M.R.O. 1—77,006—8-6-37.

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# MADRAS RECORD OFFICE.

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## Government of Madras.

Revision **DEPARTMENT.**

| G.O. No. 81 | Press / Mis. |
|---|---|
| Dated 5-2- 1873. | |

***Not to be folded or roughly handled***

5.12.40

*Proceedings of the Madras Government, Judicial Department,*
*4th January* 1870.

No. 19. Read the following letter from the Commissioner of the Neilgherry Hills, to the Chief Secretary to Government, Fort Saint George, dated Ootacamund, 8th December 1869, No. 61.

Circular, No. 1545, Public Department, dated 11th November 1869, calling upon me to check increase of expenditure, and to report whether it may not be possible, without loss of efficiency, to reduce the present cost of my office.

1. On receipt of the circular I addressed the Magistrate and through him the two Joint Magistrates as to the possibility of reduction.

2. It will be within the recollection of Government that the establishments of this district were re-organized so lately as August 1868, when the Neilgherry Commission was formed, and when complete Revenue, Account, and Judicial Departments, such as would meet the requirements of an independent district, had to be organized without increase of expenditure out of the existing Taluq and Judicial establishments.

3. The existing establishments consisted of sixty-nine men as per enclosed List A. By reducing the number of peons and lower subordinates, by abolishing the Sub-Magistrate's office at Ootacamund, and appointing a General Manager on Rupees 200 in place of a Tahsildar on 225 rupees separate Revenue, Account, and Judicial Departments were organized, as now shown in red ink in List A. The Commissioner in consequence has but three peons and the Assistant Commissioner two.

4. I have again gone into the work allotted to each individual, and I do not see any opening for reduction without impairing efficiency. On the contrary, ever since the Commission was established, I have had to shut my ears to complaints that we are under-handed. This is especially the case in the early part of the month with the Account Department.

5. The district is certainly small, our receipts trifling, but our payments average two lacs a month, and periodical reports, returns, and accounts have to be punctually rendered to the authorities at Madras, just as in other inland districts. It is only by making all clerks available for general work as business presses, that we carry on. The Assistant Commissioner as District Magistrate has but one clerk who works as well in the General Department.

6. For the special work connected with the sale of waste lands on these Hills I have also a temporary establishment of two clerks and two peons at a monthly cost of Rupees 90. One of the two clerks is employed in demarcating lands applied for, the other in drawing up title deeds in the office and conducting the correspondence connected therewith. With the arrears still so large I cannot recommend a reduction of these hands. The public, notwithstanding the utmost efforts on my part to place them in early possession of their lands and title deeds, still clamour about the delay which takes place before a piece of land can be put up to public sale.

7. The only reduction I can recommend is in the Wellington Joint Magistrate's office. The establishment of the Joint Magistrate at Ootacamund is as follows :—

*Joint Magistrate of Ootacamund.*

| | Rs. |
|---|---|
| Head Clerk... ... ... ... ... ... ... ... ... ... ... | 40 |
| Dufterbund... ... ... ... ... ... ... ... ... ... ... | 10 |
| Two Peons, at 8 rupees each .. ... ... ... ... ... ... | 16 |
| Total... | 66 |

I at one time thought the Dufterbund might be dispensed with, but I have ascertained from Colonel Campbell that the Dufterbund is really an assistant clerk who keeps the records, copies the calendars, and acts as a kind of amanuensis to the head clerk, while the latter is interpreting to the Court and so forth. Under these circumstances I do not think his services can be dispensed with.

8. The establishment of the Wellington Joint Magistrate is as follows :—

| | Rs. |
|---|---|
| 1 Clerk ... ... ... .. ... ... ... ... ... ... ... | 50 |
| 1 Do. ... ... ... ... ... ... ... ... ... ... ... | 35 |
| 1 Do. ... ... ... ... ... ... ... ... ... ... ... | 20 |
| 3 Peons, at 7 rupees each ... ... ... ... ... ... ... | 21 |
| 1 Masaljee... ... ... ... ... ... ... ... ... ... ... | 6 |
| Total... | 132 |

I think the clerk on Rupees 35 and one peon on seven rupees might be dispensed with.

