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MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 837 Press ~~Mis.~~

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Dated 6 — 6 — ~~19~~ 1814

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Not to be folded or roughly handled

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

No. 70. Read the following letter from J. MASKELL, E , Magistrate, Vepery Police Court; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Governmen Saint George, dated Madras, 4th April 1864, No. !'

I have the honor to request you will submit to Governn pplication for to the pay of the establishment of the Vepery Police Court.

2. Thi 3rd of March 18 e establishment fixed

Extract

1 Interprete			
2 Minute Write	.....		
3 Writers at 21 Rupees			
1 Deputy Cash-keeper			
1 Moochie		8	0
1 Swee		8	0
1 Scavenge		8	0
Total I	..265	8	0

3. The establishment contin lay, and it will be observ- ed that its aggregate cost, viz., Rupees 265 ot equal t of a single assistant in a second or third rate publi

4. But whilst th the establishment has continued stationa of the Court have be increasing as will be apparent from the

Year.	Cases entered for trial.	Comp or drawn, &	Fees.	Since cr Government.
1857 10 months.		869	1328	
1858	4259	985		2488
1859	6802			4439
1860	7164			5160
1861	4936	983	1040	5691
1862	6376	1025	810	6030
1863	8206	1012	8058	

5. I deem it therefore m bring t overnme vants of this establishment to have the ed on a better footing

6. My Interpreter r h. He is required to speak on ..... languages, and to assist th positions and preparing indictments i mittable cases. His pay should, I think, be to 140 R

7. The two Minute s Head C the Court, receive 30 Ru- pees each, and both are expected h the Vernaculars as well as English, to enable t in the Native languages, and to officiate for the I the property to be p Session They prepare commitments and other important law processes, and this duty olves a great deal of re salaries should, in my opinion, be raised to 60 and 45 Rupees a month respec

8. With regard to the Writers, I would suggest that, instead of having thr each and a Cash-kee notion among them, there should be something like a graduated scale, which should extend throughout the whole establishment. This would enable the Magistrate to give promotion on vacancies occurring to those who may most deserve it. There seems no necessity for having a separate Cash-keeper as any one of the Clerks might be req and receive the daily collections.

9. If these suggestions are approved, I would propose to classify the whole establishment as follows:—

		Rs.	A.	P.
1	Interpreter	140	0	0
1	Head Clerk and Minute Writer	60	0	0
1	Deputy do. do.	45	0	0
1	Clerk	30	0	0
1	Do.	28	0	0
1	Copyist			
1	Do.	21	0	0
1	Moochie	10	8	0
1	Sweeper	3	8	0
1	Scavenger	3	8	0
	Total	365	8	0
	Present establishment	265	8	0
	Increase	100	0	0

These changes would place the establishment on a proper footing and involve an increased expenditure of only 100 Rupees a month.

10. I trust the Government will not consider that an establishment, at an aggregate cost of Rupees 365-8-0 per mensem, is too costly for a Court like the one over which I preside. A Magistrate should have competent assistance, and he can hardly be expected to conduct his duties satisfactorily with a badly paid establishment. A reference to the Moyen Zabitah of any of the large public offices in Madras would, I am sure, show that Clerks performing far less important duties than the Clerks employed in the Magistrates' Courts are more liberally paid. There may be exceptions here and there, but on the whole I am led to believe that, considering their temptations and the nature of their duties, the Magistrates' Clerks are amongst the worst paid servants of Government at the Presidency.

11. I take this opportunity of bringing to the notice of Government that the Magistrate of this Court is not himself sufficiently remunerated for his services. His salary was fixed at 800 Rupees a month on the establishment of this Court in 1857. It was not of course then anticipated that the duties of his office would increase so enormously and the pressure on the finances of the State at so great that it was deemed expedient to fix the salary at the lowest possible figure. I believe the pay of the Junior Magistrate of Calcutta was taken as a guide. Since that time, however, his salary has been raised from 800 to 1250 Rupees. The lowest salary of a Magistrate in the town of Bombay is also 1000 Rupees. I trust therefore the Government will recognize the necessity of raising the pay of the Magistrate of this Court from 800 to at least 1000 Rupees a month.

