M.R.O. 1—39,000—16-10-39.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 993, 994 Press
~~Mis.~~
and 995
51-56
57-58.
Dated 6. 8. 1861 ~~19~~

11/11

Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department, 6th August 1861.

Read again the following papers :—

Memorandum, 3rd June 1861, No. 7,150, from the Financial Department, Fort William, recorded in Proceedings, 12th July 1861, No. 894.

Proceedings in this Department, 9th July 1861, No. 883.

Read also the following letters :—

No. 51. From C. F. CHAMIER, Esq., Registrar of the Sudder Court; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 16th July 1861, No. 76.

Reductions.		
Moofty Sudder Ameen's Court, Bellary.	... 7,040	
Do. do. Masulipatam.	... 3,898	
Temporary Principal Sudder Ameen's Court, Madura.	... 7,910	
		14,748
Additional Charges.		
Establishment of District Moonsiff's Court, Anjengo.	... 696	
Rent for Principal Sudder Ameen's Court, Cuddalore.	... 231	
Establishment of the Deputy Collector as District Moonsiff of Wynaad from 1st August next.	... 396	
2 Temporary Goomastahs, Zillah Court, Honore.	... 40	
		1,363
Saving Rupees.....		13,385

In reply to the Orders of Government, dated the 1st, 9th and 12th instant, Nos. 848 883 and 894, I am directed by the Judges of the Sudder Court to state that the charges referred to can be met from the saving already effected by the abolition of the Moofty Sudder Ameens' Courts at Bellary and Masulipatam, and the temporary Principal Sudder Ameen's Court at Madura, as sanctioned by Government under dates the 11th February, 14th and 15th March last.

No. 52. From C. F. CHAMIER, Esq., Registrar of the Sudder Court; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Sudder Court, 16th July 1861, No. 77.

1. I am directed by the Judges, with reference to the Orders of Government, dated 8th November 1860, to report that the Court of the District Moonsiff of Badagherry has been held since the 1st of April last in a private building, no public accommodation being available; and to recommend that the rent fixed by the Collector, viz., Rupees 10 per mensem, be sanctioned by the Government as a temporary measure, as it can be met by the saving referred to in the Court's letter of this date No. 76.

2. The Judges suggest that a public building be hereafter erected as in other Moonsiff's stations.

No. 53. From W. WATERFIELD, Esq., Officiating Civil Auditor; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 19th July 1861, No. 568.

With reference to Order of Government, No. 914 of 16th instant, I have the honor to point out that the saving on the salary of the Civil Judge of Honore, must be credited to the Civil Absentee Fund, against which however, I see no objection to passing the Deputation allowance of Lutchmiah Naidoo as well as that of Mr. Davidson. But the pay of the Sub-Judge of Chittoor may fairly, I think, be made available for the general charges under F. 111 to meet as far as possible the items described in paragraph 1 of the Government Order.

No. 54. ORDER THEREON, 6th August 1861, No. 993.

In their Proceedings 16th ultimo, No. 914, the Government pointed out a saving at the rate of Rupees 1,716 per mensem (or Rupees 20,600 for the year) out of the authorized expenditure in the Budget under the head, "Civil and Sessions Courts," and directed the Civil Paymaster to pass out of it, with other charges, the rent of the Principal Sudder Ameen's Court at Cuddalore, and the salary and establishment of the District Moonsiff at Anjengo. In addition to this, there will be a sum of Rupees 9,448 saved annually in the expenditure sanctioned for 1861-62 under the operation of paragraphs 1 and 3 of the Order of the 19th ultimo, No. 927, which abolished the Principal Sudder Ameen's Court at Trichinopoly and that of the Moosfy Sudder Ameen at Chicacole.

Budget sanction for the Principal Sudder Ameen's Court at Trichinopoly.		12,080	
Disbursed from April to July 1861 @ 1,007	4,028		
Reserved for the Writer and Gomastah retained from August 1861 to March 1862 @ 52½	420		
		4,448	7,632
Budget sanction for the Moosfy Sudder Ameen's Court at Chicacole...		2,040	
Disbursed from April to July 1861 @ 245	980		
Reserved for increases to the Establishment of the Civil Court to March 1862 @ 18.....	144		
		1,124	1,816
		Rupees...	9,448

2. In their letter, 16th ultimo, No. 76, the Sudder Court show a further saving in the Budget sanction. The amount, which has not been correctly stated by the Judges, will be, as shown in the margin, Rupees 14,089. The total amount saved on all the above heads for the year 1861-62 out of the sums entered in the sanctioned Budget will therefore be Rupees 44,137.