I beg to forward, herewith, a letter from the Joint Magistrate, Captain Murray, on the subject. He points out that he is Small Cause Court Judge and Secretary of the Cantonment Conservancy Committee as well as Joint Magistrate, and extra work will be thrown on his office from the 1st instant by the extension of the Contagious Diseases' Act to Coonoor. He points out also that natives are constantly liable to sickness on these Hills. All this is true : still the number of cases disposed of by the Joint Magistrate of Ootacamund from 1st January to 1st December 1869, eleven months, is 474; while those disposed of by the Joint Magistrate of Wellington in the same period including Small Cause cases amount to 221 only.

10. While making the reduction I would strongly recommend that the two remaining peons on the Joint Magistrate's establishment should get 8 rupees a month; we cannot get respectable men for less on these Hills. I would also leave the Wellington Joint Magistrate's head clerk on 50 rupees, and his assistant clerk on 20 as at present. The Ootacamund Joint Magistrate's office is under the same roof as the Commissioner's office, and as the Wellington Joint Magistrate says, might get help at a pinch, whereas the Wellington office is separate and distinct altogether, and requires a higher stamp of men both for head clerk and for assistant clerk.



No. 20. ORDER THEREON, 4th January 1870, No. 10.

| | Rs. |
|---|---|
| 1 Clerk... ... ... ... ... ... ... | 35 |
| 1 Peon... ... ... ... ... ... ... | 7 |
| | 42 |
| *Deduct.* | |
| Increase proposed to the pay of two Peons ... ... ... ... ... | 2 |
| Total... | 40 |

The Government approve of the reductions, proposed by the Commissioner, in the office establishment of the Joint Magistrate at Wellington, and sanction the increase recommended to the pay of two of the peons. The actual reduction is, as per margin, Rupees 40 per mensem.

(True Extract.)

*Acting Chief Secretary.*

To the Commissioner of the Neilgherry Hills.
" Accountant-General.

Exd. J. Wright.

Statement of Services of Clerks in the Joint Magistrate Office Wellington from January 1870 to June 1871

5/

| Year | 1st Clerk | 2nd Clerk | 3rd Clerk | |
|---|---|---|---|---|
| 1870 | | | | |
| January | Gurupadam | +Ramasawmy | | |
| | +Ramasawmy acting | Vencatasamy acting | Ramiah | |
| February | do. | abolished. | Ramiah | |
| March | Gurupadam (?) | | | |
| | +Ramasawmy acting | Ramiah | | |
| April | do. | do | | |
| May | do. | do | | |
| June | do. | do | | |
| July | Gurupadam | do | | |
| August | do. | do | | |
| September | do | do | | |
| October | do | do | | |
| November | do | do | | |
| December | do | do | | |
| 1871 | | do | | |
| January | do. | do | | |
| February | do. | do | | |
| | +Ramasawmy acting | do | | |
| March | do. | do | | |
| April | do. | do | | |
| May | Gurupadam | do. | | |
| June | do. | +Ramasawmy | | |

Wellington
St. Magtes Office
29th November 1872.

+ J. K. Ramasawmy
Charles Richards Major
Joint Magistrate.

Govt. of {1870} Madras.

JUDICIAL.

To

The COMMR. of the NEILGHERRY HILLS.

&c., &c., &c.

Dated January, 4th.

Recd. Encl.

G. O., 4th January 1870, No. 10.

JANUARY.
Nos. 19-20.

Approving of certain reductions proposed in the office of the Joint Magistrate of Wellington.

From
The Joint Magistrate
Wellington
Dated 29th November 1872
Recd 30th November 1872
No 213

Statement
Ramiah C.

Forwarding of Service
of Clerks in the Wellington
Jt Magts office from
January 1870 to June 1871

Enclosure Letter D Govt
No 86 dated 19th December 1872
In Sub. 24 Aug 72

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Wellington
Joint Magts Office
29th November 1872

No 213

From,
Major C J Richards
Joint Magistrate of
Wellington

To,
The District Magistrate
Nilghirries

Sir,

Your Memo and Proceedings of Government relative to Ramiah late a Clerk in this Office under reply.

