3-0-81

M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1184	Press ~~Mis.~~
116-117	
Dated 12-6-	1861.

Not to be folded or roughly handled

No. 116. Read the following letter from C. PELLY, Esq., Member of the Board of Revenue, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Chepauk, 22nd May 1861, No. 882:—

SIR,

1. I have the honor to submit for the orders of Government a letter* from the Collector of Bellary, forwarding also one from the Military Joint Magistrate at Bellary, in which a request for an increase of the Joint Magistrate's Office Establishment, sanctioned by Government under date the 5th September 1860, is urgently requested, and strongly recommended by the Collector. The correspondence on the subject is forwarded.

* Dated 3rd May 61, No. 87.

From Collector, dated	12th	September	1860,	No. 167.
To do.	21st	,,	,,	552.
From do.	13th	October	,,	188.
To do.	31st	January	1861, ,,	714.
From do.	22nd	February	,,	33.
To do.	21st	March	,,	796.
From do.	3rd	May	,,	87.

Establishment sanctioned for the Military Joint Magistrate at Bellary.

		Rs.
1	Clerk on	25
1	Do.	20
1	Do.	15
1	Dufterband	7
2	Peons at 6 Rupees each	12
1	Sweeper and Mashálchi	5
	Total	84

2. Captain Benson, after a trial, states distinctly, that the Establishment as per margin, recommended by me is not equal to the quantity of work that has to be performed in the town of Bellary. That town contains a large Military Force and a population, including this force, approximating to 75,000 souls.

3. As Superintendent of Military Police of Bellary, that Officer's jurisdiction now extends over the whole of the town of Bellary, as it formerly did, until the Military Cantonment was a few years ago reduced in size. Every Police case under the provisions of Regulation VII of 1832, was carried in the first instance before the Superintendent of Police, and was by him disposed of finally, or transferred by him to the Magistracy, according as the delinquent was a Military person or not; the difference now is, that Captain Benson is invested with full magisterial powers over the whole town, and consequently has a greater amount of *judicial* work than he had before, and which he says occupies him from 7 in the morning till 3 in the afternoon, and even later, and he complains that his Establishment is not equal to the work.

Government Order, 16th September 1856, No 992.

4. In addition to this he has a large amount of Civil work in the Military Courts of Requests, and besides this the Dâk duties or posting Establishments; which appears to be very heavy, and imposes much work and responsibility on his Clerks. He points out that about 15,000 Rupees of cash transactions pass through his Office on account of Dâk expenses. This work is mostly on account of posting bullocks and bearers for Government Troops, but it includes also Dâks for private travellers, and has been long conducted by this Officer, and works very well. I would not therefore recommend that it be taken out of his hands and transferred to the Collector. But it will be evident that it is rather on account of this part of his duty, that Captain Benson requires an increase to his present Magisterial Establishment, than for the proper duties of a Magistrate; and a part of the expense may be defrayed out of the fees which it is proposed to charge travellers for posting them.

Letter 19th February 1861.

5. On this ground I am disposed to recommend, on the strongly expressed opinion of the Joint Magistrate, supported by the Collector, that the Establishment be increased by one Clerk on 35 Rupees, and I would revise his Establishment as follows:—

		Rs.
1	Clerk	35
1	Do.	25
1	Do.	20
1	Do.	15
3	Peons @ 6 Rupees each	18
1	Sweeper and Mashálchi	5
	Total	118

the

6. Without the increase proposed Captain Benson expresses his conviction that the work cannot be properly performed. But I see no reason to believe that the numerical strength of the Joint Magistrate's Establishment, as originally sanctioned, is insufficient for the *magisterial work* for which it was primarily intended. The extra man now asked for is on account of the heavy Dâk duties which are performed in this Office.

7. The magisterial work of the Military Joint Magistrate at Bellary is certainly much heavier than the magisterial work at any of the other stations* at which these Officers have been appointed, as may be seen by the accompanying statement which I had prepared, to show the extent of magisterial duties performed by each, in consequence of this, and a similar application, made by the Joint Magistrate of Cannanore, for an increase to the Establishment allowed. It will be observed that the work at Bellary, though much heavier than in the other stations, is not beyond what the three Clerks should be able to perform, the average number of depositions taken in each working day being only seven; of copies, one; and of processes, even less than one. At Cannanore the Clerks seem to have almost nothing to do.

* Saint Thomas' Mount, Palaveram, Wellington and Cannanore.

8. In his letters to the Collector, of 19th February and 1st May, Captain Benson also requests that the matter of granting himself some extra allowance for the additional work he has to perform, may be laid before Government, and the Collector strongly recommends that an extra remuneration may be allowed.

