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5.6.36

M.R.O. 1-82,400-28-11-80.

MADRAS RECORD OFFICE.

Government of Madras.

DEPARTMENT

G.O. No.	10	Press
		Mis.
Dated		18

Not to be folded or roughly handled

N^o 4 7/20/1/70.

The U. S. C. J. Porter Rep^d
is directed with reference to the letter
from the Civil Judge of Beaham dated
3^d Dec^r 1869 N^o 1082 to request him
to state whether the deficiency ~~stands~~ in
the records under Wali Muhammad's
charge has been accounted for,
and what final recommendation
~~the~~ he has to make regarding Wali
Muhammad ~~the~~ ^{the} ~~report~~ when application
is now under consideration.

2. The Civil ~~Off~~ Judge is
also requested to explain the remarks
made by him in the report ^{to the effect} that Wali

sent to
Muhammad was a ~~man~~ ~~man~~ ~~man~~
for telling a deliberate lie
I then removed as being quite unfit

Pen 13th Jan/70 Oct 20

No 275

Berhampore Civil Court
24th December 1869
Despatched 24th
3
X

From
The Civil Judge
Berhampore

To
The Chief Secretary to Government
Madras

Sir,
On 6th October 1869 I forwarded an application for pension on behalf of Waly Mahomed, late Civil Record Keeper of this Court, and
I think it my duty to inform you that it has now been brought to my notice that an immense no^o of records are missing or unaccounted for.
2. Waly Mahomed was succeeded by a young man; who was appointed on probation. After a trial of two months, it was found that he was unfit for the post: another man has since been appointed on probation: and he has brought the deficiency to light. If the late Acting Record Keeper had done his duty, it would have been known before the application was sent.

The extent of the deficiency, so far as it is yet known is as follows:-

Date of Diary reporting it	Court	O.S. A.S.	Year	Records missing	Records since accounted for	Date of Diary reporting acc.
1869 Nov 1 st	Chisacole Court		1860	6		
2 nd	"		1860	11		
			1861	37		
		O.S.	1862	2	2	Nov 13 th
		O.S.	1863	18	18	"
			1864	1		
	Burhamport Court		1865	2		
	Chisacole Court	A.S.	1862	58	55	Nov 13 th
	"	"	1863	51	33-18	Nov 15 th 17 th
	"	"	1864	21		
	"	"	1865	121		
5 th	Chisacole St. Inf. O.S.		1864	56		
6 th	Iske	"	1864	48		
8 th	"	"	1865	41		
	"	"	1866	43		
10 th	Iske	"	1866	33		Nov 23 rd
"	Iskepur	"	1864	50	39	Nov 22 nd
"	"	"	1865	39	35	
"	"	"	1866	32	29	Nov 20 th
11 th	Chisacole	"	1865	81		
"	"	"	1866	235		
12 th	"	Car. Ct. A.S.	1866	2		
15 th	Chitkaly St. Inf. O.S.		1865	211		
"	"	"	1866	59		
16 th	Burhamport	"	1865	195		
"	"	"	1866	131		
17 th	Chitkaly	"	1864	75		
18 th	Burhamport	"	1864	90		
19 th	"	"	1864	61		
20 th	"	"	1864	57		
				1576	229	

4. It was not till November 5th that I observed the entries of deficiency: and on November 6th, on a petition from the late A. Record Keeper, I passed this order. '6 Yesterday, and today he has again begged to be relieved; and to day he has added that lately, Brahmam used the late Record Keeper is present is bound to deliver charge of the records which he has not delivered me and to account for the above missing?

7. From the record office diary for the 1st and 5th instant. It appears that on those two days alone it was found that there are missing indexes than 183 records belonging to five years viz. Car. Ct. A.S. of 1862, 56 records 1863, 51 " 1864, 4 " 1865, 14 " 1866, 56 "

Chisacole St. Infants' O.S. of 1866, 56 " Total 183 records being 19th of the whole number for those years.

This matter will at once be brought to the notice of Government with reference to the late Record Keeper's application for pension: and he will report, without delay, for the information of Government what has become of the above records and of any other which are not forthcoming.

