M.R.O. 1—39,000—16-10-99.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1616	Press ~~Mis.~~
96-97 Dated	8 – 11 – 19 1864	

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Not to be folded or roughly handled

Proceedings of the Madras Government, Judicial Department,
8th November 1864.

No. 96. Read the following Extract from the Proceedings of the Government of India in the Home Department, dated Simla, 5th October 1864, No. 3232.

Read an Office Memorandum from the Financial Department, No. 1727, dated the 5th ultimo, transferring for consideration the papers noted below, relating to the allowances to be given to Cantonment Joint Magistrates, with reference to the addition to their duties caused by the passing of Act XXII of 1864.

From the Bombay Government, No. 4481, dated 31st December 1860.
To ditto ditto No. 1467, dated 5th February 1861.
From the Home Department, No. 228, dated 26th January 1861.
From the Military Department, No. 13, dated 12th March 1861.
To the Military Finance Department, No. 2965, dated 21st March 1861.
From ditto. ditto No. 812A, dated 17th September 1861.
From the Madras Government, No. 473, dated 20th March 1862.
From the Military Department, No. 32, dated 2nd May 1862.
To the Committee of Secretaries, No. 3353, dated 19th May 1862.
From ditto ditto dated 2nd July 1862.
From the Military Department, No. 41, dated 9th August 1862.
From ditto ditto No. 1233, dated 30th October 1862.
From ditto ditto No. 122, dated 24th September 1863.
From ditto ditto No. 9, dated 10th December 1863.
Resolution, Financial Department, No. 378, dated 21st January 1864.
To the Secretary, Committee of Secretaries, No. 1849, dated 23rd August 1862.
From the Government of Bombay, No. 2531, dated 20th February 1864.
To the Deputy Auditor and Accountant General, Bombay, No. 1646, dated 24th March 1864.

RESOLUTION.—The information before the Governor General in Council, regarding the number and the allowances of Cantonment Magistrates throughout India (excepting Madras, Mysore, and the two Berars, from which reports should be called for,) is now sufficiently complete for the formation of a judgment on the above question.

From a statement compiled in the Home Office, it appears that, excluding the Provinces above-named, 38 officers are employed as Magistrates and Superintendents of Abkaree and Bazaars in as many Cantonments, on staff salaries of Rupees 300 each,* their total allowance being made up by their Military pay to an aggregate of Rupees 30,201-2-0. Besides this, two Judge Advocates in Bombay are also ex-officio Cantonment Magistrates—an arrangement which it seems undesirable to maintain.

* Rupees 150, plus 64 plus 86.
150, as Cantonment Magistrates.
86, as Superintendent of Abkaree.
64, as Superintendent of Bazaars.

The Committee of Secretaries in their Report dated 2nd July 1862, proposed that staff salaries should be given in three grades, *viz.*, Rupees 200, 300, and 400, which arrangement, supposing the number in each grade to be equal, would give exactly the present financial result—reducing the pay of the lower, and increasing that of the higher grades.

Hitherto, no regular system of selection having been in practice, the officers appointed have been usually senior officers of the old Indian Army, possessing possibly some slight aptitude for civil work, though this was always matter of uncertainty, their qualifications in this respect being subjected to no test.

The Governor General in Council considers it expedient that Cantonment Magistrates should still be officers of some Military experience and standing, as they have to come much in contact with, and to carry out the wishes of, Military authorities on many important and delicate points. But since the passing of Act XXII of 1864, it is more than ever requisite that officers in the position of Cantonment Magistrates should possess considerable aptitude for, and experience in, civil duties; and in this view, it seems essential that they should be in some measure prepared for the discharge of such duties before entering upon them.

This object, the Governor General in Council believes, will best be secured by ruling that Cantonment Magistrates shall pass the examination prescribed for officers entering the Staff Corps through the Civil Department, and that they shall be considered as officers in ordinary civil employment liable to the departmental examinations prescribed for Civil officers, and eligible for general promotion in the Civil Department.

