

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1753-54 Press
Mis

212-214

Dated 24.6.1962 19

Not to be folded or roughly handled

9/10

814
7/7

Proceedings of the Madras Government, Judicial Department,
24th October 1862.

No. 212. Read the following letter from C. F. CHAMIER, Esq., Registrar of the High Court of Judicature at Madras; to the Honorable T. PYCROFT, Chief Secretary to Government, Fort Saint George, dated 6th October 1862, No. 17.

1. The several Judges of the Courts of Small Causes having furnished revised lists of their establishments, in conformity with para. 1 of the Order of Government, dated 24th July last, I am directed to state that the Chief Justice and Judges have given the subject their best consideration. They do not feel themselves in a position to say what will hereafter be a sufficient establishment for these Courts; but they concur in thinking that the present establishment is obviously very inadequate, and they accordingly, for the present, suggest the increased scale shown in the margin.

1 Head Clerk...	Rs. 100 0	
1 Deputy do...	50 0	
1 Nazir...	45 0	
1 English Writer...	25 0	
1 Record-keeper...	24 0	
6* Goomastahs...	00 0	* to per-
1 Moolhee...		form the
1 Head Messenger...		Duty of
1 Messenger...		
4 Peons...	5 0	
2 Sweepers...		

2. The salary of Rupees 100 proposed for the Head Clerk is not intended to be the remuneration for an Officer appointed under the provisions of Section V, Act XII of 1861. The Chief Justice and Judges do not look upon the Head Clerk as the "Clerk of the Court," but merely as the principal Ministerial Officer of the Court. In view of the functions which he would have to perform, and of the fact of his appointment and removal being made subject to the approval of the Government, the Chief Justice and Judges consider that the legislature contemplated, in creating the Office of Clerk of the Court, an office of high responsibility with proportionate emoluments.

3. The Head Clerk not possessing any of the powers of a "Clerk of the Court," the Chief Justice and Judges have not recommended the appointment of more than one Officer of this class; a measure which the Government, in para. 3 of their Order, considered might be necessary.

No. 213. ORDER THEREON, 24th October 1862, No. 1,753.

The scale of Establishment sanctioned by the Government of India for the six Mofussil Small Cause Courts has been found to be very inadequate—and the High Court now submit a higher scale, which, for all these Courts, will entail an additional cost of Rupees 903 per mensem.

2. It will be made to the Government of India for sanction to incur the expense, but in anticipation of it, the High Court will include in the Supplemental Estimate for the Small Cause Courts the increased scale of Establishments.

(Signed) T. PYCROFT,
Chief Secretary.

No. 214. To the Secretary to the Government of India, Home Department, dated Fort Saint George, 24th October 1862, No. 1,754.

In the Tabular Statement forwarded with my letter of the 10th March last, No. 399, relative to the establishment of Small Cause Courts under Act XLII, 1860, in the Provinces of this

Proceedings of the Madras Government, Judicial Department,
24th October 1862.

Salary of Judge...Rs. 1,400
Establishment... .. 210
Rs. 1,610

Presidency, the scale of establishment set down for each Court was at a cost of Rupees 240 a month. With the sanction of the Government of India, six Courts of this class were opened on the 15th July last. The establishments allowed them have been found to be very inadequate. They must therefore be strengthened—and the High Court has accordingly submitted a revised scale at an increase of Rupees 150½ for each Court as shown below:—

<i>Sanctioned Scale.</i>			<i>Revised Scale:</i>		
Head Clerk...	Rs. 50		Head Clerk...	Rs. 100	
2nd do. ...	22		Deputy do. ...	50	
Nazir... ..	40		Nazir... ..	45	
Record-keeper...	24		English Writer..	25	
4 Gomastahs on 15 each	60		Record-keeper...	24	
18, 16, 14 & 12.			4 tahs on 15 each,	90	
6 Peons at 6... ..	36		18, 16, 2 on 15, 14 & 12		
2 Sweepers at 4... ..	8		Moochee... ..	7	
			Head Messenger...	10½	
	Rs. 240		Messenger... ..	7	
			4 Peons on 6... ..	24	
			2 Sweepers at 4... ..	8	
				390½	
			Less present cost...	240	
			Proposed increase... ..	Rs. 150½	

2. The pay assigned to the Head Clerk, viz., Rupees 50, is too small to induce qualified men to accept the post. A much larger salary must be offered, and Rupees 100 is the rate suggested. But this amount, the High Court remark, is not intended to be the remuneration for an Officer appointed under the provisions of Section V, Act XII, 1861. The Head Clerk on Rupees 100 will not be regarded as the "Clerk of the Court," but merely as the principal Ministerial Officer of the Court. Two additional Gomastahs (one of whom will do duty as Shroff) and a Moochee are also proposed. The rest of the increase consists in raising the pay of the Nazir, and in having, in place of six Peons, a Head Messenger, a Messenger, and four Peons.