The Statement of who were the actual and acting Clerks during the period specified i.e. from January 1870 to June 1871 is attached.

Ramiah was appointed 2nd Clerk in March 1866 but failing to pass his Examination, on the 10th June 1867 reverted to his own appointment as 3rd Clerk

Ramasawmy becoming 2d Clerk.

The reduction of a Clerk in this Office took place during my absence in England, I on my return in February 1871 remonstrated against such, but this being fruitless. I re-arranged my Office by giving Ramiah, who could neither read nor write English, till 1st of June 1871 to find another post, on which latter date Ramasawmy the late 2d Clerk on 35 Rupees per mensem was put in Ramiah's place.

I have the honor to be
Sir
Your most Obed Servt
Charles Richards Major
Asst Magistrate.

Commissioner's Office
Ootacamund 19th December 1872

No. 86

From

The Commissioner of
Nilgheries

To

The Chief Secretary
to Government
Madras

Sir

G.O. No. 795 of 20th ultimo directs the submission of a statement showing the actual position of the office of the Joint Magistrate of Wellington in respect of the Head Clerk and the two men Ramasawmy and Ramiah in each month from the reduction order in January 1870 until Ramiah's removal in June 1871. I have the honor accordingly to transmit an original letter with the statement called for furnished by the Joint Magistrate from which it will be observed that the Clerk Ramiah continued uninterruptedly in the appointment of 2d Clerk on Rs 20 — per mensem

Inclosure to letter to Govt
No 86 dated 19th December 1872

In Secy. 2409/72

per mensem from March 1870 till June 1871, when his services were dispensed with, and Ramasawmy appointed in his place.

2 Ramasawmy Officiated as Head Clerk from January to June 1870 and again from February to April 1871 inclusive. He was consequently out of Employ from July 1870 to February 1871 and again in May 1871.

3 Ramiah was uninterruptedly on the receipt of Rs 20 per mensem from the date of the reduction Order first as 3d Clerk and afterwards as 2d Clerk till May 1871.

I have the honor to be
Sir
Your Most Obedt Servt

[illegible]
Commissioner

7-G.W

Pension Department

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## Memorandum for Orders.

In their Order of the 20th November last, the Government directed the submission of a statement of the actual position of the Wellington Joint Magistrate's office as regards the Head Clerk & the two clerks Ramasamy and Ramiah in each month from the reduction order in January 1870 until Ramiah's removal in June 1871. It will be recollected that application was made for the grant of a Compensation gratuity to Ramiah the 2d clerk who was removed on the 1st June 1871 and that objection was taken to the grant by the Dy Accountant General

[illegible] for the that Ramasamy held the best of 35 Rs - which not abolished. that Ramiah on 20 Rs is the man turned out. So I suppose the gratuity should be calculated on the 35 Rs abbt. and distributed rateably between the two. It however owing to

Pension 1873
Judicial 1872. Separate
No. 86
No. 5.
Date — 19th December 1872
Recd 21st
[illegible]
Commissioner's Office, Ootacamund.

To
The Chief Secretary to Government Madras

Enclosures. 2

SUBJECT.
Submitting an Original letter from the Joint Magt. of Wellington with the statement of the service of the Clerks attached to his office

on the ground that Ramiah was not the incumbent of the post which was abolished in January 1870 and that the only person who has any claim to a compensation gratuity on reduction of establishment, is the incumbent of the post abolished. The Government in their Order of the 4th October, pointed out that the objection was untenable as there could be no objection to the head of an office dispensing with the services of the least efficient subordinate to make room for the incumbent of a post abolished, if he was desirous of retaining the services of the latter instead of the former. The Accountant General then brought to notice that the rearrangement of the office which the Government

the shortness of Ramasamy's service, the share falling to Ramiah is less than 200 I would fix him the latter sum - that being his gratuity under the rules. He might ascertain by mem. what gratuity would be payable to Ramasamy had he been existed

J. A. S.

had presumed to have taken place on receipt of the Order of reduction had not been carried out till 17 months later and that during the interval, Ramasamy the incumbent of the 35 Rs post, had been out of employ except for occasional trials as Head clerk, whereas, if the view of Government were correct, Ramasamy should have reverted to the post of 2d clerk occupied by Ramiah on the expiration of the former's tenure of the acting post of head clerk which would have indicated the intention of the head of the office to regard Ramasamy as the incumbent of the 2d clerkship and not Ramiah - The Government accordingly called for a statement showing the position of the office as regards the two clerks

17

Ramasawmy v Ramiah.

