M.R.O. 1—38,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 290 Press ~~Mis.~~

20-21

Dated 5 - 3 - ~~19~~ 1929

Not to be folded or roughly handled

290

Re

Fort St. George, Judicial Consultation, 12th March 1858.

No. 20. Read the following Extract Minutes Consultation in the Revenue Department, dated 4th March 1858, No. 285.

Communicating letter from the Government of India, Home Department, 26th January 1858, No. 141, with its enclosures, being copy of a Resolution of the Government of India in the Financial Department, dated 11th December 1857, No. 5202. } (Vide Revenue Consultation, 9th March 1858, Nos. .)

No. 21. ORDER THEREON, No. 290; dated 5th March 1858.

11th December 1857. It is observed, that the Government of India have recently sanctioned the establishments required for the conversion of the Kurnool Agency into a Zillah and Collectorate, with portions of the adjoining Districts of Cuddapah and Bellary, and that they have authorized the erection of a Zillah Court at Nundial.

2. The Right Honorable the Governor in Council remarks, that the arrangements in the Judicial Department, involved in the establishment of a Zillah Court at Nundial as shewn in a letter from the Register of the Court of Sudr Udalut, dated 10th February 1857, are the following:—

1st.—The creation at that station of a Zillah Court to be designated the Civil and Session Court of Nundial, to be constituted under Section XLV, Act VII of 1843, the Judge being authorized to exercise the Civil and Criminal jurisdiction assigned to the Subordinate Civil and Criminal Courts, constituted according to Regulation I and II or Regulation VII and VIII of 1827, besides the proper Civil and Criminal jurisdiction of the Zillah Court, and to take cognizance immediately of criminal cases within his jurisdiction as Session Judge, as they are sent up by the Police and Magistracy. The territorial jurisdiction of the Court is to extend over the present District of Kurnool and the Talooks proposed to be annexed thereto, viz. Doopaud, Koilgoontla and Cumbum from Cuddapah and Punchapolliem from Bellary.

From Sudr Udalut, 13th November 1854, para. 3.

2nd.—The District Moonsiff of Cumbum is to be removed to Kurnool, that is, to the Kurnool District with jurisdiction over Cumbum. Doopaud and so much of the District of Kurnool contiguous to these Talooks as may be recommended by the local Officers. It is not stated by the Sudr where his station should be, and whether at Cumbum as before.

3rd.—The Town Cazee of Kurnool is to be made a 2nd class District Moonsiff, the extent of his proposed jurisdiction is not stated.

4th.—The offices of the Cazees of Sirwall and Nundial are to be abolished and a District Moonsiffship is to be created in the Kurnool Zillah with jurisdiction over the transferred Talooks of Punchapolliem and Koilgoontla, and the Talooks in Kurnool contiguous to them, the duty which has hitherto devolved on the Cazees of Sirwall and Nundial being divided between him and the present Kurnool Cazee as a second class District Moonsiff. The Sudr have not stated, what should be the station of the new District Moonsiff's Court.

5th.—Thus the whole Zillah of Nundial will be divided into three District Moonsiffships.

3. As respects the changes in the Zillahs of Bellary and Cuddapah consequent on the formation of the Nundial Zillah, these are: 1st.—The abolition of the office of District Moonsiff of Nassum in Cuddapah. 2ndly.—The small portion of Budwal now under the jurisdiction of the District Moonsiff of Cumbum will be assigned to that of the District Moonsiff of Nundalumpett. 3rdly.—That part of Jummulmadoogoo now under the Moonsiff of Nassum will be transferred to the District Moonsiff of Doovoor. 4thly.—The establishment of the Civil and Sessions Court of Chicacole will be reduced to that of a fifth class Court, the servants thrown out of employ by such reduction being employed in the Zillah Court of Nundial.

4. The Right Honorable the Governor in Council now resolves to forward a copy of the letter from the Government of India, 26th January 1858; and of the Resolution which it enclosed

to the Court of Sudr and Foujdaree Adawlut, and to request them to state what measures should be taken for bringing into effect the arrangements above indicated from the 1st July next, being the date fixed for the change in the Draft Act now before the Legislative Council. The Judges will submit Draft of a Notification declaring the creation of the new Court at Nundial from the first July next, and the jurisdiction assigned to it, as also the stations of the District Moonsiffs' Courts in the new Zillah and the jurisdiction to be allotted to each, which they will determine in communication with the present Officiating Agent. The alterations in the charges of the District Moonsiffs of the adjoining Zillahs of Bellary and Cuddapah should also be notified.