3. The Governor in Council concurs with the High Court as to the insufficiency of the establishment sanctioned for the Small Cause Courts, and approves the revised scale proposed. I am directed to apply for the sanction of the Government of India to adopt the same. The Small Cause Courts, I should add, have only recently commenced operations—and it is not possible at this early period since their institution to effect any reduction in the number of the District Moonsiffs' Courts.

(Signed) T. PICKFORD,
Chief Secretary.

3

v

111

v

v

v

PROCEEDINGS of the MADRAS GOVERNMENT.

Read letter from the
High Court — Enter 6th Oct. 62 N^o. 17.

Order — 24 October 1862 No. 153.

The scale of establishment sanctioned by the Govt. of India for the six Mofussil Small Cause Courts has been found to be very inadequate — & the High Court now submit ~~with~~ a higher scale which, for all these Courts, will entail an additional cost of Rs. 903 & men. serv.

Proposed scale — 390½
Sanctioned do — 240.
Increase — Rs. 150½
For 6 Courts = Rs. 903.

2. Application will be made to the Govt. of India for sanction to incur the expense but, in anticipation of it, the High Court ~~of ex.~~ will include in the Supplemental Estimate for the Small Cause Courts the increased scale of establishments.



The Chief Justice &
Judges of the High Court.
" Deputy Auditor Genl.

22/25
Judicial.

No. 1454

The Secretary to the Govt. of India.

Home Dept.

Sir-

In the tabular statement forwarded with my letter of the 10th Mar. last No. 399, relative to the establishment of Small Cause Courts under Act XLII-60 in the Provinces of this Presidency, the scale of establishment set down for each Court was at a cost of Rs. 240 a month. With the sanction of the Govt. of India, six Courts of this class were opened on the 15th July last. The establishments

WM
Salary of Judge — 1400
Establishment — 240
Rs. 1640

For 1862. Department.

No. 1453

PROCEEDINGS OF GOVERNMENT.

Dated 22/25

1. meeting, that is to say, the establishment for the Small Cause Courts will be sanctioned for the year 1862. In creating the charge of the High Court to include the work in the supplemental estimate for the Small Cause Courts.

establishments allowed them have been found to be very inadequate. — & the High Court has accordingly submitted a revised plan at an increase of Rs. 150. for each Court as shown below: —

<u>Revised Scale.</u>	
Head Clerk —————	0
Deputy do —————	50
Vanir —————	45
English Writer —————	25
Record-keeper —————	24
6 Gomastaks on <u>15 each.</u> —————	90
	18, 16, 20, 15, 14 & 12.
Moochee —————	7
Head Messenger —————	10½
Messenger —————	4
4 Peons on 6 —————	24
2 Peons, 40 and 1 each —————	8

2. *Proposed increase* ————— Rs. 150½

Rs. 50, is too small to induce ~~sufficiently~~ qualified men to accept the post. A much larger salary must be offered, & Rs. 100 is the rate suggested. & But this amount, the High Court remarks, is not intended to be the remuneration for an officer appointed under the provisions of § V-Act XII-261. The Head Clerk on Rs. 100 will not be regarded as the "Clerk of the Court", but merely as the principal ministerial officer of the Court. Two additional Gomastahs (one of whom will do duty as Shroff) & a Moolcher are also proposed. The rest of the increase consists in raising the pay of the Naib, & in

in having, in place of
six peons, a Head Mes-
senger, a messenger, &
four peons.

any reduction in the
number of the District
Munsiff's Courts.

24.

3. The Governor in Council
concurs with the High
Court as to the insufficiency
of the establishment
sanctioned for the Small
Cause Courts, & approves
the revised scale proposed.
I am directed to apply
for the sanction of the
Govt. of India to adopt
the same. The Small
Cause Courts ^{I thought} have
recently commenced
operations — & it is
not possible at this
early period ^{since their} of ~~their~~
^{institutions} assistance to effect
any

Feb 6 1862 Recd
Prosser & Co

Mo 1952.

To the Secretary to the
Govt. of India.

Home Dept.

St. No. 39463.

8/24 Dec 1862

Subjecting the donation of
the Govt. of India to the
revised scale of Estab.
ments proposed for the
small Civil Court in the
Provinces showing an increase
of Rs 1000 for each
Court.