M.R.O. 1—$9,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1575 Press Mis.

252-253

Dated 31-10-1864

3/4.

Not to be folded or roughly handled

No. 252. Read the following letter from G. BANBURY, Esq., Acting Magistrate of North Arcot; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Chittoor, 20th October 1864, No. 56.

I have the honor to furnish the report called for by Government Proceedings, Judicial Department, dated 20th September 1864.

2. At the commencement of the present year, orders were issued to desist from taking up petty cases which could be easily disposed of by the Village Moonsiffs, and thus save the issue of many warrants and summonses, and consequent waste of time and annoyance to the parties concerned.

3. Subsequently it came to Mr. Robinson's notice, that if the parties in comparatively trivial cases did not at once appear upon summonses, they were brought up by warrants. Mr. Robinson consequently issued instructions, that fines should, in a few cases, be imposed upon those persons neglecting to answer the summons; that this would have the effect of deterring others from similar disregard to these processes, and thus obviate the reprehensible practice of issuing these warrants of arrest. Due publicity was also given to the wishes of Government regarding the more sparing issue of these processes; the monthly Returns were carefully checked, and orders at once sent when any Sub-Magistrate was found to be falling into his old habits of unlimited summoning, and the result has been that month by month the required diminution is being attained.

4. The old practice of summoning the sufferer in any petty theft, or robbery that occurs, and making him give a deposition before any trace has been discovered, is still, to a certain extent, kept up. This causes extra work, as, when the Police subsequently track the offenders, the prosecutor has again to be sent for. It must not unfrequently happen, that the distance he has to travel, and the time he is kept from his daily pursuits, must be far greater loss and inconvenience to him than the original theft of his property. I have issued orders endeavouring to stop this. The Police Station Officer in charge takes down the list of stolen property, which is the primary document required, so there is, in reality, no occasion for the present practice.

5. I cannot help thinking, that a great deal of this unnecessary work is caused by the practice which obtains of Sub-Magistrates doing their work at all sorts of inconvenient hours. I annex a copy of the order I have issued in the Gazette regarding this objectionable usage.

Circular by Acting Collector and Magistrate.

The objectionable practice which is carried on by many Sub-Magistrates, of retiring to their dwellings during the day-time, and performing their Cutcherry duties only during the night, and very early in the morning, should not any longer continue. It is very unfair upon the prosecutors, witnesses, and defendants, and gives rise to the issue of many unnecessary summonses and warrants. The Cutcherry hours of a Sub-Magistrate must be from 10 until sunset. The Huzur Cutcherry servants do not retire for a lengthened period of refreshment, and subsequent rest during the day-time, neither need the Taluq officials. Of course, in case of any heavy account work, or necessary correspondence, the office hours must be prolonged

by candle-light as they are in the Huzur, but Sub-Magistrates must not detain the parties before them after sunset. Attention to these rules is particularly requested, and they should be regarded as much as possible, when Sub-Magistrates are on circuit in their Taluqs.

No. 253. ORDER THEREON, 31st October 1864, No. 1575.

The Governor in Council approves of the steps taken by the Magistrate of North Arcot to prevent the excessive issue of processes in petty cases by the Subordinate Magistrates of the District.

2. It would be well that every Magistrate in the Provinces should issue a Circular, enforcing the adoption of regular office hours by the Sub-Magistrates of the District, similar to that issued by Mr. Banbury.

(True Extract.)

Chief Secretary.

To the Magistrate of

Exd. J. Tulloch.

X2

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Acting Magistrate of North Arcot

Hereunder 20 October 1864 N° 56

Order thereon 31st October 1864 N° 1575-

The Governor in Council approves of the steps taken by the Magistrate of North Arcot to prevent the excessive issue of processes in petty cases by the Subordinate Magistrates of the Districts.

2 It would be well that every Magistrate in the Provinces should issue a Circular enforcing the adoption of regular office hours by the Sub Magistrates of the Districts similar to that issued by Mr Banbury.

To all Magistrates dated 5th Nov.

28-3-07

19/5/24

Jud.l 1864. Department.

No. 1575

PROCEEDINGS of GOVERNMENT.

Jud. 2313.

Dated 31st Oct. 1864.

Directing that every Magt in the Provinces should issue a Circular enforcing the adoption of regulated Office hours by the Sub Magts of the Districts.

252-253

C2L acr