishment of Kurnool, being thus put on a different footing from the present, the Court of Sudder Udalut would propose assimilating the designation of the different Subordinate Judicial Officers employed in that District, to those employed elsewhere, as also at the same time suggesting such alterations as on consideration of the annual Civil and Criminal Statements have appeared to the Judges advisable.

10. The present Town Caze of Kurnool has the same jurisdiction in Civil and Criminal matters as the Sudder Ameens in other Zillahs; the Court of Sudder Udalut would therefore with reference to this Court's letter of the 25th July 1855, No. 67, recommend his salary which is now 122 Rupees, being raised to that of a 2nd Class District Moonsiff, with the powers and designation of a District Moonsiff.

11. The Court of Sudder Udalut would recommend the abolition of the Offices of the Cazees of Sirwall and Nundial, whose duties as may be seen by reference to Statement A, are very light, and adverting to the concluding portion of para: 4 of this letter, they would propose establishing the District Moonsiff of Nossum in the Zillah of Kurnool, giving him jurisdiction over the transferred Talooks of Punchapollum and Kovilgoontla, and the Talooks in Kurnool contiguous to them, dividing the duty which has hitherto devolved on the Cazees of Sirwall and Nundial, between him and the present Kurnool Caze; this arrangement will impose no heavier work on either of these Officers than is performed by the District Moonsiffs in other Zillahs, while at the same time, there will be a saving to Government in the reduction of expenditure, consequent on the abolition of the abovementioned situations, while their present holders could easily be provided with appointments of similar emolument under the new arrangements which are to take place.

12. The Court of Sudr Udalut would take this opportunity, with reference to para: 25 of the Proceedings of the Sudr Udalut, dated 8th July 1843, of suggesting that the establishment of the Civil and Session Court of Chicacole, which is a Court of the 3d Class, and which appears from the Statement D herewith appended, to be larger than its labors require, be reduced to that of a Court of the 5th Class, the servants thrown out of employ by such reduction might be employed in the Zillah Court to be established in the District of Kurnool.

13. The Financial results by the proposed arrangements are as follows:

Proposed Establishment for the Nundial Court	...Rupees...	653	0	0
Salary of a 2nd Class District Moonsiff		150	0	0
Establishment for do		85	0	0
	Increase.....	888	0	0
Deduct				
Establishment of the Kurnool Agent		230	0	0
Kurnool Caze's salary and Establishment		195	0	0
Sirwall do do		141	0	0
Nundial do do		97	0	0
Reduction of Chicacole Establishment		44	0	0

707 0 0

Actual Monthly Increase..... 181 0 0
or Annually Rupees..... 2,172 0 0

(Signed) GEORGE ELLIS,

Register.

Fort St. George, Judicial Consultation, 3rd March 1857.

A.

Civil.										Criminal.				
Zillah.	Courts.	Original Suits and Appeals filed &c. in								Courts.	Cases brought in			
		1853		1854		1855		For 9 months in 1856.			1853	1854	1855	For 11 months in 1856.
		O.	A.	O.	A.	O.	A.	O.	A.					
Bellary.....	Civil Court.	1	96	2	107	3	143	4	88	Session Court.	111	212	129	111
	Sub. do.	345	0	69	0	7	39	6	30	Sub. do.	196	403	451	309
	Sudr Ameen	731	0	314	0	73	0	19	0	Ameens.	114	32	13	23
	8 District Moonsiffs }	3628	0	2775	0	3686	0	3749	0					
	Total.....	4705	96	3160	107	3769	182	3778	118		421	647	593	443
Cuddapah..	Civil Court.	3	98	0	98	0	154	1	229	Session Court.	64	113	91	90
	Sub. do.	321	25	80	50	90	114	5	82	Sub. do.	194	319	258	208
	Sudr Ameen	775	0	302	0	72	0	10	0	Sudr Ameen.	80	76	56	30
	11 Dist. Moonsiffs }	6230	0	7260	0	7210	0	5954	0					
	Total.....	7329	123	7642	148	7291	268	5970	311		338	508	405	328
Kurnool ...	Agents Court.	15	15	20	21	4	37	0	0	Agents Court.	24	46	36	23
	Asst. do.	1	0	1	22	4	24	0	0	Assistant Agent.	23	57	37	14
	Sudr Ameen	130	0	175	0	251	0	0	0	Sudr Ameen or Town Caze.				
	2 District Moonsiffs }	210	0	264	0	298	0	0	0		22	19	47	17
		356	15	460	43	557	61	0	0		74	122	120	54

B.