As regards the Punjab, Oudh, the Central Provinces, and Burmah, the office of Cantonment Magistrate should be regarded as belonging to the general civil administration, and officers holding it should be considered as having a claim to future advancement in the Province, according to merit in common with their fellow servants in it. The same rule should be applied also, as far as possible, to Cantonment Magistrates in Bengal and the North-Western Provinces, who should be considered eligible for employment in the Non-Regulation Districts of those Lieutenant Governorships, in the civil administration of which Military officers are mainly or exclusively employed.

It is not intended, however, that this arrangement shall take immediate or general effect with respect to officers who are already Cantonment Magistrates, only such of the present Cantonment Magistrates shall be hereafter brought into the general civil staff of a Province as may be specially selected by the Local Government after full consideration, subject to all the examinations above prescribed, and to the approval and confirmation of the Supreme Government. All other present incumbents will remain in every respect in their existing status, both as to salary and as to promotion.

As future vacancies occur in the office of Cantonment Magistrate in any Province, the selection to the vacant appointment, if it be at a second class station, should be made by the Lieutenant Governor, or the Chief Commissioner, from among the Junior Military Officers already in civil employment, either in the Province in which the vacancy occurs, or in any other Province. If the vacancy is at a first class station, a Cantonment Magistrate of the second class should ordinarily be transferred to it.

To facilitate the interchange of Cantonment Magistrates with Military officers in general civil employment, it is desirable that Cantonment Magistrates should draw consolidated salaries, and the Governor General in Council is of opinion that they should be divided into two grades,—one on Rupees 1000 per mensem, for the more important stations; and the other on Rupees 700 for smaller stations. This scale seems best adapted to the wide difference which exists between large and small Cantonments, and offers a decided step of promotion, which ought always to be made on a consideration of the merits of the several officers in the lower grade, in whatever Province they may be employed.

The following shall be the stations of the first Class in the Bengal Presidency:—

Peshawar.	Meerut.	Benares.
Rawulpindee.	Agra.	Barrackpore.
Mean Meer.	Allahabad.	Gwalior.
Umballa.	Lucknow.	Kamptee.

ORDER.—Ordered that a copy of this Resolution be forwarded to the Local Governments and Administrations noted on the margin, for information; and also to the Government of Fort Saint George, the Resident at Hyderabad, and the Commissioner of Mysore, for the submission of the Report indicated in the 1st paragraph thereof, and for recommendation as to the class of Magistrates to be assigned to the several Cantonments within their respective jurisdictions; and as to which latter point also recommendations should be asked from the Government of Bombay, and the Chief Commissioner of British Burmah, to whom also copy of the Resolution should be forwarded for information.

Government of Bengal.
Ditto North-Western Provinces.
Ditto Punjab.
Chief Commissioner, Central Provinces.
Ditto Oudh.

Copy forwarded to the Financial Department, for information and further orders, and the original papers received therefrom returned.

Copy forwarded to the Military Department for information.

(A true Extract.)

(Signed) E. C. BAYLEY,
Secy. to the Govt. of India.

No. 97. To the Secretary to the Government of India, Home Department, dated Fort Saint George, 8th November 1864, No. 1016.

In acknowledging the receipt of the Proceedings of the Government of India, under date the 5th ultimo, No. 3232, regarding the allowances to be given to Cantonment Joint Magistrates, I am directed to refer you to Mr. Sim's letter of the 6th ultimo for a Statement of the allowances now drawn by those officers in this Presidency, and to state that, in the opinion of His Excellency in Council, all the Cantonments specified in the Statement in question should be treated as 2nd Class stations.

2. Bangalore and Hyderabad should be classed as 1st Class stations, but regarding them the Government of India appear to be in communication with the Commissioner of Mysore, and the Resident at Hyderabad.

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

Exd. T. Cartledge.

Proceedings of the Madras Government, Judicial Department, 6th October 1864.

Read the following papers:—

No. 44. STATEMENT showing the Salaries, Allowances, and Establishments of the Cantonment Joint Magistrates in the Madras Presidency passed by the Civil Paymaster.

