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MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1537	Press
		Mis.
Dated	27. 6 -	1877.

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.
JUDICIAL DEPARTMENT.

27th June 1877, No. 1537.

Belts and Badges.

Read the following paper:—

No. 145. *Proceedings of the Board of Revenue, dated 5th May 1877, No. 2082.*

Read the following letter from W. LOGAN, Esq., Collector of Malabar, to the Secretary to the Board of Revenue, dated Calicut, 13th April 1877, No. 93:—

The question of the right of private individuals to dress their servants after the fashion of Government Peons by the wearing of belts over the shoulder has again cropped up in this district.

2. I have looked up the orders on the subject, and it seems to me that the result of all the measures which were suggested has been to leave the matter in an uncertain state and no proclamation, such as was approved by the Board and apparently also by Government (G.O., Revenue Department, No. 1351, dated 23rd July 1874) has yet been issued.

3. Under these circumstances, I again solicit the Board's attention to the matter, and founding on the opinion expressed in paragraph 5 of G.O., Judicial Department, No. 84, dated 20th January 1871, I would, with the Board's approval, propose to issue the following administrative order:—

"As doubts still exist as to whether private individuals are at liberty to dress their servants after the fashion of Government Peons, who wear belts across the shoulder, the Collector and District Magistrate hereby gives notice to all concerned.

"I. That individuals residing within the Municipal limits of any town in the district are at liberty to dress their servants with belts in the above fashion on the condition that such belts are not worn by the servants when they pass outside of Municipal limits."

"II. That the police have been instructed to arrest any person whom they may discover in the act of wearing such belts outside the Municipal limits of any town in the district and to prosecute them, if necessary, before the proper authorities under Section 171 of the Indian Penal Code."

4. While, however, submitting this order as seeming to be in accordance with the views of Government on the subject, I desire very respectfully to point out that it does not appear to me to meet fully the objection which seems to have been universally felt that the practice of allowing private individuals to dress their servants in this way was liable to abuse. For, of course, simple countrypeople coming as they necessarily must do occasionally to towns are liable to be improved on while there as in the country. View the matter as we may, the fact remains and will long remain rooted in the minds of the people even in large towns that any person wearing a belt of any pattern or description whatever over the shoulder is a man vested with authority. And, under the circumstances, it seems to me that this privilege (for undoubtedly it is a privilege of very important kind) should be allowed not generally within certain defined limits as my above order contemplates, but individually under such regulations as the Board and Government might see fit to prescribe. There is not the slightest harm for instance in a coffee-garbling firm dressing their servants with belts and badges while they are on duty inside the coffee-garbling premises where some hundreds of women and children are employed, or while engaged in escorting a load of Rupees to or from the bank, or while they are standing in attendance at office, but I submit that it is a very different matter when these same belted servants go forth into the lanes about

towns or the adjacent country to seek for people to come to work in the yard. The belt then gives them a fictitious look of authority, which is objectionable and liable to misconstruction in many ways.

5. I would much prefer therefore to see a system introduced whereby the privilege of thus dressing their servants would be granted only to individuals or to firms and to them only on certain fixed conditions.

6. If the Government were to issue an order stating that a belt worn over the shoulder was to be the distinguishing mark of a certain class of Government servants and were to prescribe the colors, &c., for the various departments, it seems to me that any private individual who, without permission, dressed his servants similarly might be properly prosecuted under Section 171 of the Indian Penal Code. No private individual would for a moment be allowed to dress his servants in police costume. Why then should he be allowed to dress his servants in such a way that they might be mistaken for the peons of a Civil Court who, like policemen, have, in certain cases, power to arrest individuals? I am clearly of opinion that had the suggestion to supply all peons with Royal Arms badges been carried out, it would have failed of its purpose in up-country places.

The Board see no objection to the issue of the administrative order proposed, but nothing short of the prohibition of the use of shoulder belts by peons in private employment will prevent the abuse referred to, and it seems doubtful whether any such prohibition could be enforced without special legislation. The present does not seem to be an opportune time for moving in the matter when so many subjects of greater importance demand attention; the question can be brought forward again hereafter, if necessary. Distinctive colors have been prescribed for each department. The Collector will be furnished with a copy of G.O., dated 3rd September 1876, No. 1935, and Board's Proceedings, dated 24th September 1876, No. 2679.

(A true Copy and Extract.)

(Signed) C. A. GALTON,
Sub-Secretary.

No. 146. ORDER THEREON, 27th June 1877, No. 1537.

The Government are of opinion that a general order by the Magistrate, authorising the arrest of every private person's peon who wears his belt diagonally, is not proper. Every case must be dealt with on its own merits; the fraudulent knowledge and intent must be proved or the prosecution would fail.

(True Extract.)

D. F. CARMICHAEL,
Chief Secretary.

To the Board of Revenue.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 5th May 1877.

Read the following letter from W. LOGAN, Esq., Collector of Malabar, to H. E. STOKES, Esq., Secretary to the Board of Revenue, dated Calicut, 13th April 1877, No. 93:—

THE question of the right of private individuals to dress their servants after the fashion of Government Peons by the wearing of belts over the shoulder has again cropped up in this district.

2. I have looked up the orders on the subject, and it seems to me that the result of all the measures which were suggested has been to leave the matter in an uncertain state and no proclamation, such as was approved by the Board and apparently also by Government (G.O., Revenue Department, No. 1,351, dated 23rd July 1874) has yet been issued.