12. I beg to submit herewith (Encl y of the Minute of the Government of India passed on the application for raising e Junior Magistrate of Calcutta which I have extracted from a Madras newspaper. will be seen that the pay of that officer was raised partly on pers y personal grounds for increasing my salary, nor shall I advert to my long services and legal qualifications. I submit my application on the broad principle that officer employed in the administration of Justice should be fairly remunerated, and I trust the Government will be of opinion that 800 Rupees a month is not a proper remuneration for the Magistrate of an independent Court like that of Vepery, having jurisdiction over more than one-third of the Presidency town, and having upwards of 7000 cases a year to dispose of summarily. I respectfully submit the case to Government in this shape, and if they concur in the views above expressed, I solicit that they will recommend to the Government of India that the pay of the Magistrate of this Court be increased to 1000 Rupees a month.

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

13. I shall be prepared, if so instructed, to submit an application in the prescribed tabular form for the increased expenditure now applied for.

No. 71. ORDER THEREON, 6th June 1864, No. 837.

His Excellency the Governor in Council is not prepared to recommend so large an increase to the establishment of the Vepery Police office, as is proposed in the foregoing letter. The Government of India will be requested to sanction a salary of Rupees 50 for one of the Minute writers, who can be employed as head Clerk.

2. The Governor in Council is not prepared to recommend any increase to the salary of the Magistrate of the Vepery Police Court.

(True Extract.)

Chief Secretary.

To the Magistrate of the Vepery Police Court.

Exd. J. Tulloch.

From the Minute of Pendaum of 2d November 1801

The Salary of the Junior Police Magistrate to Calcutta to be raised from Rupees 800 to Rupees 1250, and that of the Senior Magistrate on the occurrence of a vacancy, is to be reduced to Rupees 1500 a Month. This we learn from the Hurkara which gives the Governor Generals Letter as follows.

"The Governor General in Council does not recognise the hardship of Mr. Sagan's Case personally, inasmuch as he accepted the Appointment knowing what the Salary of it was, and it is to be supposed therefore that he considered it worth his while to do so. But looking to the Office it must be admitted that 800 Rupees a Month is too low a Salary if the Appointment is to be filled by a European. That is to say as suggested by

by [illegible] double fee with
reference to the [illegible] Native
and though the Governor General
Council does not consider that the [illegible]
conduct of one Magistrate form
ground for [illegible] Sagauli Appointment
that the Experiment of appointing a
Native gentleman to the Magistrate
Bench in Calcutta has failed, he agrees
with the Lieutenant Governor that while
the Appointment is held by a European
Barrister, the Salary ought to be raised,
and he is pleased accordingly to sanction
provision being made in the next Budget
for the increase of the salary of the Senior
Magistrate to Rupees 1250 on the Un-
derstanding that on the occurrence of a
vacancy the pay of the Senior Magistrate
will be reduced to Rupees 1500 as proposed
in the Governor General's Minute of
July 4th 1851.—"

Judicial Department, 25th 13

PROCEEDINGS of the MADRAS GOVERNMENT.

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To the Magistrate
Vepe ice Court &c. 13 1/4/4.

Public Dept. 22 Feb 1838
No 18 to 40

Enclosure A

Extract a letter from the
Magistrate of the Ch
Presy Police Court
to the Chief Secretary
to Government dated
1st March 1838.

Read
Rec'd
No 655

epartment.

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PROCEEDINGS *of* GOVERNMENT.

17 26/1/66
60 62/1/67

Date

Salary of one of the Minute Writers in the Deputy Police raised to Rs 50 in view to his being employed as a Head Clerk - Proposal to increase the Magistrates Salary not approved. -