District.	Name.	Appointment.	Salary. Rs. A. P.	Total. Rs. A. P.	Remarks.
Bellary... ...	Captain G. N. Johnstone.	Cantonment Joint Magistrate.			
		Staff Corps pay ...	374 1 0		
		Allowance...	70 0 0		
				444 1 0	
		1 Clerk...	15 0 0		
		1 Dufterbund... ...	7 0 0		
		1 Sweeper...	5 0 0		
				27 0 0	
Wellington ...	Major F. Young... ...	Cantonment Joint Magistrate.			
		Staff Corps pay ...	640 14 6		
		Allowance...	70 0 0		
				710 14 6	
		1 Clerk...	20 0 0		
		1 Lamp lighter & Sweeper..... ...	5 0 0		
				25 0 0	
Carnanore. ...	Captain A. D. Clay.	Cantonment Joint Magistrate.			
		Staff Corps pay ...	374 1 0		
		Allowance...	70 0 0		
				444 1 0	
		1 Clerk...	15 0 0		
		1 Dufterbund... ...	7 0 0		
		1 Mussalchi and Sweeper..... ...	5 0 0		
		1 Head Writer... ...	35 0 0		
		1 Deputy do. ...	20 0 0		
		2 Peons at 6... ...	12 0 0		
				94 0 0	
Paumben.....	.....	1 Clerk...	35 0 0		
		1 Dufterbund... ...	7 0 0		
				42 0 0	This is included and drawn for in the abstract of the Madura Collectorate.
Saint Thomas' Mount.	Captain C. D. Cleminshaw.	Cantonment Joint Magistrate.			
		Allowance...	70 0 0		
		1 Vernacular Clerk	15 0 0		
		1 Dufterbund... ...	7 0 0		
		1 Sweeper...	5 0 0		
				97 0 0	
Palaveram. ...	Lieutenant W. Hay.	Cantonment Joint Magistrate.			
		Allowance...	50 0 0		
		1 Head Clerk... ...	35 0 0		
		1 Clerk..... ...	15 0 0		
		2 Peons at 6... ...	12 0 0		
				112 0 0	
Trichinopoly..	Major A. B. Marsack.	Cantonment Joint Magistrate.			
		Staff Corps pay ..	640 14 6		
		Allowance..... ...	70 0 0		
				710 14 6	
		1 Writer.....	15 0 0		
		1 Dufterbund... ...	7 0 0		
		1 Mussalchi... ...	5 0 0		
				27 0 0	

STATEMENT showing the Salaries, Allowances, and Establishments of the Cantonment Joint Magistrates, &c.—*(Continued.)*

District.	Name.	Appointment.	Salary.	Total.	Remarks.
			RS. A. P.	RS. A. P.	
Ootacamund.	Major W. H. Wapshare	Cantonment Joint Magistrate.			
		Regimental allowance.....	308 4 6		
		Allowance.....	70 0 0		
				378 4 0	Major Wapshare died on the 19th July last.

FORT SAINT GEORGE,
22nd August 1864.

(Signed) R. W. LODWICK,
Civil Paymaster.

No. 66.

Forwarded to Government, with reference to Government Order, No. 1227, dated 13th instant, Judicial Department.

No. 45. From Major C. H. DRURY, Acting Controller of Military Accounts, Fort Saint George; to the Secretary to Government, Judicial Department, Fort Saint George, dated 2nd September 1864, D.

I have the honor with reference to the Order of Government, in the Judicial Department, to forward a letter from the Examiner, Pay Department, with a Statement of Salaries, Allowances, and Establishments passed in the Military Department to Cantonment Magistrates.

From Captain G. PRINGLE, Acting Examiner, Pay Department; to the Acting Controller of Military Accounts, dated Fort Saint George, 31st August 1864, No. 3212.

In returning the Order of Government forwarded with your Memorandum, No. 286, dated 15th August 1864, I have the honor to state, that the only allowances passed in the Military Department on account of Cantonment Joint Magistrates, are those exhibited in the annexed Statement.

2. Pay and Regimental allowances have also been passed to officers not belonging to the Staff Corps holding these appointments.

Statement of allowances passed in the Military Department, to Cantonment Joint Magistrates.