5. The Sudr will also ascertain from the Agent and report what accommodation will be required for the Court at Nundial, what accommodation will further be needed for the new District Moonsiffs' Courts, and what temporary provision can be made for the despatch of business until all present deficiencies can be supplied. Referring to para. 11 of their letter of 10th February 1857, the Sudr will also inform Government in what manner they will provide for the Cazees of Sirwall and Nundial in the new arrangement.

6. The Inspector of Prisons will likewise be requested to report, after reference to the Officiating Agent, whether there are any buildings at Nundial which could be used for Prison purposes—if so, how, and in what time they could be fitted up, and if insufficient, what arrangements can be made for the custody of prisoners under trial or sentence of the Sessions Court until adequate Jail accommodation can be provided at that station.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

No. 11. Read the following letter from C. BEADON, Esq., Secretary to the Government of India; to E. MALTBY, Esq., Acting Secretary to the Government of Fort Saint George, dated Fort William the 26th January 1858, No. 141.

SIR,

I am directed to acknowledge the receipt of your letter, No. 1081, dated the 22nd October last, and to forward the accompanying copy of a Resolution from the Financial Department, sanctioning the revised establishments required for the formation of Kurnool into a separate Collectorate at an additional charge of Rupees 37,602 per mensem.

2. The Governor General in Council hereby authorises the Governor in Council to establish a Zillah Court at Nundial.

Extract from the Proceedings of the Right Honorable the Governor General of India in Council, in the Financial Department, under date the 11th December 1857, No. 5202.

Read the undermentioned papers connected with a proposal from the Government of Fort Saint George, for altering the administration of the non-regulation District of Kurnool, in that Presidency.

Financial Despatch to the Honorable the Court of Directors, No. 54, dated the 14th March 1856.

Extract from the Proceedings of this Government in the Home Department, No. 1846, dated 27th November 1856.

Endorsement from the Home Department, No. 2273, dated 5th November 1857, forwarding for consideration and orders a letter with enclosures, from the Government of Fort Saint George, on the subject.

RESOLUTION.—The Right Honorable the Governor General in Council remarks, that in March 1856, this Government submitted for the favorable consideration of the Honorable Court, a proposal from the Government of Fort Saint George, for altering the administration of the non-regulation District of Kurnool in that Presidency, by bringing that District under the General Regulations; and for constituting a new Zillah with a Judge, and a Collector and Magistrate, by the addition to Kurnool of the Talook of Punchapolliam from Bellary, and that of Coilgoontla from Cuddapah.

The additional expense involved in the above proposal was estimated at Rupees 49,694 per annum.

The Honorable Court sanctioned the plan proposed, but, pending the consideration of the scale of Civil allowances now in progress, it was not thought expedient to grant a higher salary to the Collector and Magistrate of the new Zillah than that received by the Agent of Kurnool, *viz.* Rupees 2,000 per mensem, which sum they also fixed for the Judge of the new Zillah.

The Honorable Court added, "we see no necessity for the augmentation of any of the individual salaries of the Establishment in the Revenue branch, and we wish to direct the particular attention of your Government to the scale of Establishment proposed by the Government of Madras, in order that you may determine whether so considerable an increase of numbers is required, as is proposed in the Judicial as well as to some extent in the Revenue Branch, and whether the augmentation generally both of number and allowances in the former branch may not be revised without detriment to the Public Service."

