

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. <i>1419</i>	Press ~~Mis.~~
<i>298-299</i>	
Dated <i>30-8-</i>	<i>1862</i> ~~19~~

6/7
Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
30th August 1862.*

No. 298. Read the following letter from W. J. RAYNOR, Esq., Officiating Civil Paymaster; to the Honorable T. PYCROFT, Chief Secretary to Government, Fort Saint George, dated 16th August 1862, No. 1,160.

Revenue Department.

With reference to paragraph 12 of G. O., dated 18th July 1862, No. 1,136, I have the honor to observe that charges on account of the Magisterial Department come under B. I, Land Revenue, against which head only the increase sanctioned for the Joint Magistrate's establishments at the several Stations mentioned in the Order can be passed by this Office. It will be necessary therefore to obtain the sanction of the Government of India for the transfer of a sum of Rupees 774 from the savings under "Law and Justice" to B. I, Land Revenue, to meet the increase in question to the end of the current year. Meanwhile, the charge can be passed against the unexpended balance of the grant under the latter head.

No. 299. ORDER THEREON, 30th August 1862, No. 1,419.

It will be pointed out to the Civil Paymaster that the charges connected with Cantonment and Military Joint Magistrates, who perform no Revenue duty, appertain to F. III, Law and Justice, Criminal Courts. The increased expenditure sanctioned in the Order of the 18th ultimo, No. 1,136, on account of Joint Magistrates of these classes, has been correctly made payable against the savings indicated in paragraph 12 thereof, and it would be irregular to pass such items against B. I, Land Revenue.

2. The observation of the Civil Paymaster that "charges on account of the Magisterial Department come under B. I, Land Revenue" must be taken with some qualification. Collectors and Sub-Collectors, Assistant and Deputy Collectors, Tahsildars, and Sub-Magistrates exercise Magisterial powers, in addition to the performance of Revenue duty; and as an adjustment of charge, the amount of their salaries, establishments, &c., is divided in a certain proportion between the Revenue and Magisterial Departments. Since the Magisterial body has been separated from the Police Department, by which a reduction of the Revenue establishments was effected, the proportion debited to the Magisterial Department, has been put at one-fifth the cost of the Revenue establishments. The one-fifth proportion for the current year amounts to Rupees 7,40,831, and is exhibited in the Budget under F. IV. Law and Justice, Criminal Courts. Thus no Magisterial charges are debited to Land Revenue. In place of monthly dividing each Pay Abstract submitted by Revenue Officers between "Land Revenue" and "Law and Justice" in the prescribed proportions, the Audit Office probably pass the entire amounts against the former head, but this is a mere arrangement for convenience. The adjustment is, in such case, made once for all in the annual accounts, and thus the principle is maintained of charging Magisterial expenditure against Law and Justice—not against Land Revenue.

3. Besides the one-fifth proportion transferred from Land Revenue, under "Criminal Courts" are taken all other purely Magisterial charges—such as the expenses of the Magistrates of Police in the Town of Madras—the salary and establishment of the Assistant Agent, Vizagapatam, to be stationed at Jeypore, with little or no Revenue duty—the allowances of the Military Joint Magistrate at Ootacamund—batta to witnesses and prosecutors, &c., &c. The Cantonment and Military Joint Magistrates, referred to in Proceedings 18th ultimo, No. 1,136, have been granted allowances and increased establishments for purely Magisterial work, and the excess of expenditure strictly appertains to F. IV, Law and Justice, Criminal Courts.

4. The Accountant General is requested to state under what head in the Budget, 1862-63, provision has been made for these establishments, as they stood on the 1st May last.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

4453.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read letter from the
Civil Paymaster — Enter 15th Aug. 62 No. 1160.

Order — 30 Aug 1862 No 1419.

It will be pointed out
to the Civil Paymas-
ter that the charges
connected with Law-
tonment & Military
Saint Magistrates,
who performs no Re-
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Justice, Criminal
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ture sanctioned in
the Order of the 18th
Ulto.

No. 1135, on acct
 of Joint Magistrates
 of these districts, has
 been correctly made
 payable against the
 savings indicated
 in para 12 thereof,
 & it would be ~~an~~
~~irregular~~ to pass in
 items against the
 Land Revenue.

2. The observation of
 the Civil P. M. that
 "charges on ac-
 count of the Magis-
 tral Dept. come
 under E. I. Land
 Revenue" is ~~in~~
 correct. The Collection
 & Sub Collection

+ must be taken into
 consideration

3
 & Sub-Collectors, Assis-
 tant & Deputy Collec-
 tors, Sahsildars, & ~~as~~
 Sub Magistrates ex-
 ercise magisterial
 powers, in addition
 to ^{the performance of} Revenue duty; &
 as an adjustment
 of charge, the amount of
 their salaries, & estab-
 lishment^{Dec.} is divided
 in a certain propor-
 tion between the Rev.
 & Magisterial Depts.
 Since the disconnection
 of the Magisterial
 body from the Police
 Dept., by which a
 reduction of the Rev.
 establishment was
 effected, the propor-
 tion debited to the
 Magisterial

Magisterial Dept.,
 has been ^{put at} ~~lowered~~ to
 one-fifth the cost of
 the Estab^lishment
 the one-fifth propor-
 tion for the current year
 amounts to Rs. 42,831
 is exhibited in the
 Budget under F. II. -
 Law & Justice, Crimi-
 nal Courts, in place
 of monthly dividing
 each ^{part} ~~part~~ submitted
 by Revenue officers
 between "Land Rev-
 nue" & "Law & Justice"
 in the prescribed pro-
 portions, the ^{probable} ~~total~~ ^{total} ~~total~~
 office ~~costs~~ ^{costs} ~~costs~~ ^{costs} ~~costs~~
 entire amounts a-
 gainst the former
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 mund - Batta to
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 tors, &c. &c. The Law
 Commission & Military
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 have been grant-
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 ments for juror-
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 and the excess of ex-
 penditure strictly as-
 pertains to F. II, Law
 & Justice, Criminal
 Courts.

+ referred to in
 Pros. 13-1110
 11/13/6

4. The Sect. Genl. is re-
 quested to state un-
 der

under what heads
 in the Budget, '62-63,
 provision has been
 made for the esta-
 blishments, as they
 stood on the 1st May
 last.

JP

The Civil Paymaster. 3
 " Sect. Genl. 3
 " Rev. Dept. 2
 " Magistrate of Bellary. 3
 " Madras. 3
 " Coimbatore 3
 " Malabar 3
 " Madurai 3

Sept 30th