

(1) Number of pages 16

(2) Date of repair 21. 12. 37

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

~~SECRET~~
Judicial.

DEPARTMENT.

G.O. No. 423

Press
Mis.

Dated

16. 2. 1877.

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.

JUDICIAL DEPARTMENT.

16th February 1877, No. 423.

Commissioner—Nilgiris.

Read the following paper:—

No. 91: *From A. P. HOWELL, Esq., M.A., Officiating Secretary to the Government of India, Home Department (Police), to the Chief Secretary to Government, dated Fort William, 29th January 1877, No. 17.*

With reference to the correspondence ending with your letter, No. 2443, dated the 25th November last, I am directed to say that the Government of India admit the force of the arguments now advanced by the Madras Government against the reduction of the pay of the Commissioner of the Nilgiris from Rupees 2,000 to Rupees 1,200 per mensem. But if this reduction is to be foregone, I am to request that the Madras Government will reconsider the necessity of retaining the Military Joint Magistrate of Ootacamund. The duties of this officer are believed to be exceedingly light, and such as can easily be performed by the Commissioner or Assistant Commissioner, even though South-East Wynaad should be included within the limits of the Nilgiri Commissionership. The Joint Magistracy should therefore be abolished, at all events experimentally, as part of the new arrangement.

2. It will be for the Madras Government to arrange for the performance of the duties that now devolve upon the Military Joint Magistrate. At present the European staff in the Nilgiris consists of the Commissioner, the Assistant Commissioner, the Military Joint Magistrate at Ootacamund, and the Cantonment Magistrate at Wellington—the military station for European troops, eight miles distant from Ootacamund and connected with it by a good carriage road. It does not seem opposed to the provisions of the Cantonment Act to require the Cantonment Magistrate at Wellington to perform magisterial work at Ootacamund either periodically or whenever there is a pressure of business, or both the Commissioner and Assistant Commissioner are unavoidably absent from the station; or cases from Ootacamund may, in the absence of the Assistant Commissioner and Commissioner, be sent to Wellington for trial, as cases are now sent from Coonoor, which by carriage road is about four miles distant from Wellington.

3. It is stated in the Minute of the Hon. Mr. Sim, dated the 14th September 1874, enclosed in your letter of the 15th October following, that the reason for not abolishing the Military Joint Magistrate's office is that "for a mere song we obtain a very useful and continuously resident Magistrate at Ootacamund." But Mr. Sim seems to have forgotten that the whole of the Staff Corps pay of the Joint Magistrate is treated as a civil charge, and that if this Joint Magistrate were not employed where he is, he would be absorbed in the Military Department, and be usefully employed in some military capacity.

No. 92. Minute by the Hon. Sir W. ROBINSON, K.C.S.I., dated 12th February 1877.

I have already placed on record my earnest dissent from the procedure which has been admitted in this matter of recommendation to the Government of India, and I respectfully ask that further action be deferred until my Honorable Colleagues decide on this appeal to them.

2. I observe that a telegram has gone to the Government of India of which I have no recollection of mention being made in Council.

W. ROBINSON.

No. 92-A. ORDER THEREON, 16th February 1877, No. 423.

The Commissioner of the Nilgiris and the Inspector-General of Jails will be consulted as to the feasibility of otherwise providing for the performance of the duties now entrusted to the Military Joint Magistrate of Ootacamund.

2. The Acting Commissioner will submit returns of the number of cases before the Ootacamund Joint Magistrate, the Wellington Cantonment Magistrate, and the Coonoor Bench of Magistrates, and the number of days each sat in each month in 1875-76 and 1876-77 to date.

3. Meanwhile sanction for the continuance of the Commissioner's pay from 31st October 1876 at full rate till final decision has been requested by telegraph.

(True Extract.)

W. HUDLESTON,
Chief Secretary.

To the Commissioner of the Nilgiris.

" Inspector-General of Jails.

" Accountant-General.

No. 14

Amunt

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ask that further action be de-
ferred until my Hon. Col.?
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has gone to the Govt of
India of which I have no not-
ice of mention being made
in Council
12/2 *J. J. G. B. S. M.*

Govt. of 1877 *Madras*

JUDICIAL.

To

THE COMMISSIONER OF THE

NILGIRIS,

&c,

&c,

&c

Dated February 16th.

Issue

Recd.

Eng.

G.O., 16th February 1877, No. 423.

FEBRUARY.

Nos. 91-92A.

Commissioner - Nilgiris. - Order passed on
letter from Government of India requesting this
Government to reconsider the necessity of re-
vising the Joint Magistrate at Ootacamund, if the
salary of the Commissioner is to be kept at its
present figure.

No

FROM

ARTHUR HOWELL, Esq.,

Offg. Secretary to the Govt. of India.

To

THE SECRETARY TO THE GOVT. OF MADRAS.

Home Dept.
Police.

FORT WILLIAM, the 26 January 1877.

S I R,

WITH reference to the correspondence ending with your letter No. 2443, dated the 25th November last, I am directed to say that the Government of India admit the force of the arguments now advanced by the Madras Government against the reduction of the pay of the Commissioner of the Nilgiris from Rs. 2,000 to Rs. 1,200 per mensem. But if this reduction is to be foregone, I am to request that the Madras Government will re-consider the necessity of retaining the Military Joint Magistrate of Ootacamund. The duties of this officer are believed to be exceedingly light, and such as can easily be performed by the Commissioner or Assistant Commissioner, even though South-East Wynaad should be included within the limits of the Nilgiri Commissionership. The Joint Magistracy should therefore be abolished, at all events experimentally, as part of the new arrangement.

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(2)

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I have the honour to be,

S I R,

Your most obedient Servant,

Arthur Horrell
Offg. Secretary to the Govt. of India.

Erd.—C. A. S.

1877 (1877) DEPARTMENT.
(*Com Nilgiris*)

From
*The Secretary to
the Nilgiris
Home Department.*
No.
17.

S.O. 423/77
Dated *29 January*
Received *9 February*

No. *437*

Requesting the Madras Govt.
to consider the necessity of
retaining the Joint Magistrate
of Ootacamund - if the
salary of the Commr. is
to be kept at its present
figure.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from

*the Secretary to the Govt.
of India, Home Department
of 29 January 1877 No. 17.
Read letter of the Hon Secy.
Robinson F.C.S. dated 12-2-77.*

Order thereon. 16 Feb. 77. No. 423.

Br 9/2

*The Commissioner
of the Nilgiris and
the Inspector General
of Jails will be con-
sulted as to the feasi-*

*bility of otherwise pro-
viding for the performance
of the duties now en-
trusted to the Military
Joint Magistrate
of Ootacamund.*

*Meanwhile sanction
for the continuance of the
Commissioner's pay from
31st*

*Inde Minute
12/2 M. P. M.*

31st October 1876 at full
rate till final decision
has been requested by
telegraph.

V. D.

To
The Commissioners of the Prison
Department, of India
- Accountant General

Despatch 16/2

L. M. M. M. M.
0.20 to be paid for
the same.

Cost of 11877. 31180135.

To Just

Dated 16th }
Recd. } Aug. 1877, No. 425

Nos. 91-92 A

Count Higgins. Memphis
on loan from for 2 days by way of
the for the Commission the same.
of receiving the said
being as mentioned - of the
policy of the same is to be
as to its future future.

[Faint handwritten notes]