With reference to the above orders, the Government of Madras was called upon to furnish a detailed scheme of the necessary Establishment, and a copy of the correspondence was forwarded to the Commissioner for the revision of Civil Salaries and Establishments throughout India:—

		Present.			Proposed.		
Agent of Kurnool	Rs.	2000	0	0	0	0	0
Collector	,,	0	0	0	2000	0	0
Judge	,,	0	0	0	2000	0	0
Head Assistant, difference between the pay of that Office and the pay of an Assistant	,,	0	0	0	208	0	0
Revenue Department.							
Sheristadar's Department	Rs.	706	8	0	819	8	0
English Department	,,	351	8	0	510	0	0
Mooushee Department	,,	226	12	0	280	0	0
Treasury Department	,,	224	4	0	327	8	0
Guards	,,	420	0	0	206	0	0
Printing Office	,,	0	0	0	55	0	0
Magistrate's Department	,,	0	0	0	443	8	0
Judicial Establishments	,,	707	0	0	886	0	0
Total	,,	4,644	0	0	7,777	8	0
Deduct Present					4,644	0	0
Difference per mensem					3,133	8	0
							12
Increase per annum	Rs.				37,602	0	0

In accordance with the above mentioned request, the Madras Government now forward a detailed scheme, of which an abstract is entered in the margin, shewing an annual increase of charge amounting to Rupees 37,602, or 12,092 Rupees per annum less than the former scheme. The Governor General in Council observes however, that the total cost of the present Establishment, as shewn in the above abstract, is somewhat* in excess of the total cost of the "present scale" entered in the Tabular Statement first submitted. This excess is thus accounted for, the first Statement included a "Maramut Department" costing Rupees 108, which is now not shewn, while the Statement just received contains the following additional items.

	Per mensem.
* Former Tabular Statement	Rs. 4,264½
Present ditto ditto	,, 4,644
Excess shewn in the present Tabular Statement, Rupees 370½ per mensem, or Rupees 4551 per annum.	

Treasury Department.

		Per mensem.		
1 Ructawan	Rs.	3	4	0
1 Mussaljee	,,	4	0	0
1 Sweeper	,,	3	0	0
Kurnool Cazee's salary and Establishment	,,	195	0	0
Sirwall ditto ditto	,,	141	0	0
Nundial ditto ditto	,,	97	0	0
Reduction of Chicacole Establishment	,,	44	0	0
Total	,,	487	4	0
Deduct the Maramut Department	,,	108	0	0
Difference	,,	379	4	0

The Madras Government have deemed it desirable, on further consideration, to transfer to Kurnool two other Talooks from Cuddapah, *viz.*, those of Doopaud and Cumbum, the result of which arrangement will be as under.

	Present Revenue.	Revenue of Talooks withdrawn.	Revenue under new arrangement.
	Rupees.	Rupees.	Rupees.
Bellary	24,68,518	1,80,815	22,87,703
Cuddapah	24,70,338	5,00,930	19,69,408
Kurnool	8,45,465	0	15,27,210

In consequence of this proposed enlargement of the limits of Kurnool, some modifications among the District Moonsiffs' charges in Cuddapah and Kurnool, and among the jurisdictions and duties of the Cazees of Kurnool, Sirwall and Nundial, are stated to have become necessary, while the Establishment of the Chicacole Civil Court is recommended to be reduced from the 3rd to the 5th Class.

Fort Saint George, Revenue Consultation of 12th March 1858.

It is further stated that no reductions can be made in the Establishments of the Bellary and Cuddapah Courts, in consequence of the transfer, as these are hardly equal to their present duties. With reference to the Revenue Establishments in those Districts, it is said that no reduction can be made in Cuddapah on the ground that it is underserved, but that in Bellary, a reduction of 300 Rupees per mensem may safely be effected after the present alteration of assessment has been carried out.

In regard to the large number of persons composing the Revenue Establishment now proposed, it is explained that there is a certain amount of miscellaneous duty entrusted to the Government Agent, which renders a larger Establishment necessary in Kurnool than would otherwise be the case, and with respect to the Judicial Establishment, it is stated that that Establishment has been fixed on the lowest possible scale, *viz.*, that of the 5th Class, and that the work of the new Court, when the four Talooks are transferred to it, will be fully equal to that of many Courts, having 5th Class Establishments.

With the above explanations, the Government of Madras recommend that sanction may be granted for the formation of Kurnool into a Collectorate, with the proposed additions from the adjoining Districts of Cuddapah and Bellary; and that under the provisions of Section LIII. Act VII. of 1843, authority may also be granted for the establishment of a Civil and Sessions Court at Nundial, at the additional annual expenditure above stated, Rupees 37,602.

