M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 196 Press Mis.

389. 390

Dated 29—1—19 1863

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 29th January 1863.

No. 389. Read the following Proceedings of the Madras Government in the Judicial Department, dated 23rd January 1863, No. 97:—

Requesting the Honorable the Judges of the High Court to define the territorial limits of the Sub-Magistrates at Vaitri and Goodalur in Malabar, in view to investing them with the powers of District Moonsiffs. (Vide Judicial Proceedings, 23rd January 1863, Nos. 123, 124.)

No. 390. ORDER THEREON, 29th January 1863, No. 196.

Ordered to be communicated to the Board of Revenue. Provision will be made in the Tabular Statement about to be transmitted to the Government of India for the higher rate of salary sanctioned in the Judicial Department for the Sub-Magistrates at Vaitri and Goodalúr.

(Signed.) C. G. MASTER,

Deputy Secretary to Government.

JUDICIAL DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letter from the Honorable C. PELLY, Member of the Board of Revenue; to J. D. SIM, Esq., Secretary to Government, Revenue Department, dated Madras, 19th December 1862, No. 1,415.

I have the honor with reference to the Order of Government, dated 8th December 1862, No. 1,990, Judicial Department, referred to me for report in Order of Government, dated 9th idem, No. 2,571, Revenue Department, to submit a letter* from the Collector of Malabar in which he very strongly expresses his opinion against investing the Sub-Magistrate of Goodalur with the functions of a District Moonsiff. It seems to me that the functions of the two Officers could not be conveniently combined in the person of the Sub-Magistrate in Wynaad, whose proper duties are hardly compatible, as pointed out by Mr. Ballard, with those required for a District Moonsiff.

* Dated 15th December 1862, No. 5,605.

From G. A. BALLARD, Esq., Collector of Malabar; to the Honorable C. PELLY, Member of the Board of Revenue, Fort Saint George, dated Calicut, 15th December 1862, No. 5,605.

With reference to your letter of the 11th instant received this day, as you desire a very early reply I have the honor to submit the following remarks.

2. I sent up as Sub-Magistrate to Goodalur (when the sanction for the appointment came) a man whom I considered well qualified for the post, and who seems filling it very satisfactorily; but I never contemplated his undertaking District Moonsiff's duties, and I doubt if he is fitted to do so. I will, however, make enquiry.

3. But I must respectfully express my strong opinion that the union of the offices of District Moonsiff and Sub-Magistrate in one individual, especially in such a country as Wynaad, is not calculated to secure the efficient discharge of the duties of either post, and I can in no way recommend the arrangement.

4. I have already† observed, that though the number of cases on their files may not show that Sub-Magistrates at Vaitri and Goodalur are absolutely necessary, I consider it highly desirable to have those Officers. But I have endeavoured to secure active men and to impress in them that their duties are not merely confined to the routine work of office, but that I expect them to be constantly on the move, looking after the Police, assisting the Department Public Works, and actively interesting themselves in the general opening out and improvement of a wild country.

† Dated

5. Few active men suited to the above work are likely to be found qualified as District Moonsiffs. The training for a Moonsiff's Court lies in a different school, and qualification therefore is to be looked for in a different class of public servants.

6. Even if a *rara avis* combining all the requirements can be found, his judicial work would be liable to constant interruption from his more active duties, while the latter would be clogged by his judicial calls. I must therefore depricate the junction of incongruous functions.

7. With regard to the bi-section of the Taluk I would observe, that the Taluks of this District have but lately been re-arranged, and that frequent changes have a very unsettling effect.

8. For the reasons above given I certainly would not advocate two Taluk Sub-Magistrates with the duties of District Moonsiffs.

9. I am not sure however that sub-dividing Wynaad might not be found a desirable measure, but if done, it should be done after the fullest consideration, and I am not prepared to submit a proposition for doing so at present.

10. I hope to go through south-east Wynaad in the course of next month and on my return may be able to offer some remarks on the subject.

Transferred to the Judicial Department.

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

ORDER THEREON, 23rd January 1863, No. 97.

His Excellency the Governor in Council adheres to the opinion that the Sub-Magistrate at Goodalur, as well as the Sub-Magistrate at Vaitri, should be invested with the powers of a District Moonsiff.

2. The Revenue work of these Officers will be very light. Their Magisterial functions will not be heavy, and they will have ample time for the adjudication of the cases that are likely to be brought before them, in their capacity of District Moonsiffs. On the other hand, it is of great importance that the residents of those parts of Wynaad of which Goodalur and Vaitri are the centres, should not be compelled to proceed to Manantoddy for every petty suit they may have occasion to institute, and the Government are satisfied that the best arrangement under present circumstances is that there should be an Officer at each of these stations invested with the powers of a District Moonsiff.

3. The Sub-Magistrates at Vaitri and Goodalur will accordingly be invested with the powers of District Moonsiffs, and the Honorable the Judges of the High Court will be requested, in communication with the Collector and Magistrateof Malabar, to define the territorial limits of each. If either of the Officers who have been appointed Sub-Magistrates at Vaitri and Goodalur should be considered unfit to exercise the powers of a District Moonsiff, other persons should be selected. The salaries of the two Sub-Magistrates in question will be fixed respectively at Rupees (125) one hundred and twenty-five per mensem.

(True Extract.)

G. J. Arbuthnot

Chief Secretary.

261/63

To the Honorable the Judges of the High Court.
" " C. Pelly, Member of the Board of Revenue.
" Revenue Department.
" Magistrate of Malabar.
" Accountant General.
" Civil Paymaster.

Exd. T. McMootry.

10 spare copies

Pro. 9 Dec. 62
No. 129-130.

Rev. 1863 Dispatch
Pro. of Govt for Jany:
No. 231.

Proceedings of the Madras
Govt. in the Jud. Dept.

Dated 23d January
Recd 26th } 1863.

No. 97.

Requesting the Honorable
the Judges of the High Court
to define the territorial limits
of the Sub Magistracies of Vaitri
and Goodalur in Malabar
in order to invest them with
the powers of Deputy Collectors.

No. 389 & 390.

No. 196. 29th Jany

With an order

No. 196.

Ordered to be communi-
cated to the Bd of Rev: Provision mi
be made in the Tabular statement
about to be transmitted to the Govt
of India for the higher rate of
salary sanctioned in the Jud. Dept
for the Sub Magistrates at Vaitri and
Goodalur -

Fort St. George
29th January 1863

3 - Board of Revenue
2 Mr. Petty

with Rs. for D. Regr Cuddapah

3