9. None of the Commissariat Officers have received any extra remuneration for the magisterial duties now entrusted to them, in place of the Police duties which they hitherto had to perform, but which are now more or less undertaken by the Police. In a recent instance, however, an allowance was granted to a Military Staff Officer at Palaveram; but in that case the magisterial duties imposed on him were entirely new, and he never performed any Police duties, which the Commissariat Officers had to perform. The question is one of general application, and one for the consideration of Government.

Government Order, dated 8th March 1861, No. 536.

10. But in the case of Bellary there seems to be more grounds for acceding to the proposition than elsewhere, judging from the amount of extra work of a judicial nature now transacted by the Officer at that station. Captain Benson (letter 1st May) explains that when he accepted the appointment, he was under the impression that Regulation VII of 1832 would become inoperative, and that he would be relieved from all duties connected therewith; but he finds that with the exception of paying the Police, and a few minor duties, he has the same work to do as with the old Police, and now the whole of the magisterial work of the two towns (the Military Cantonment and the Civil town) rests on him, and he seems to have heavy work in connection with Military Court of Requests, in addition to his Commissariat duties. He believes his duties to be equal to and even in excess of Secunderabad and Bangalore, at which places there is a Sub-Assistant Commissary Officer to aid the senior Officer; and he would willingly forego any extra allowance for the extra labor he now has to undergo, if a Sub-Assistant were appointed to Bellary. Mr. Hathaway also speaks of the *heavy increase* of work devolving on the Joint Magistrate, and of his inability to give him any effectual assistance (see Collector's letter, dated 3rd May 1861).

11. I quite believe that Captain Benson's time must be very fully occupied with the duties he has to perform in this large Military station; and though some aid might be afforded him by sending occasionally cases for investigation to the Civil authorities, yet this is not a desirable expedient, where the Collector has not a Covenanted Assistant available for the duty; and I would rather commend to the consideration of Government the proposition that Bellary should have (as it frequently has before had) an Assistant in the Commissariat Department to help Captain Benson in all his duties.

STATEMENT *showing the amount of work performed by the Military Joint Magistrates in the Several Districts.*

Districts.	Stations.	Date on which he assumed office.	No. of days since then till 31st March 1861.	Deduct 1 day in 7 for Sundays.	Remaining No. of working days.	No. of Police cases brought before the Joint Magistrate during this period.	Of which No. summarily dismissed or disposed of without a written record.	No. transferred for investigation by other authority.	No. investigated by Military Joint Magistrate.	Viz., Petty cases punishable by Military Joint Magistrate.	Serious cases committible to Courts.	No. of original depositions actually recorded by the clerks of the Joint Magistrate.	No. of copies of depositions written by do.	No. of summons and warrants issued by Joint Magistrate.	Average No. of cases daily investigated, column 10.	Average No. of depositions column 13 daily taken down.	Do. Copies. Do. Column 14.	Do. summons and warrants Column 15.	Remarks.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20
Madras.....	St. Thomas' Mount.	7th April 1859.	725	103	622	70	10	1	70	42	18	534	175	77	$\frac{33}{311}$	$\frac{267}{311}$	$\frac{175}{622}$	$\frac{5}{22}$	$\frac{77}{275}$	Miscellaneous work. 45 Petitions endorsed, 966 Warrants Court of Request, 2002 Civil Suits under Regulation VI. of 32 from 8th of September 1860.
	Palaveram.....	14th Jan. 1861.	77	11	66	13	1	1	22	19	3	118		15	$\frac{3}{11}$	$1\frac{7}{11}$	$\frac{1}{11}$	$\frac{1}{22}$	$\frac{5}{22}$	
Coimbatore.	Wellington.....	11th Sept. 1860.	202	27	175	57	4	0	53	50	3	188	25	62	$1\frac{43}{175}$	$1\frac{117}{175}$	$\frac{1}{7}$	$\frac{1}{7}$	$1\frac{29}{175}$	
	Coonoor.....																			
Malabar.....	Cannanore.....	24th Dec. 1860.	98	14	84	9	6	0	9	9	0	16	0	15	$\frac{3}{14}$	$\frac{3}{21}$	0	$\frac{1}{14}$	$\frac{1}{70}$	
Bellary.....	Bellary.....	8th Sept. 1860.	205	29	176	235	37	37	198	179	19	1,233	174	150	$1\frac{1}{8}$	$7\frac{7}{176}$	$\frac{87}{88}$	$\frac{7.5}{8.8}$		

(Signed) C. PELLY,
Member.

REVENUE BOARD OFFICE,
Chepauk,
22nd May 1861.

Proceedings of the Madras Government, Revenue Department,
12th June 1861.

No. 117. ORDER THEREON, 12th June 1861, No. 1,184.