The Governor General in Council observes, that some of the salaries have been increased* in the proposed scale of Establishment, contrary to the views of the Honorable Court. But as the increase of work to be looked for in the Revenue Branch, under the proposed arrangements affords grounds for the increase of pay, His Lordship in Council is pleased to sanction the revised Establishments at an additional charge of Rupees 37,602 per annum, on the understanding that the arrangements are *temporary*, being subject to modification, when Mr. Ricketts' report on the subject is received.

*				
Revenue Establishment.				
1 Gomashtah from Rupees	26	to Rs.	30	
English Department.				
1 Record keeper from Rupees	25	to Rs.	40	
1 Assistant ditto from Rupees	7	to Rs.	35	
Moonshee Department.				
2 Gomashtahs instead of Rupees	16	to Rs.	20	each.
1 Persian ditto from Rupees	15	to Rs.	20	
Treasury Department.				
Cash-keeper from Rupees	70	to Rs.	100	
1 Head Gomashtah Rupees	30	to Rs.	35	
2 Gomashtahs instead of Rupees	18	Rs.	20	each.
1 Shroff from Rupees	18	to Rs.	20	
Ructawas from Rupees	3½	to Rs.	5	
Sweeper from Rupees	3	to Rs.	3½	
1 Jemadar from Rupees	18	to Rs.	20	

The proposed establishment of a Civil and Sessions Court at Nundial, will be considered in the Home Department.

Order.—Ordered, that a copy of the above Resolution be forwarded to the Home Department, for information, and for communication to the Government of Madras, and that the original papers be returned, copies being kept for record.

Ordered also, that a copy of the Resolution and of the papers noted in the margin, be forwarded to the Commissioner for the revision of Civil Salaries and Establishments throughout India for information.

Endorsement, Home Department, No. 2273, dated 5th November 1857, and its enclosures.

(A true Extract.)

(Signed) C. HUGH LUSHINGTON,
Secretary to the Government of India.

(True Copy.)

(Signed) CECIL BEADON,
Secretary to the Government of India.

No. 12. Order thereon, No. 285; dated 4th March 1858.

Ordered that the sanction of the Government of India, conveyed in the above letter, for converting Kurnool into a Collectorate and Zillah, be communicated to the Board of Revenue and Judicial Department, as well as to the Accountant General and Civil Auditor. The Government observe that the Member for Madras has already laid a bill before the Legislative

Council to rescind Act X. of 1843, and that it is proposed that it shall have effect from the commencement of the ensuing Fusly. Immediately after this Act shall have been passed, the Board will prepare arrangements to carry into effect the change now sanctioned, from the date above referred to.

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

(4)

Jud. Dept.

No. 290

Extract from the Minutes of Consultation
Dated 6th March 1858.

Read L.M.C. dated
4th March 1858. Rev. Dept.
No. 288 Communicating
letter from the Government
of India Home Dept.
26th January 1858. No. 141.
with its Enclosures being
copy of a resolution of
the Government of India
in the Financial Dept.
dated 11th December 1857
No. 5202.

11th Dec. 1857

It is observed
that the Government of
India have recently
sanctioned the establish-
ments required for the
conversion of the Kumaon
Agency into a Zillah and
Collectorate, in the portions
of

2.d The District Moonsiff of Cumbum is to be removed to Kumoob, the jurisdiction of the Kumoob District will be the same Cumbum Doo-ab, and so much of the District of Kumoob Cottiguous to these Talooks as may be recommended by the Board Officers. It is not stated by the Judge what the station should be, and whether at Cumbum as before.

3.d The Sunnud Cazee of Kumoob is to be made a 2-Class District Moonsiff - the extent of his proposed jurisdiction is not stated.

4.th The offices of the Cazees of Sirvalb and Nundiab are to be abolished and a District Moonsiffship is to be created in the Kumoob

Kumoob Zillah with the jurisdiction over the transferred Talooks of Pencha pallium and Hongonda, and the Talooks for Kumoob Cottiguous to them, the duty which has hitherto devolved on the Cazees of Sirvalb and Nundiab being dispensed between the present Kumoob Cazee. The Judge has not stated, what should be the station of the new District Moonsiffs Court.

