

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1803-04	Press ~~Mis.~~
13-14	
Dated 3. 11. 1862	~~11~~ .

8/8

Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
3rd November 1862.*

Read the following letter from the Judges of the Madras Court of Small Causes; to the Chief Secretary to Government, Fort Saint George, dated 18th October 1862, No. 62.

1. We have the honor to submit, for the consideration of the Governor in Council, certain alterations in the arrangement of the Establishment, which may be effected with a saving of Rupees (60) sixty per mensem on the expenses of the Court during the past year. They involve but little change of practice, and will enable us to act with due regard to the claims of old public servants.

2. The former Judges, in the 4th para. of their letter to Government, dated 22nd November 1850, assigned a salary of Rupees (200) two hundred to the Assistant Clerk and Cashier; but as that Officer had been previously in receipt of a salary of Rupees (350) three hundred and fifty, a personal allowance of Rupees (150) one hundred and fifty was granted to make his emoluments up to his former pay, and this consolidated allowance was drawn by the late incumbent, C. Streenevassiah, until the date of his retirement on a pension in the month of December last, when K. Vadachella Moodelly was appointed to fill his place on the salary of Rupees (200) two hundred, the personal allowance of Rupees (150) one hundred and fifty lapsing to Government.

3. We have every respect for the opinion of the former Judges, who assigned Rupees (200) two hundred to this office; but it is to be remarked, that those gentlemen were never called upon to seek for a man to fill the appointment on these terms, as they found a suitable person ready indeed to hold the office, but at a salary almost double that now attached to it.

4. The Assistant Clerk and Cashier occupies a most important position in the Establishment. In the absence of the Chief Clerk, the duties of that officer devolve upon him. All the monetary transactions of the Court pass through his hands. The increased importance of which we would exemplify, by comparing the amounts litigated, suitors' fund, and the fees paid to Government, during the year 1853, the third, and the year 1861 the last year of the Court's operation.

5. It will thus be seen that the responsibilities of the Cashier are very considerable, and we would add that, to secure the Government against loss by his default, he deposits with the Accountant General Government paper to the value, at the price of the day, of Rupees (6,000) six thousand.

6. We cannot speak too highly of the personal merits of the present incumbent, whether we consider his general intelligence, and activity in the conduct of business, or the length and efficiency of his services, dating from the year 1832, and viewing the enhanced price of the necessaries of life, within the last 10 years, as well as the deductions for Income Tax, we beg to express our confident opinion, that a salary of Rupees (250) two hundred and fifty per mensem should be assigned to the office.

7. In filling up the vacancy left by the promotion of K. Vadachella Moodelly, we propose to re-distribute the work and responsibility of the three officers next in rank, equalizing their labors and slightly increasing the pay of M. Sabaputty Moodelly and C. Davarajiah, who, we are of opinion, have not hitherto received an equivalent for their services. They have each important functions to perform, and they have claims founded on lengthened service rendered by them and their ancestors in this Court, and the Courts which preceded it, dating back in one case to more than half a century.

8. We have appointed P. Calastree Naidoo to the first place, namely that of "Manager." It will be his duty to issue Summons, and to exercise the ordinary supervision of a Manager; and, considering that his office is one of responsibility and trust, we have assigned to him the same salary as that of his predecessor, viz., Rupees (120) one hundred and twenty.

9. M. Sabaputty Moodelly will be called "keeper of the Records." His title will sufficiently indicate his ordinary duties, (the sole responsibility of which will attach to him). In addition to which, he will have charge of all property seized under Executions, and all docu-

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ments, and valuables deposited in Court. For the increased responsibility of this office, we beg to recommend that his present salary of Rupees (50) fifty be increased to Rupees (70) seventy.

10. C. Davarajiah we would style "Examiner," and increase his salary from Rupees (45) forty-five to Rupees (65) sixty-five. His duties are most important, as subject to the supervision of one of the Judges, he examines all the witnesses under Commissions sent to this Court from the Mofussil, and although he is now designated "Deputy Record-keeper," we have found him so useful at his original duties, that (regarding the efficiency of the Establishment,) we have continued to impose them upon him, and we think the salary which we propose is no more than the remuneration he is entitled to.

11. We have the honor to enclose a tabular* form of the proposed changes, in anticipation of which we have included in our Budget for the current year, the entire
No. 2. of C. Streenevassiah's personal allowance, amounting to Rupees (1,800) one thousand and eight hundred per annum, only Rupees (1,080) one thousand and eighty of which will be absorbed by the contemplated changes, which will exhibit a saving of Rupees (720) seven hundred and twenty per annum to Government. We, therefore, venture to hope that under the foregoing circumstances, the Government will be pleased to take a favorable view of this recommendation.

(Signed) LIONEL U. STEELE,
(") E. G. COWER,
(") C. RUNGANDA SHASTRE,
Judges.

No. 14. ORDER THEREON, 3rd November 1862, No. 1,803.