Years.	Cuddapah.						Bellary.	
	No. of Criminal Cases before Subordinate Court.	Received from				Total.	No. of Criminal Cases before Subordinate Court.	Received from Pancha-pollem.
		Cumbum.	Doopaud.	Kovilgoontah.				
1853...	259	19	17	8	44	268		20
1854...	374	27	12	16	54	379		25
1855...	281	10	12	11	33	431		42
For 11 months in 1856...	238	10	5	8	23	332		24

C.

	1853	1854	1855	For 9 months in 1856.	Pending on 1st October 1856.
Nossum.....	532	656	514	659	382
Doovoor.....	378	741	739	395	370
Nundalumpett.....	682	538	648	588	365
Cumbum.....	529	523	695	342	165

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D.

	Civil.								Criminal.			
	Original and Appeal Suits filed in								Cases brought in			
	1853		1854		1855		For 9 months in 1856.		1853	1854	1855	For 11 months in 1856.
Chicacole.	O.	A.	O.	A.	O.	A.	O.	A.				
Civil and Session Court.....	28	113	18	118	19	82	9	77	15	21	12	8
Assistant Subordinate Judge.....	0	0	0	0	0	0	0	0	12	13	7	7
Sudder Ameen.....	109	0	172	0	159	0	122	0	32	55	49	38
District Moonsiffs.....	1597	0	1511	0	1785	0	1275	0	0	0	0	0

(Signed) GEORGE ELLIS,

Register.

No. 10.

ORDER THEREON, No. 239; dated 26th February 1857.

1. The Sudder Udalt were requested to consider what Judicial Establishments would be required in Kurnool in reference to its proposed enlargement by the addition to it of the Talooks of Doopaud, Koilgoontla and Cumbum, to be transferred from Cuddapah and Punchapolliem from Bellary, also what reductions could be made in the Establishments of Bellary and Cuddapah in consequence of the diminution in the size of those Zillahs.

2. The Sudder give statements shewing the state of business Civil and Criminal in the Courts of Bellary, Cuddapah and Kurnool during the years 1853-4-5, and the greater part of 1856.

3. The average number of Criminal cases committed during the above period from the Talook of Punchapolliem to the Subordinate Court of Bellary was little more than 27; from the three Talooks of Cumbum, Doopaud and Koilgoontla to the Subordinate Court of Cuddapah it was slightly above 38.

4. The Sudder propose some modifications among the District Moonsiff's charges in Cuddapah and Kurnool in consequence of the transfer of the three Talooks to the latter District, but they state their decided opinion that no reduction can be made in the Establishments of the Bellary and Cuddapah Court in consequences of the transfer, as these are hardly equal to their present duties.

5. Nor can they recommend any reduction in the Establishment proposed by them for the Court at Nundial. That Establishment was fixed by them on the lowest possible scale, viz. that of the fifth Class, and the work of the new Court when the 4 Talooks are transferred to it and the power of the present Kurnool Cazee reduced will be fully equal to that of many Courts having fifth Class Establishments.

6. The Sudder propose that the Town Cazee of Kurnool whose Jurisdiction Civil and Criminal is now that of a Sudder Ameen be put on the footing of a second Class District Moonsiff as to powers, salary and Establishment, that the duties of the Cazees of Sirwall and Nundial which are light be divided between the Cazee of Kurnool and the District Moonsiff of Nossum, whose range is to be altered.†

7. The Sudder propose also the reduction of the Establishment of the Chicacole Court from the third Class to the fifth.

8. The result will be a monthly increase of Rupees 888—707=181 per mensem or Rupees 2172 per annum. Allowing for the saving 141+97=238 Rupees per mensem from the abolition of the Cazeeships of Sirwall and Nundial. The increase involved in the original proposition submitted by the Court, 13th November 1854, was 423 per mensem, or Rupees 5076 annually.