5. Thus the Talooks Zillah of Nundiab will be divided into three District Moonsiffships.

6. As respects the changes in the Zillahs of Bellary and Cuddapah. Consequently on the formation of the Nundiab Zillah these are

Civil and Criminal Juris-
diction assigned to the
Subordinate Civil and
~~Sessions~~ Criminal Courts constituted
according to Regt and
II of Reg VII and VIII of 1827
besides the proper Civil
and Criminal Jurisdiction
of the Zillah Court, and
to take cognizance immi-
diately of Criminal
cases within the juris-
diction as Sessions Judge
as they are sent up by
the Police and Magis-
tracy. The territorial
jurisdiction of the Court
is to extend over the
present districts of
Kurnool and the
Talooks proposed
to be annexed thereto,
viz. Doopaud, Koilgonda
and Cumbum from
Cuddapah and Pun-
chapollium from
Bellary.

The

of the adjoining Districts
of Cuddapah and Bellary
and that they have au-
thorized the erection of a
Zillah Court at Kurnool
2. The Right Worshipful
the Governor in Council
remarks that the arrange-
ments with the Judicial
Department involved in the
establishment of a Zillah
Court at Kurnool as
shown in a letter from
the Register of the
Court of Sudder Adalut
dated 16th February 1857
are the following.
1st The Station of
that Station of a Zillah
Court to be designated
the Civil and Sessions
Court of Kurnool, to
be constituted under
Sec XIV, Act VIII of 1843
the Judge being au-
thorized to exercise the
Civil

Received 1857
326

From Sudder
13 Nov 54 para 3

and the abolition of the
office of District Moonsiffs
Nossoom, in Cuddapah.

2dly The small portion
of Pudwah now under
~~the jurisdiction~~ will be assigned
of the District Moonsiff
of Nundalampettah- that
part of Summundroogum
now under the Moonsiff
of Nossoom will be transferred to the
District Moonsiff of
Dowdoor-

4thly The re-establish
ment of the Civil and
Sessions Court of
Chicacole will be pro-
duced to that of a
fifth Class Court & the
Servants thereon will of
course be employed by such reduc-
tion ~~will be employed~~ being employed
in the Zillah Court &
~~be re-established in the~~
~~District of Nundial~~

4 The Right Honble
the Governor in Council
now resolves to forward
a copy of the letter
from

the jurisdiction of the
D. Moonsiff of Cumbum

of Nundial

from the Government of
India 26th January 1838;
and of the resolution
which it encloses, to
the Court of Sudr and
Foujdaree Adawlut
and to request
them to state what
measures should be
taken for bringing into
effect the arrange-
ments above intimated
from the 1st July next
being the date fixed for
the change in the draft
Act now before the
Legislative Council- the
Court will submit a
draft of a Notification
declaring the creation
of the new Court at
Nundial from the first
July next and the
jurisdiction assigned
to it- as also, the
stations of the District
Moonsiffs Courts in
the new Zillah and
the jurisdiction to be
allotted

allotted to each, which they will determine in Communication with the present officiating Agent. The alterations in the Charges of the District Magistrates of the adjoining Zillahs of Bellary and Cuddapah should also be noticed

5 The Jury will also ascertain from the Agent and report what Accommodation will be required for the Court at Nundrah for the Records and for Prisoners - what accommodation will further be needed for the new District Magistrate's Courts and what temporary provision can be made for the dispatch of business until all present deficiencies can be supplied -

Referring to para 11 of their letter of 17th Dec. 55

the Jury will be informed of Government, in what manner they will provide for the Cazees of Sirvall and Nundrah in the new arrangement -

6 - The Inspector of Prisons will likewise be requested to report, with reference to the offer Agent, whether there are any buildings at Nundrah which could be used for prison purposes, and what arrangement can be made for the custody of prisoners under trial or sentence of the Sessions Court until adequate sufficient Jail accommodation

+ if so how & in what time they could be fitted and if insufficient

1781

Fiddis Tonydarra
Adamkus. with Co: Mr: br: Rec: Sept: 8th
Agent at Vizagapatam 8th Month/56 N° 285
Inspection of Persons

Disp^d of.

Cash provided at
that station

JP.

In Dy to Cons-12th March
Judicial 1858 Delhi 1st

№290

Extract Mins: of Cons:

5th March/58

Judl Let to Engd 30th June
№9 of 1858 Para 26

20—21

C 22 Let.
P1 Mand