The personal allowance drawn by the late Assistant Clerk and Cashier of the Small Cause Court, not having been a part of the sanctioned amount for its Establishment, the increases proposed by the Judges must be treated as ~~as such~~ requiring the sanction of the Supreme Government. The tabular statement submitted with this letter, will be forwarded to that Government, and the additional charge recommended for sanction by them.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

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JUDICIAL

No. Extract from Home Dept. of Govt. of India.	Office to which the proposition refers.	Year.	Revenue.						Charges.					
			Ordinary.			Extraordinary.			Ordinary.			Extraordinary.		
			Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
			Actual as per Receipts and Disbursements.....											
		1859	54,541	13	4	58	4	8	64,663	10	6	114	9	0
		1860	63,095	8	6	198	15	9	63,573	13	3	126	10	8
		1861	90,726	15	6	321	2	0	68,614	3	7	142	12	3
		1862	78,135	7	5	108	12	10	73,162	4	9	152	0	6
		Estimated up to December 1862..												
Nature of Charge.	Present Scale.	Proposed Scale.	Propo											
			Permanent.											
			Increase per month.						Decrease per month.					
Senior Judge...	Rs. 1,500 0 0	Rs. 1,500 0 0	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.	Rs.	A.	P.
2 Judges at 1,000...	2,000 0 0	2,000 0 0	2,000	0	0	2,000	0	0						
Chief Clerk.....	650 0 0	650 0 0	650	0	0	650	0	0						
Assistant Clerk and Cashier...	200 0 0	200 0 0	200	0	0	200	0	0						
Head Interpreter...	175 0 0	175 0 0	175	0	0	175	0	0	50	0	0			
Persian Interpreter...	100 0 0	100 0 0	100	0	0	100	0	0						
3 Judges' Clerks at 70.....	210 0 0	210 0 0	210	0	0	210	0	0						
Translator...	35 0 0	35 0 0	35	0	0	35	0	0						
2 Judges' Assistant Clerks at 20....	40 0 0	40 0 0	40	0	0	40	0	0						
Record-keeper and Summons Writer.	120 0 0	120 0 0	120	0	0	120	0	0						
Accountant...	50 0 0	50 0 0	50	0	0	50	0	0						
Deputy Record-keeper...	45 0 0	45 0 0	45	0	0	45	0	0	20	0	0			
Record Writer.....	35 0 0	35 0 0	35	0	0	35	0	0	20	0	0			
Correspondence and Mofussil deposition Writer...	30 0 0	30 0 0	30	0	0	30	0	0						
Computist...	25 0 0	25 0 0	25	0	0	25	0	0						
Assistant Writer to the Cashier and Accountant...	20 0 0	20 0 0	20	0	0	20	0	0						
Warrant Writer.....	20 0 0	20 0 0	20	0	0	20	0	0						
Writer...	18 0 0	18 0 0	18	0	0	18	0	0						
2 Summons Writers at 18 and 16.....	34 0 0	34 0 0	34	0	0	34	0	0						
Assistant Warrant Writer..	17 0 0	17 0 0	17	0	0	17	0	0						
Assistant Accountant...	17 0 0	17 0 0	17	0	0	17	0	0						
Sealer...	16 0 0	16 0 0	16	0	0	16	0	0						
8 Second class Writers, 2 on 15 and 6 on 14	114 0 0	114 0 0	114	0	0	114	0	0						
2 Shroffs on 20 and 15...	35 0 0	35 0 0	35	0	0	35	0	0						
Gollah...	12 0 0	12 0 0	12	0	0	12	0	0						

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DEPARTMENT.

Total.						Net.					
Revenues.			Charges.			Surplus.			Deficit.		
RS.	A.	P.	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
54,600	2	0	61,778	3	6	...	...	...	10,178	1	6
63,294	8	3	63,700	7	11	...	...	...	405	15	8
91,048	1	6	68,756	15	10	22,291	1	8	...	...	...
78,244	4	3	73,314	5	3	4,929	15	0	...	...	...

situation.			Casual or Extraordinary.	Grounds of Proposition.	Local Govt.'s recommendation.	Orders of Govt. of India.		
Temporary.						Home Dept.	Financial Dept.	
Increase per month.	Decrease per month.					Remarks.	Remarks.	Orders.
Period.	Period.							

RS.	A.	P.	RS.	A.	P.	The increases proposed by the Judges amount to Rupees 90, and consist in raising the salaries of three of the servants on their Establishment, viz :— The salary of the Assistant Clerk and Cashier to be raised from Rs. 200 to Rs. 250.....50 The Accountant on Rupees 50, to be keeper of the Records and Deposits on Rs. 70.....20 The Deputy Record-keeper on Rupees 45 to be Examiner on Rupees 65.....20 Rs...90 — Streenavassiah, the Registrar of the old Court of Commissioners for the recovery of small debts, filled the appointment of Assistant Clerk and Cashier of the present Small Cause Court up to December last, when he was pensioned. He drew, besides his salary of Rupees 200, a personal allowance of Rupees 150 a month, or Rupees 350 in all. The present incumbent receives only Rupees 200. The Judges consider this amount as an insufficient remuneration for the responsible duties devolving on the Assistant Clerk and Cashier of their Court. He stands in charge during the absence of the Chief Clerk of the Court, and as Cashier (for which duty he has deposited Rupees 6,000 as security) all the monetary transactions pass through his hands. The great increase in the business of the Court is illustrated by a comparative statement, here annexed.