Stations.	Office Allowance and Establishment.		Staff pay.
Saint Thomas' Mount....	From Rupees 507 to 82 up to June 1862.		
	At present	Rs. 67	
Trichinopoly	....	" 67	
Wellington	....	" 45	
Bellary.	....	" 67	
Cannanore.	....	" 67	
Rangoon, for charge of the Sudder bazar up to 6th August 1862.	Bazar Serjeant.....	" 20	Rs. 64
	Writer.....	" 40	
	Cotwall.....	" 40	
	Mutsuddy.....	" 16	
	Peons.....	" 88	
At present.	Peons.....	" 60	Rs. 20

(Signed) G. PRINGLE, Captain,
Acting Examiner, Pay Department.

No. 40. No. 138.

OFFICIAL MEMORANDUM.

With reference to the Memorandum from the Secretary to Government in the Judicial Department, No. 497, dated the 17th instant, the undersigned has the honor to state that the Staff Corps pay of Cantonment Joint Magistrates is passed in the Civil Department, under the authority conveyed in a letter from the Financial Secretary to the Government of India, No. 553, dated 29th January 1864, a copy of which is enclosed for information.

FORT SAINT GEORGE,
19th September 1864.

(Signed) W. DONALD,
Chief Asst. Civil Paymaster in charge.

To the Secretary to Government, Judicial Department.

From E. H. LUSHINGTON, Esq., Secretary to the Government of India, Financial Department; to the Civil Paymaster, Madras, dated Fort William, Council Chamber, the 29th January 1864, No. 553.

Financial Department.

I am directed to acknowledge the receipt of the letter from the Chief Assistant in charge of your Office, No. 1653, of the 23rd December 1863, and in reply to confirm the decision of 13th November 1863, that the rule enjoining the debit of the total emoluments of Cantonment Joint Magistrates to the Civil Department, is applicable to the Madras Presidency.

(True Copy.)

(Signed) W. DONALD,
Chief Asst. Civil Paymaster in charge.

No. 47. To the Secretary to the Government of India, Financial Department, Simla, dated Fort Saint George, 6th October 1864, No. 1463.

With reference to your telegram, dated 9th, but received on the 13th August last, I am directed to transmit to you the annexed Statement, showing separately the monthly allowances of the Cantonment Magistrates in this Presidency, and the cost of their establishments. There are altogether six appointments of this class.

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

STATEMENT.

Cantonments.	Present Incumbents.	Military allowance.	Magisterial allowance.	Establishment.
		RS. A. P.	RS. A. P.	RS. A. P.
Saint Thomas' Mount...	Captain C. D. Clementson... ...	374 1 0	70 0 0	94 0 0
Cannanore.....	" A. D. Clay...	374 1 0	70 0 0	161 0 0
Bellary.....	" G. N. Johnstone... ...	374 1 0	70 0 0	94 0 0
Wellington.....	Major F. Young.....	640 14 6	70 0 0	74 0 0
Trichinopoly...	" A. B. Marsack.....	610 14 6	70 0 0	94 0 0
Palaveram.....	Lieutenant W. Hay.....	225 12 0	50 0 0	62 0 0
	Per mensem, Rupees...	2,629 12 0	400 0 0	579 0 0
	Per annum, Rupees...	31,557 0 0	4,800 0 0	6,948 0 0

Exd. T. Cartledge.

Ext No 172
20.3.62

Judicial Department.

No. 1615.

To

The Secretary to the Government
of India.
Home Department,

Sir,

In acknowledging the
receipt of the Proceedings of the
Government of India under
date the 6th Ultimo No 3232,
regarding the allowances to
be given to Cantonment
Joint Magistrates, I am
directed to refer you to Mr
Sims letter of the 6th Ultimo
for a Statement of the
allowances now drawn by
those officers in this
Presidency, and to state
that, in the opinion of
His Excellency in Council
all the Cantonments
specified

specified in the Statement in question should be treated as seemed Class Stations.

5. Bangalore and Hyderabad should be classed as 1st Class Stations, but regarding them the Government of India appear to be in communication with the Commissioner of Mysore and the Resident at Hyderabad?

Lord H. George
8th November 1866

From 6th October 1864 to

Judicial 1864 Despatch

No 1696.

From the Secy: to the Govt
of India

Jud. 2725.
1199/65.
Read 8th Nov 1864

Passing orders regarding
the allowances of
Cantonment Joint
Magistrates &c.

96-97.