8. But the above report dated 27th August was communicated to Jeyanti Suryanarayana Mudurti, for report, and was not contradicted by the latter, so long as he had charge of the office. He has lately made

several reports which he well knew to be false: as he had done before: and he cannot be relieved till some satisfactory understanding has been arrived at with reference to the records.

g. With reference to his letter of yesterday, a copy of these Proceedings will be sent to the Collector, to account for his not joining the office to which, he says, he has been appointed.

For the next few days I could not attend to the matter: and on November 13th, on reports from Waly Mahomed and the present incumbent, I passed this order: 'I am glad to see that so many records are accounted for, The statement must be shown to me daily, with the diary: and my initials taken on it. Any delay on the part of the late Record Keeper will cause the despatch of a letter to Government. It is already drafted.' There has now been delay; and this letter is the consequence.

6. It is likely that many of the missing records of Munsiff's Courts have been incorporated with the records of appeals from the decrees: but if the office had been even tolerably managed, there would have been no doubt upon this point. And it is next

to impossible that any large part of the deficiency can be thus accounted for. Pensions once drawn by Waly Mahomed, they will to all intents and purposes be lost; since no one will be responsible for them: a wholesale loss of judgments and decrees can hardly fail to injure the public. For the last several years, Waly Mahomed has received a considerable salary for the sole purpose of preventing any such injury: the record office is by far the smallest I have ever seen: and he has not had the excuse which other Civil Record Keepers have of ~~being~~^{being} over whelmed by the constant influx of records, and by the charge of Criminal records also. He has had very little to do and has done next to nothing. I beg to suggest that his pension be reduced, or be wholly withheld till the records have been brought into proper order.

7. It is not for the sake of this Court alone that I write. I have never seen a record office in a creditable state, i.e. decently arranged, and able to furnish a record within a tolerable time. I have done what I could towards getting my successive offices into order: but a judge cannot be always enquiring into such matters; nor even passing through the record office, to see how work is going on. It is seldom in his way: and a record keeper is apt to look upon his office as almost a sinecure. At Ceynapatan, I kept back an application for pensions, till considerable

progress in arrangement had been reported: but the officers will never be what they should be till some notice of the matter is taken by Government. Reduction or suspension of one Record Keeper's pension would have a beneficial effect throughout the Presidency.

8 It is but fair to add that although the High Court have directed the destruction, three years after disposal, of all parts of a record except the judgment and decree, yet records elsewhere accumulate so fast that no one without method and skill could both reduce to order the old ones, and keep in order the new ones.

9 Each Civil Court is the receptacle of all the records of its District: and it possesses not only the records of regular suits, but also those of ^{Small Causes}. In a Small Cause the record consists of nothing but ^{the plaintiff, defendant's statement of} facts and notes of evidence. No depositions ^{are} recorded: and the decree is entered in a book. Usually, I believe, the decree is executed soon after it is passed: and after decisions, the record is of no use, so far as I can see.

10 About a year ago, I reported to the High Court that at Vizagapatam such records come in at the rate of 1000 a month; making it very difficult to work the office; and I suggested the propriety of their being destroyed directly after execution. But the High Court

declined to allow it, on the ground that a record is often of use in other disputes. This is perfectly true of the records of regular suits: but I don't see that any part of ^{a Small Cause} ~~any~~ record can be so used: except possibly the plaintiff & defendant's statement.

I do not like to reopen the matter with the High Court: but I think I may fairly take this opportunity of bringing to the notice of Government the inconvenience of the present practice. If it be still thought doubtful whether it is safe to destroy such records soon after decision, it would be worth while to ascertain to what extent reference is actually made to them. In the Civil Court of Vizagapatam, and in that of Chingleput, I think, there is a register of applications for copies: and from that and from the file of letters received from the District Munsiffs it would be easy to ascertain the facts. They might also be ascertained from the Courts which are merely Small Cause Courts. I feel sure that the result of an enquiry would show that ^{practically} there is no use in keeping such records.

I have the honor to be

Yours most obedient servant

J. P. Thompson
Civil Judge

From 1892 to 1900

Penetration 1899

1082

1890

The Civil Judge of Southampton

Dec 24 1899

Suggests that Penetration to the Civil Judge of Southampton... brought us to preferment... on the order of 1890

C. 6. 2000

1890

Order given 13 January 1890... The Government will not... which will make the... to Wally Muhammed.

To the Civil Judge of Southampton... with the above letter for entry