	RS.
1 Clerk	25
1 Do.	20
2 Do.	15
1 Dufterbund..	7
2 Peons at six Rupees each	12
1 Sweeper and Mashálchi	5
Total...	84

1. In their Order of 5th September 1860, No. 1,523, Government sanctioned an Establishment costing 84 Rupees monthly for the Military Joint Magistrate of Bellary. Mr. Pelly now recommends an addition to it of one Clerk and one Peon, raising the total cost to Rs. 118, the Dufterbund to be dispensed with. This addition is recommended on the ground of the business at Bellary being considerable.

2. Mr. Pelly, however, states that the "work at Bellary though much heavier than in the other (Military) stations, is not beyond what the three Clerks (now allowed) should be able to perform." In another place he says, "I see no reason to believe that the numerical strength of the Joint "Magistrate's Establishment as originally sanctioned, is insufficient, for the *magisterial work* for "which it was primarily intended. The extra man now asked for is on account of the heavy Dâk "duties which are performed in this Office." Judging from the description given of the work in the Joint Magistrate's Office, the Government are willing to admit that an addition should be made to the pay of the Head Clerk to enable the Joint Magistrate to secure the services of a person of intelligence, and they accordingly grant permission for the salary of the Chief Clerk being raised from twenty-five to thirty-five Rupees monthly. The additional Peon on Rupees (6) six is also allowed, as the Dufterbund provided for in the Original Establishment, it is observed, the fees which, under paragraph 5 of the Order of Government of 10th December 1860, No. 2,357, the Board of Revenue were authorized to charge for laying Dâks for the public.

3. The Establishment of the Joint Magistrate at Bellary as now sanctioned will be as follows:—

	RS.
1 Clerk...	35
1 Do.	20
1 Do....	15
3 Peons at six Rupees each	18
1 Sweeper and Mashálchi	5
Total...	93

4. The Government observe that the Clerks on the Establishment of the Joint Magistrate of Cannanore are said to have "almost nothing to do." In this case a reduction should be made in that Establishment to meet the additional charge now sanctioned.

5. Mr. Pelly's suggestion in the latter part of paragraph 11 will be referred to the Military Department for consideration.

(Signed) J. D. SIM,
Secretary to Government.

Rev Depart

No 1184

Proceedings of the Madras Government
Under date the 12th June 1861

Read the following
letter from C Pelly Esqre
Submitting a letter
from the Collector of Bel-
lary for increasing the Es-
tablishment of the Joint
Magistrate in this District (Here enter 22nd May 16
1882)

In their order
of 5th September 1860 No
1523, Govt sanctioned
an establt costing 84
Rs monthly for the
Military Joint Magistrate
of Bellary - Mr Pelly
now recommends an
addition to it of one Clerk
and one peon raising the
total cost to Rupees 118.
the Dufterbund to be
dispensed with. This addi-
tion is recommended on
the

1 Clerk - - - - - - - - - 25
1 — do - - - - - - - - - 20
1 — do - - - - - - - - - 15
1 Dufterbund - - - - - - 7
2 Peons @ 6 Rs each - - - 12
1 Sweeper & Mashalchi - 5
Total Rs 84

the ground of the busi-
-ness at Bellary being
considerable.

2. Mr. Pelly however
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Joint Magistrates' Es-
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Office

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-tablishment, it is ob-
-served, is to be dispensed
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clerk

clerks required for the
dak duties can be paid
out of the fees which
under para 5 of the or-
-der of Govt. of 10th Decr/58
No. 2357, the Board of
Revenue were authorized
to charge
for laying daks for the
public.

3 The Estabt. of the
Joint Magistrate at
Bellary as now sanc-
-tioned will be as follows

1 Clerk	35
1 do	20
1 do	15
3 Peons @ 6 Rs. each	18
1 Sweeper & Washerman	5
	93

4 The Government
observe that the clerks
on the Estabt. of the
Joint Magte. of Hanna-
-more are said to have
"almost nothing to do".
In this case a reduction
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5 Mr. Pelly's sug-
-gestion in the latter
part of para 11, will
be referred to the Milty
Dept. for consideration.

J. D. S.

A Copies

To

Mr. Pelly Esqr. with 12 Encls. Disp. 12

11 " Bd. of Rev. "
3 " Accts. Genl. "
3 " Civl Paymaster "
4 " Judicial Dept. "
7 " Milty do "

50

10

Increase for the Establt of the Joint Magtes of Bellary

Revenue 1861 Deptt
Pro: of Govt for June.

No. 1184.

Pro: of the Madras Govt
Dd 12th June 1861.

From Petly Esqr Dd 11th July 14
No. 1647 (reply to para 10 of the Min)

Passing orders on the letter from Mr Petly recommending an additional to the Joint Magistrates Establishment at Bellary.

No. 116 & 117.

8.3.61

C 4 June 861