From this, it appears that, at the time of receipt of the order of reduction Ramasawmy the permanent incumbent of the 35 Rs post was acting for the head clerk, another man named Venkatasamy acting in his place.

Ramiah held the Rs 20 post and continued to do so till June 1871 when he was turned out to make way for Ramasamy.

Ramasamy's tenure of the acting Head Clerkship expired in June 1870 and he was out of employment till the following February. This fact indicating that the then head of the office (Captain Murray) regarded him as the person who had lost employment by the reduction & did not intend to turn out

Ramiah

Ramiah for him. On Major Pickard's return from leave, however, that officer turned out Ramiah and put Ramasamy in his place. The delay which occurred in rearranging the office appears to alter the aspect of the case entirely. Ramiah had evidently been regarded by the Head of the office at the time of reduction as the permanent incumbent of the Rs 20 post and putting out of the question the hardship to Ramiah, the compensation gratuity would appear to be payable to Ramasamy only and must be calculated on the pay of his post.

19

Ch. A

Clerks Ramasamy and Ramiah of the Wellington Joint Magte's office

(15)

Put in Ch Sec's Council box

C: 17th Jany
R 20 ...

G.O No. 81

23

Pension Department.

Read again Pro. of Govt. Pension Dept. dated 20th Nov. 1872 No. 795 and read also the following letter from the Commr. of Neilgherries dated 19th Decr. 1872. No. 86.

Order thereon 5th February 1873 No. 81.

In their order of the 20th November last the Govt. directed the submission of a statement shewing the actual position of the Wellington Joint Magistrate's Office as regards the Head Clerk and the two men Ramasawmy and Ramiah in each month from the reduction order in January 1870 until Ramiah's removal in June 1871.

2. From the statement now submitted it appears that at the time of the receipt of the order of reduction Ramasawmy the permanent incumbent of the Rs 35 post was acting for the Head

clerk another man named Veeracatasawmy acting in his place. Ramiah held the Rs 20 post as his substantive appointment and continued to do so till June 1871, when he was ejected by Major Richards to make way for Ramasawmy. The latter's tenure of the acting Headclerkship expired in June 1870 and he was out of employment till the following February when he was again appointed to act as Head Clerk for a period of three months.

3. The fact that Ramiah was not superseded by Ramasawmy at the expiration of the latter's first tenure of the acting headclerkship certainly indicates that the then head of the office Capt.



(Capt. Murray) regarded Ramasawmy as the clerk who had lost his employment by the reduction, but the Government are not prepared to assert that the the permanent head of the office (Major Richards) was not on his return justified in arranging the office, the strength of which had been reduced in his absence, in the manner most likely in his opinion to conduce to efficiency.

4. Ramasawmy is presumably the more efficient servant of the two, and although the delay in carrying out the rearrangement of the office, consequent on the absence of the permanent head is to be regretted, the Government

see

see no reason for interfering with Major Richard's decision and for directing Ramiah's reinstatement. The Commissioner should endeavour to provide for the latter on the occurrence of a suitable vacancy.

5. The Register of application will be referred to the Accountant General for verification and report.

The gratuity must of course be calculated on the salary of the clerk whose services have been dispensed with and not on that attaching to the post which was abolished —

W.

Wellington Joint Magistrate Office Clerks

16. [illegible]

c: 29 Jany
R 3: Feby.

To the Commissioner of the Neilgiris
—"— Accountant General

Pens: 20 November 1872
No. 795

# Govt. of {1873} Madras.

To Pension

The Commissioner of the Nilgiris

Dated July 5th
Recd.

1873, No. 81.

Nos.

Passing orders regarding the claim to gratuity of Ramiah late 2d clerk in the office of the Joint Magistrate Wellington, and referring his Register of application to the Acctt. General for verification and report.