M.R.O. 1—77,000—8-6-37.

(1) Number of pages 10

(2) Date of repair 21. 6. 37

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Judl DEPARTMENT.

G.O. No. 236		Press ~~Mis.~~
Dated 26—3— 1862.		

76-77 6/7

Not to be folded or roughly handled

21-6-37

Proceedings of the Madras Government, Financial Department, *26th March* 1862.

No. 76. Read the following letter from C. H. LUSHINGTON, Esq., Secretary to the Government of India, Financial Department; to the Chief Secretary to the Government of Fort Saint George, dated Fort William, 27th February 1862, No. 1,330.

I am directed to acknowledge the receipt of your letter, No. 63, dated the 24th ultimo, and in reply to observe that in the Register therewith submitted, shewing the gratuities sanctioned by the Madras Government during the quarter ending 31st October 1861, there are 19 cases* in which gratuities have been granted contrary to Rule, the parties mentioned being employed under Principal Sudder Ameens and paid out of monthly allowances, with the detailed distribution of which the Government does not interfere.

* Nos. 8, 23 to 37 and 40 to 42.

2. I am accordingly desired to request that you will be good enough to submit a further report in regard to the cases alluded to.

3. The Register submitted with your letter is herewith returned.

No. 77. To the Secretary to the Government of India, Financial Department, dated Fort Saint George, 26th March 1862, No. 236.

I am directed by His Excellency the Governor in Council to acknowledge the receipt of your letter under date the 27th ultimo, No. 1,330, returning the Register of Gratuities sanctioned by the Madras Government during the Quarter ending 31st October last, on the ground of there being 19 cases in which gratuities have been granted contrary to Rule, the parties mentioned being employed under Principal Sudder Ameens and paid out of monthly allowances, with the detailed distribution of which the Government does not interfere.

2. In reply I am to observe that Principal Sudder Ameens in this Presidency do not, as is supposed, provide their own Establishments out of an allowance assigned to them for that purpose. On the passing of Act VII of 1843, empowering this Government to abolish the Provincial Courts of Circuit and Appeal and reorganize the Judicial institutions of this Presidency, the Establishments for the Principal Sudder Ameens' Courts, equally with those of the Zillah and Subordinate Courts, were fixed in detail by the Court of Sudder Adawlut and approved by the Madras Government and they* still remain as then constituted. On the creation of any Principal Sudder Ameen's Court subsequent to 1843, the Establishment (as may be seen on reference to any Court that may have been sanctioned) is fixed in detail in all its grades and duly sanctioned by the Government of India. The Establishments thus fixed and authorized cannot be altered by the Principal Sudder Ameens, nor can the salaries be redistributed in any way, unless with the approval of this Government reported for the Orders of the Government of India, according to the instructions conveyed in their letter to the Civil Paymaster, dated 30th December 1861, No. 14,753.

* See Civil Auditor's Manual, Chapter VII, paragraphs 151—154.

Tabular application 30th October 1856, sanctioned by Government of India, 28th November 1856, No. 5,383.
Do. 27th December 1858, sanctioned, 11th February 1859, No. 1,051.
Do. 14th May 1860, sanctioned, 21st June 1860, No. 5,529.

3. The servants on the Establishment of the Principal Sudder Ameen stand indeed in these respects in precisely the same position as those on the Establishment of a Zillah or Subordinate Judge.

4. With this explanation, I am directed to re-submit the Register which was returned with your letter now under acknowledgment.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

No. 1330

From

C. H. Lushington, Esquire,
Secretary to the Government of India,
Financial Department,

To

The Chief Secretary to the
Government of Fort St. George.

Sir,

I am directed to acknowledge the receipt of your letter No. 63, dated the 24th Ultimo, and in reply to observe that, in the Register therewith submitted, shewing the gratuities sanctioned by the Madras Government during the Quarter ending 31st October 1861, there are 19* cases in which gratuities have been granted contrary to Rule, the parties mentioned being employed under Principal Sudder Ameens and paid out of monthly allowances, with the detailed distribution of which the Government does not interfere.

*Nos. 8, 23 to 37 and 40 to 42.

2. I am accordingly desired to request that you will be good enough to submit a further report in regard to the cases alluded to.

3. The Register submitted with your letter is herewith returned.

I have the honor to be,
Sir,
Your most Obedient Servant,

Secy to the Govt. of India

Fort William,
The 27th February 1862.

Finl. 1862 Deptt.

From
The Secy to the Govt of India No 1330

Dd 27th Feby
Recd 19th March 62.

No 236

[illegible]

Dept 26th

52

Financial Department

No 236

To the Secretary to the Govt. of India.
Financial Deptt.

Sir,

I am directed by His Excellency the Governor in Council to acknowledge the receipt of your letter under date the 27th Ultimo. No 1330, returning the Register of Gratuities sanctioned by the Madras Govt. during the Quarter ending 31st October last, on the ground of their being 19 cases in which gratuities have been granted contrary to Rules, the parties mentioned being employed under Principal Sudder Ameens & paid out

out of monthly allowances, with the detailed distribution of which the Govt: does not interfere.

2 In reply I am to observe that Principal Sudder Ameens in this Presidency do not, as is supposed, provide their own establishments out of an allowance assigned to them for that purpose. On the passing of Act VII of 1843, empowering this Govt: to abolish the Provincial Courts of Circuit & Appeal & reorganize the Judicial institutions of this Presidency, the establishments for the Principal Sudder Ameen's Courts, equally with those of the Zillah & Subordinate Courts, were fixed in detail by the Court of Sudder Adawlut & approved by the Madras Govt: & they^x still remain as then constituted. On the creation of any Principal Sudder Ameen's Court subsequent to 1843, the establishment (as may be seen on reference to any Court that may have been sanctioned) is fixed in detail in all its grades & duly sanctioned by the Govt: of India. The establishments thus fixed & authorised cannot be altered by the Principal Sudder Ameens, nor can the salaries be re-distributed in any way, unless with the approval of this Govt: reported for the orders of the Govt: of India, according to the instructions conveyed in their letter to the Civil Paymaster dated 30th Decr: 1861. No 14753.

x See Civil Auditor's Manual Chap. VII. paras 151-154

Tabular application 30th Octr 1856.
Sanctioned by Govt of India 26th Novr ---- No 5383.
Do ------------ 27th Decr: 1858.
Sanctioned ------ 11th Feby 1859 No 1051
Do ------------ 14th May 1860.
Sanctioned ------ 21st June ---- No 5529.

3 The servants on the establishment of the Principal Sudder

Sudder Ameen stand indeed in these respects in precisely the same position as those on the establishment of a Zillah or Subordinate Judge.

4 With this explanation, I am directed to re-submit the Register which was returned with your letter now under acknowledgement.

Fort St. George }
26th March/62 }

I have &c.

J.P.

Financial 1862 Department
N° 236

To
The Secretary to the
Government of India

Dated 26th March 1862
F. N° 380/62

In reference to the question raised by the Govt of India as to the propriety of the grant of gratuities to Servants on the Establishment of Principal Sudder Ameens explain the position of such servants in the Madras Presidency and retransmit to that authority the Registrar of gratuities as sanctioned by the Madras Govt. during the Quarter ending 31st October 1861.—