3. Under these circumstances, I again solicit the Board's attention to the matter, and founding on the opinion expressed in paragraph 5 of G.O., Judicial Department, No. 84, dated 20th January 1871, I would, with the Board's approval, propose to issue the following administrative order:—

"As doubts still exist as to whether private individuals are at liberty to dress their servants after the fashion of Government Peons, who wear belts across the shoulder, the Collector and District Magistrate hereby gives notice to all concerned.

"I. That individuals residing within the Municipal limits of any town in the district are at liberty to dress their servants with belts in the above fashion on the condition that such belts are not worn by the servants when they pass outside of Municipal limits."

"II. That the police have been instructed to arrest any person whom they may discover in the act of wearing such belts outside the Municipal limits of any town in the district and to prosecute them, if necessary, before the proper authorities under Section 171 of the Indian Penal Code."

4. While, however, submitting this order, I deem it to be in accordance with the views of Government on the subject, I do not mean to say that it does not seem to have been universally felt

that the practice of allowing private individuals to dress their servants in this way was liable to abuse. For, of course, simple country people, coming as they necessarily must do occasionally to towns, are liable to be imposed on, while there as in the country. View the matter as we may, the fact remains and will long remain rooted in the minds of the people, even in large towns, that any person wearing a belt of any pattern or description whatever over the shoulder is a man vested with authority. And, under the circumstances, it seems to me that this privilege (or, and subtlety, it is a privilege of very important kind) should be allowed not generally within certain defined limits as my above order contemplates, but to individuals under such regulations as the Board and Government might see fit to prescribe. There is not the slightest harm for instance in a coffee-garbling firm dressing their servants with belts and badges while they are on duty inside the coffee-garbling premises where some hundreds of women and children are employed, or while engaged in escorting a load of rupees to or from the bank, or while they are standing in attendance at office, but I submit that it is a very different matter when these same belted servants go forth into the lanes about towns or the adjacent country to seek for people to come to work in the yard. The belt then gives them a fictitious look of authority, which is objectionable and liable to misconstruction in many ways.

5. I would much prefer therefore to see a system introduced whereby the privilege of thus dressing their servants would be granted only to individuals or to firms and to them only on certain fixed conditions.

6. If the Government were to issue an order stating that a belt worn over the shoulder was to be the distinguishing mark of a certain class of Government servants and were to prescribe the colors, &c., for the various departments, it seems to me that any private individual who, without permission, dressed his servants similarly might be properly prosecuted under Section 171 of the Indian Penal Code. No private individual would for a moment be allowed to dress his servants in police costume.

THE Board see no objection to the issue of the administrative order proposed, but nothing short of the prohibition of the use of shoulder belts by persons in private employment will prevent the abuse referred to, and it seems doubtful whether any such prohibition could be enforced without special legislation. The present does not seem to be an opportune time for moving in the matter when so many subjects of greater importance demand attention; the question can be brought forward again hereafter, if necessary. Distinctive colors have been prescribed for each department. The Collector will be furnished with a copy of G.Os., dated 3rd September 1875, No. 1,935, and Board's Proceedings, dated 21st September 1875, No. 2,672.

(A true Copy and Extract.)

Sub-Secretary.

To the Collector of Malabar with copy of G.O., dated 3rd September 1875,
No. 1,935, and of Board's Proceedings, dated 24th September 1875, No. 2,679.
Copy to the Chief Secretary to Government, Judicial Department.

Exd. W. H. French.

From—in private employment.—**Left.**—Collector of Malabar that Board of Revenue has no objection to the issue of proposed Agricultural Order relative to the use of shanku by—, and expressing opinion that nothing of prohibition of the use of such belts would be the abuse referred to by Collector.

MAY.
No. 2,082.

СЕНТЯБРЬ, 5-й МАЯ 1877, No. 2,082.

MADRAS.

Journal of Agriculture

1877.

Robert Jackson

1/2 of 3

I think we shall endeavor
to obtain power. if the
law does not now confer
it. I exclude private
parties from entering
this struggle with
Bills & Judges to whom
as to induce among
the triumph minded
populace, ^{the idea of} that the
individual to induce
is a Gov. Official.

27/6/77. 9^h 1537

Care

[illegible]

No. 1730

From

Bd of Revenue

4/5 May/77 No 2082

FOR ORDERS.

Sgt. Boyle

The Law punishes anyone who wears a garb or carries a token used by a certain class of public servants - into a fraudulent intent.

2 We determined at one time
to adopt 2 carlet cloths for all
pens & the Royal badge in
German silver - & got the Law-
son ~~mint~~ ^x ~~mint~~ ^{mint}

+ Inf. enclach.

(1) in G.O. 3^d May/75

(2) E.O. 8406/64

9
was afterwards resolved to
have a different colour
for each dept; and J. J. J.
being the advocate
pointed out that, after all,
the fraudulent knowledge
intent will have to be made out
as a fact in each case, and
in default the prosecution will
fail.

Subm. had therefore that a
general order, arresting every
private person from who would
be liable indignantly for the
is the present proposal - is wrong
each case must be dealt with on
its merits.

28.1.3.1577.

12327 ✓
12327 ✓

5

11

G.O.

*1. Orders
regarding the issue of an ad-
ministrative Order by the
Collector relative to the
issue of shoulder belts by
persons in private employment.*

G.O. of 1877 20th June.

JUDICIAL.

To THE BOARD OF REVENUE.

Dated June, 27th.

Isabel

Isabel

G.O. 27th June 1877, No. 1877.

JUNE.
Nos. 145-146.

*Bells and Badges.—Orders passed on Proceed-
ings, Board of Revenue, approving the issue of an
administrative order by the Collector of Malabar,
relative to the use of shoulder belts by persons in
private employment.*