Budget sanction for the Moosfy Sudder Ameens' Courts :—			
Bellary...		.....	2,940
Masulipatam...		4,150	
Reserved for Gomastah on Rs. 21 retained.		252	
			3,898
Do. for the temporary Principal Sudder Ameen's Court at Madura, 30th April 1861...		7,910	
Less disbursed in May for April 1861, and charged against the year 1861-62... ...		659	
			7,251
	Rupees...	14,089	

	20,600
	9,448
	14,089
Rupees...	44,137

3. The Government sanction rent at the rate of Rupees (10) ten a month, for the District Moonsiff's Court at Badagherry, and likewise the establishment at a cost of Rupees (44) forty-four per mensem including Saderward, for the Deputy Collector as District Moonsiff of Wynaad. The establishment will be entertained, and the District Moonsiff's Court opened at once, as the want of it has been much complained of by the Settlers in Wynaad.

4. Ordered that a tabular application be forwarded to the Government of India, Home Department, for their sanction for the establishment entertained for the Wynaad Moonsiff, and that a reply be now made to the Memorandum, 3rd June last, No. 7,150, from the Financial Department, Fort William, to the effect that the charge for the two Gomastahs on Rupees 10 each per month, for two months, for arranging the records of the late Sudder Ameen's Court at Sircy, is not specially included in the Budget estimate for 1861-62, but can be met out of the savings from the authorized expenditure under the head of "Civil and Sessions Courts."

5. In his letter of the 19th ultimo, the Civil Auditor represents in reference to the Order of Government, 16th ultimo, No. 914, that the saving in the salary of the Civil Judge of Honore must be credited to the Civil Absentee Fund, which Fund however may be debited with the deputation allowance of Lutchmiah Naidoo, Acting Principal Sudder Ameen of Cuddapah, as well as that of Mr. Davidson, Acting Judge of that Zillah. The Government are not convinced of the correctness of this view. The Civil Absentee Fund is not a distinct head of Revenue. An account has been ordered to be kept to exhibit the working of the Covenanted Civil Service Absentee Rules by showing the amount forfeited by absentees, the expenditure in the deputation allowances to those acting for them, and the net result to Government which has always been again. The keeping of this account does not interfere with the principle of a sanctioned Budget,

Proceedings of the Madras Government, Judicial Department,
6th August 1861.

viz., that any saving effected out of it, whether by absence of an incumbent on leave, by the abolition of an appointment or by any other means, is available towards meeting other charges coming under the same Budget head. But even allowing the objection taken by a Civil Auditor, there will still remain a very large saving.

Total saving as above, paragraph 2...		44,137
Deduct difference between the sum Rupees 1,500 per mensem forfeited by the Judge of Honore and the deputation allowance of Lutchmiah Naidoo and Mr. Davidson 683 = 817 or for 12 months... ...		2,800
Remaining, saving...		34,337

(Signed) J. D. SIM,
Secretary to Government.

JUDICIAL

| No. | Extract from Home Dept., Govt. of India. Date. | Office to which the proposition refers. | Nature of Charge. | | | | | | | | | | | | Proposition. | | | | | | | | | | | |

Proceedings of the Madras Government, Judicial Department,
6th August 1861.

No. 56. No. 995.

MEMORANDUM.

Fort Saint George, 6th August 1861.

With reference to Office Memorandum from the Financial Department, Fort William, dated 3rd June last, No. 7,150, the undersigned has the honor to state that the charge for the two Gomastahs on Rupees 10 each per month, for two months, for arranging the records of the late Sudder Ameen's Court at Sircy, is not specially included in the Budget estimate for 1861-62, but can be met out of savings from the authorized expenditure under the head of "Civil and Sessions Courts."

(Signed) J. D. SIM,
Secretary to Government.

Exd. F. Cartledge.

Judicial. 5

Proceedings of the Madras Govt.

Read again the following papers—

Memorandum, 3d June '61 No. 7,150, from the Financial Dept, Fort William — Recorded in Pros. 12 July '61 No. 894.

Proceedings in this Dept, 9th do No. 883.

Read also the following letters—

From the Sudder Court — Inter 16th do No. 7,877.