Years.	Amount litigated.	Suitors' Fund.	Fees paid to Govt.
	RS.	RS.	RS.
	1859	3,62,040	61,940
1861	6,42,196	1,13,203	91,048

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No. / Extract from Home Date / Dept. of Govt. of India. Office to which the proposition refers.	Nature of Charge.		JUDICIAL			
	Present Scale.	Proposed Scale.	Permanent.		Propo	
			Increase per month.	Decrease per month.	Increase per month.	Decrease per month.
	RS.	A. P.	RS.	A. P.	RS.	A. P.
3 European Bailiffs on 100... ..	300	0 0	3 European Bailiffs on 100... ..	300	0 0	
Court-keeper... ..	40	0 0	Court-keeper... ..	40	0 0	
15 Native Bailiffs, 7 on 17½, 2 on 12½, 2 on 11, and 4 on 9... ..	205	0 0	15 Native Bailiffs, 7 on 17½, 2 on 12½, 2 on 11, and 4 on 9... ..	205	0 0	
2 Moochees on 12 and 5... ..	17	0 0	2 Moochees on 12 and 5... ..	17	0 0	
3 Tenders on 7... ..	21	0 0	3 Tenders on 7... ..	21	0 0	
Head Peon... ..	8	0 0	Head Peon... ..	8	0 0	
4 Watching Peons on 7... ..	28	0 0	4 Watching Peons on 7... ..	28	0 0	
3 Punkah pullers at 3½... ..	10	8 0	3 Punkah pullers on 3½... ..	10	8 0	
Waterwoman... ..	3	8 0	Waterwoman... ..	3	8 0	
Toty... ..	3	8 0	Toty... ..	3	8 0	
Total Rupees... ..	6,154	8 0	Total Rupees... ..	6,244	8 0	90 0 0
Personal allowance drawn by C. Stree- nevassiah, late As- sistant Clerk and Cashier... ..	150	0 0	Saving to Govern- ment... ..	60	0 0	
Rupees... ..	6,304	8 0	Rupees... ..	6,304	8 0	

FORT SAINT GEORGE,
3rd November 1862.

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ARTMENT.

Temporary.		Casual or Extraordinary.	Grounds of Proposition.	Orders of Govt. of India.		
esse r th.	Decrease per month.			Home Dept.	Financial Dept.	
Period.				Remarks.	Remarks.	Orders.
A. P.	RS.	A. P.				
			The salary of the present incumbent, with duties so largely increased, is thus about half that drawn by his predecessor. On these grounds, and looking to the high qualifications required for the office, the Judges have applied for an increase of Rs. 50 to the salary originally assigned to the Assistant Clerk and Cashier. The other two increases of Rs. 20 in each case are recommended by the Judges on similar grounds, viz., the responsible nature of the duties, and the inadequate remuneration granted for the service. Besides, the Judges have re-distributed the work of the establishment. The Record-keeper will also be the custodian of all property seized under executions, and of all documents and valuables deposited with the Court. The Deputy Record-keeper will be "Examiner," i. e., subject to the supervision of one of the Judges, he is to examine witnesses under Commissions received by the Court from the Mofussil. The Governor in Council is of opinion that the application of the Judges should be acceded to. There has been of late years a large increase in the business of the Court, and the fees have been augmented in a corresponding degree. The additional salary recommended is not for the entire establishment, but only for those few Officers, whose responsibilities have been enlarged, and on whose efficiency much will depend. At the present rates, it will be difficulty to re-place the present incumbents on vacancies occurring. The personal allowance, Rupees 150, of the retired Assistant Clerk and Cashier having lapsed to the Government, the present application will, if sanctioned, still leave a saving of Rs. 60 a month to the Government—and for this year, the charge can be met from the sanctioned Budget for the Court.			

No. 1,804.

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

(Signed) A. J. ARBUTHNOT,
Chief Secy. to the Govt. of Fort Saint George.

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N^o 1803 of 3rd November 1862.

The personal allowances drawn by the late Asst. Clerk & Cashier of the Small Cause Court, not having been a part of the sanctioned amount for its establishment, the increases proposed by the Judges must be treated as fresh expenditure, & as such requiring the sanction of the Supreme Govt. The tabular statement submitted with this letter, will be forwarded to that Govt. & the additional charges recommended for sanction.

N^o 1

11/11/62
D. C. Clerk

Proc. S. Dec. 1860 1422-23

Ind 1862 Sept 1
Proc. S. Dec. 1860 1422-23

Sanction by them.

The Duke of the
Small Cause Court. 3 Sept 4th

24 Oct 1861

18th Sept 1862
No 2117
Consideration

With an Order.

Ind 1862
No 2117