9. The Right Honorable the Governor in Council perceives no objection to the arrangements recommended by the Sudder Court, and he resolves to transfer their letter to the Revenue

† NOTE.—It was proposed some time since to abolish the grade of Moofy Sudder Ameens, (extract Minutes of Consultation 12th October 1855.) Sudder Ameens are excluded from the new Code of Procedure, Vide Civil Procedure (Madras) Bill, Chapter 2, the only grades of Judicial Officers being Zillah Judges, Principal Sadr Ameens, and Moonsiffs.

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Department in view to their proposals being communicated to the Government of India from that Department together with the result of the reference simultaneously made to the Revenue Board.

With regard however to the Cazeeships of Sirwall and Nundial, he would wish to know at an early date from what source the sums set down Rupees 238 as salaries for those Officers and their Establishments are derived; whether they hold in addition any official Enams in land, and if so, of what value, also in what manner the Sudder propose (para : 11) to provide for them on the abolition of their present Offices.

(Signed) T. PYCROFT,

Chief Secretary.

Ed. F. Cartledge.

Sept 12th

Judicial Department

No. 239

Extract from the Minutes of Consultation
Dated 26th February 1857.

Read the following letter
from the Registrar of the
Sudr Adalat.

Here entered 10th February 1857.
(Ch. 18.)

H
Ch
W
M
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Bellary - also what re-
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and Cuddapah in consequence
of the diminution in the size
of those Zillahs. -

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mend any reduction in
the Establishment proposed
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Kundial - That Establish-
ment was fixed ^{by them} on the lowest
possible scale viz. that

From Act 9 Reg 52 711
13 Nov 1854

of the 5th Class - and the
work of the new Court when
the 4 Talooks are transferred
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of ^{the} Cazeers of Sirwall and
Mundial ^{which} ~~whose~~ duties are
light be abolished and their
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Cazeer of Kurnool and the
Moonsiff

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 $141 + 97 = 238$ R per mensem
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Cope-ships of Sirwall &
Mundial

The increase in cost of
in the original propo-
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the Court 13 Nov 1854 was
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R 5076 annually -

9. The R & the Jil
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to the arrangement
recommended by
the Court and
in view of the
the letter to the R &.

Note - It was proposed some
time since to abolish the grade of Sudr
Ameens generally.

Let. Prof. Com. 12 Oct/55
Sudr Ameens

They are excluded from the
new Code of Procedure

Vide Civil Procedure (Maoras)

Bill Chap 2 - the
only grade of Judicial
Officers being

Jilhal Judges

Pein Sudr Ameens

Moonsiff

Dept. in view to their
proposals
instance of being
communicated to
the Govt of India from
that dept. together
with the result of the
examiner's remarks
- & finally made to the

Rev Bd.

Rev Bd. with copies of the letters &
files enclosed
Sd. Adawlat.

J.P.

R.B. - for Rev Bd.

In sending up their papers to
the Supreme Govt - special authority
should be asked for the est: of the
Municipal Council on the footing & with
the powers set out in P 3 of the Act & Regs
letter of 13 Nov 1854 - with jurisdiction
over the present Agency of the Mool. & the
Talukhs of Cuddalore & one of Bellary.

with regard to the
to the Cargueship of Tiruall
and Municipal he would
wish to know ^{at an early date} from what
source the sums set down
£238 as salaries for these
officers & the establishment
are derived - whether they hold
in addition any official manors
in land & if so of what value -
also in what manner he should
propose / P 11 / to provide for them
on the abolition of their present
offices -

On 24th Nov. 1837
J. G. & Co. 1837
White

1-239

Extract from the
Minutes of Com.

Dated 26th February 1837

Respecting the
Dotation of the
for the Constitution of the
Province of the Province
with a view to the establishment
of a new system of the subject
to the Province of the Province
for the Province of the Province
Government of the Province

R.E. 5-1
13-1-57
Pub. 12-13
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