" the Civil Auditor — 19th do No. 668.

Order — 6th August 1861 No. 993.

In their Pros. 16th Instant No. 914, the Govt. pointed out a passing at the rate of Rs. 1716 per

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Judicial 1861 Pros. No. 5

From the Registrar of the Sudder Court

To the Officiating Secretary to Government

S.O. 2nd Aug. 1861 No. 993.
J.A. " 914
Memo. " 995.

Sir,

Relative to the passing referred to in the order of Government noted in the margin, I am directed to submit for the information of the Hon'ble the Judges the accompanying copy of a letter from the Civil Auditor, dated 19th instant, No. 668, and of the enclosures noted in the margin.

I am, &c.

12th July — Oct. 894
10th July — Aug. 914

per mensem (or Rs. 20,500 for the year) out of the authorised expenditure in the Budget under the head "Civil & Sessions Courts" — & directed the Civil Paymaster to pass out of it, with others charges, the rent of the Principal Sudder Ameen's Court at Cuddalore,

Cuddalore, & the salary & establishment of the District Moonsiffs Anjengo. In addition to this, there will be a sum of Rs. 9,448 annually saved in the expenditure sanctioned for '61-62 under the operation of para 183 of the Order of the

Budget sanction for the Principal Sudder Ameen's Court at Trichinopoly — 12,080-
Disbursed from April to July '61 @ 1007 — 4028
Reserved for the Register & Vernacular translator from Aug. '61 to Mar. '62 @ 252 — 420 — 4,448 — 4,632

Budget sanction for the Moonsiff's Sudder Ameen's Court at Cuddalore — 2,940
Disbursed from April to July '61 @ 245 — 980
Reserved for increases to the establishment of the Civil Court from Aug. '61 to Mar. '62 @ 18 — 144 — 1124 — 1,816.

Rs. 9,448.

the 19th Instant
No. 927, which abolish-
-ed the Ameen's Court at
Tirchinopoly and that
of the Proper Ameen at
Chicacole
2. In their letter, 16th
Instant No. 46, the
Sudder Court show
a further saving
in the Budget sanc-
tions. The amount
which has not
been correct-
ly stated by the
Judges, will be
as shown in the
mar-

Budget sanction for the
Moonsiffs Sudder Ameen's
Courts —

Bellary		2,940
Masulipatam	4,150	
Reserved for Gomas-tah on Rs. 2 retained	252	3,898
do. for the temporary Principal Sudder Ameen's Court at Madura closed 30th April 1861	7,913.	
Less disbursed ~~for~~ the ~~year~~	659.	7,251
still apt for April '61 — and charged against the year 1861/62 —	Rs.	14,089

20600
6448
14089
Rs 44137-

margin Rupees 14,089. The total a-
-mount saved on all the above heads for
the year 1861/62 out of the sums entered
in the sanctioned budget will therefore
be Rupees 44,137-

3. The Government sanction rem
at the rate of Rupees 10 ten a month,
for the District Moonsiff's Court at
Badagherry, and likewise the establish-
-ment at a cost of Rupees 44 Forty-
four ~~Rs~~ annexum including Cadeswad,
for the Deputy Collector as District
Moonsiff of Wynaad. The establish-
-ment will be entertained, and the
District Moonsiffs' Court opened at
once, as the want of it has been much
complained of by the Settlers in Wynaad.

4. Ordered that a tabular
application be forwarded to the Govern-
-ment of India, Home Department, for
their sanction for the establishment
entertained for the Wynaad Moonsiff-
and that a reply be now made to
the Memorandum, 3d ~~from the~~ Ultimo, No. 7150,
from the Financial Department

For-

Fort William, to the effect that the charge for the two Comaslahs on Rs. 10 each pr. month, for two months, for arranging the late Sudder Ameen's Court at Ginjy, is not specially included in the Budget Estimate for 1861-62, but can be met out of the savings from the authorised expenditure under the head of "Civil and Sessions Courts."

