

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	<i>139</i>	Press Mis.
	<i>11-12</i>	
Dated	<i>4. 2. 1861</i>	<i>19</i>

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Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
4th February 1861.*

No. 11. Read the following letter from A. WEDDERBURN, Esq., Officiating Magistrate of Cuddapah, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 26th January 1861, No. 2.

1. By Section L of the Police Act, No. 24 of 1859, charges against Police Officers, above the rank of a Private, shall only be adjudicated on by European functionaries.

2. If, during the Magistrate's and his Assistant's absence from his station, he cannot refer such charges for enquiry and disposal to his Deputy Magistrate on the spot, the aggrieved parties would either have to travel long distances to the nearest European Magistrate, during the time of settlement, or the case would have to be taken up by the Sub Judge, acting Magisterially in the absence of the Magistrate, under Section 3, Regulation III of 1817, and in the event of there being no European Sub Judge, but a Principal Sudr Ameen at the station, the latter, if a Native, would by his birth, be precluded from investigating charges of oppression brought against the Police, although possessing the jurisdiction of a Criminal Judge and Magistrate.

3. Had Section L specified "Officers possessing the full powers of a Magistrate or Criminal Judge" instead of "European" (there being nothing to prevent a European holding the office of Taluq or Sub Magistrate, a lower grade than that of Principal Sudr Ameen,) the object contemplated by the Act might have been secured; but the distinction between European and Native functionaries, possessing equal powers, and discharging the same duties, appears, in the present instance, invidious, and likely to be a hindrance to the public service.

No. 12. ORDER THEREON, 4th February 1861, No. 139.

Referred to the Inspector General of Police for his remarks.

(Signed) T. PYCROFT,
Chief Secretary.

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Sept. 5. 2-61.

Magistrate of
Cuddalore.