5. In his letter of the 19th ultimo the Civil Auditor represents in reference to the order of Government of 16th ultimo No. 914, that the saving in the salary of the Civil Judge of Tanore must be credited to the Civil Absentee Fund, which Fund however may be debited with the deputation allowance of Sulchimiah Naidoo acting Principal Sudder Ameen of Cuddapah as well as that of Mr. Davidson acting Judge of that Zillah. The Government are not convinced of the correctness of this view. The Civil Absentee Fund is not a distinct head of Revenue. An account has been ordered to the first to exhibit the working of the Covenanted Civil Service Absentee rules by showing the amount forfeited by absentees, the expenditure in the deputation allowances to those acting for them, and the net result to Government which has always been a gain. The keeping of this account does not interfere with the principle of a sanctioned budget, viz that any saving effected out of it, whether by absence of an incumbent on leave, by the abolition of an appointment or by any other means, is available towards meeting other charges coming under the same budget head. But even allowing the objection latten by a Civil Auditor, there will still remain a very large saving.

Total Saving as above
para 2. ——— 44,137.-
Deduct difference between the sum Rupees 1500 per mensem forfeited by the Judge of Tanore and the deputation allowance of Sulchimiah Naidoo and Mr. Davidson 683=817-
or for 12 months ——— 9,800
Remaining - Saving ——— 34,337

The Sudder Court. "
" Civil Judge of Tellicherry. 6
" Civil Paymaster. Sept 7th
" Accountant.

Judicial Department

Quit

Year	Revenue		Charges		Total		Net	
	Ordinary	Extraordinary	Ordinary	Extraordinary	Revenue	Charges	Surplus	Deficit

Extract from Home Department Govt. of India		Office to which the proposition refers	Nature of Charge		Proposition						Coastal or Cathanbaney	Grounds of Proposition	Local Governments recommendation	Orders of the Government of India		
					Permanent			Temporary						Home Dept.	Financial Department	
No.	Date		Present Scale	Proposed Scale	Increase per Month	Decrease per Month		Increase per Month	Decrease per Month					Remarks.	Remarks.	Orders.
		Tellicherry	Civil Judge Establishment & Saderward 727 - -	At present 599 9 4	Rs. a. p.	Rs. a. p.	Quad.	Rs. a. p.	Rs. a. p.	Quad.		The Wynaad District Moonsiff was removed to Badagherry, 12 miles from Tellicherry & assigned certain Amsoms under the jurisdiction of the Tellicherry and Kurlenaad Moonsiffs, in consequence of the large number, 1200 suits pending before those Courts. On the removal of the Wynaad Moonsiff the Deputy Collector at Manantoddy was invested with the powers of a District Moonsiff.	Favorable			
			Principal Sudder Ameen 900 - -	Additional Establishment for the Deputy Collector at District Moonsiff of Wynaad.												
			Establishment & Saderward 99 4 -													
			Moonsiff Sudder Ameen — 200 - -													
			Establishment 70 - -													
			Second Class Districts Moonsiffs 150 - -	1 Gomastah 14 - - } 44 - -												
			Establishment and Saderwards 65 - -	2 do @ 10 — 20 - - }												
			One Third Class do — 115 - -	Saderward 10 - -												
			Fixed @ 100 — 300 - -													
			Establishment & Saderward @ 70 — 420 - -													
			Rs. 3300 94	Rs. 843 94 44 - -												

Fort St. George, the 185

* incurred from the 1st August, is not included in the Budget for 1861-62, but can be met out of the authorised expenditure under the head "Civil and Sessions Courts."

No. 994.

Forwarded for sanction to the Home Department of the Government of India.

dupd. 7th

Chief Secy. to the Govt. of Fort St. George.

The charge for this establishment, which will * be

Pros. 23 Aug.

Judicial 1861 Department

No. 998.

Proceedings of the
Madras Government

Dated 6th August 1861

Ret No. 11991
91

Ret No. 1257 2375/64
" 1480 Vo. 23320
" 1637 " 1173

Showing & drawing
in the Judicial charges of
Rupees 1448 in addition to
those stated in the Proceedings
of the 16th Ultimo and directing that
the charges objected to by the
Civil Paymaster be struck out
of that Statement

Sept. 1518.

Print.

No. 995

Memo.

Fort St. George 6th Aug. 1861.

With reference to Office Memorandum from the Financial Dept., Fort William, dated 3rd ~~Ultº~~ June last No. 7150, the undersigned has the honor to state that the charge for the two Gomastahs on Rs. 10 each 1 month, for two months for arranging the records of the late Sudder Ameen's Court at Siruy, is not included in the Budget Estimate for 1861-62, but can be met out of Savings from the authorized establishment under the head of "Civil & Sessions Courts."

The Secretary to the Govt. of India, Fin. Dept.