M.R.O. 1—77,006—8-6-37.

(1) Number of pages 10.

(2) Date of repair 28. 2. 40.

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Finance DEPARTMENT.

G.O. No.	218.	Press ~~Mis.~~
98-99.		
Dated	15-2-	1873.

98-99 617

Not to be folded or roughly handled

No. 98. Read the following letter from the Accountant-General, to the Chief Secretary to Government, Fort St. George, dated Fort St. George, 16th November 1872, No. 487:—

Audit Department.

In letter, No. 5021, dated the 24th July 1862, from the Financial Department of the Government of India, it was ruled "that Judges who take leave during the adjournment of their Courts are not entitled to privilege leave in addition, and that if, while absent during the recess, they take leave on medical certificate or on private affairs, the period of such absence must form part of the leave they obtain."

2. The new Civil Leave Code, which is declared to be in supersession of existing rules regarding leave of absence from duty to public servants in the Civil Department, contains no such definite ruling on the above point. But Clause 1, Section 18, Chapter VI., declares that "to Uncovenanted Judicial and Educational Officers, whose duties are not continuous, and who enjoy regular vacations, during which they are allowed to be absent from duty, privilege leave is not admissible except in cases of urgent necessity." And Clause 2 of the same section empowers the Local Government to impose similar restrictions in the case of Covenanted Officers.

3. I have the honour, therefore, to inquire whether it is the intention of this Government to declare the rule laid down in Clause 1 to be generally applicable to Covenanted Judicial Officers, and that privilege leave is not to be conceded to them except in cases of "urgent necessity," or whether it is their wish to reserve to themselves the power of granting such leave even when not of urgent necessity.

No. 99. ORDER THEREON, 15th February 1873, No. 218.

The Government reserve to themselves the power of granting privilege leave to Judicial Officers under very special circumstances irrespective of the recess.

(True Extract.)

Chief Secretary.

To the Accountant-General.

Exd. J. Wright.

Financial Department.

No. 7336.

From the Accountant General - Madras.

Dated 16: November 1872.

FOR ORDERS.

I am directed to request to be informed whether the Govt. of India - The leave taken in Madras G.O. 6. July 1869 No. 1090 means by the words - ½ that of the 2 months annual leave - to be the place of the 1 months'

Govt. of [illegible] Madras.

FINANCIAL.

To

THE ACCOUNTANT-GENERAL.

dated February, 15th.

ded.

Encl.

G. O., 15th February 1873, No. 218.

FEBRUARY.

Nos. 98-99.

Intimating, in reply to the Accountant-General's inquiry, that the Government reserve to themselves the power of granting privilege leave to Judicial Officers under very special circumstances irrespective of the recess.

5

~~Treasury.~~

Audit Department.

No. 487

Fort Saint George,
Accountant General's Office,
16th November 1872.

From The ACCOUNTANT GENERAL
to the GOVERNMENT of MADRAS,

To The Chief Secretary
to Government
Fort Saint George

Sir,

Jud Pro 18 Aug 1862 - 1348

In letter No. 5021 dated the 24th July 1862 from the Financial Department of the Government of India it was ruled "that Judges "who take leave during the adjournment of their "Courts are not entitled to privilege leave in "addition, and that if while absent during the "recess they take leave on Medical Certificate, or "on private affairs, the period of such absence "must form part of the leave they obtain."

2 The new Civil Leave Code which is declared to be in supersession of existing rules regarding leave of absence from duty to public servants in the Civil Department contains no such definite ruling on the above point. But clause 1 section 18 Chapter VI declares that "to Uncovenanted Judicial and Educational Officers "whose duties are not continuous, and who enjoy "regular vacations, during which they are allowed "to be absent from duty, privilege leave is not

page 13

admissible

"admissible except in cases of urgent necessity."
And clause 2 of the same Section empowers the
Local Government to impose similar restrictions
in the case of covenanted Officers.

3. I have the honor therefore to enquire whether it is the intention of this Government to declare the rule laid down in clause 1 to be generally applicable to covenanted Judicial Officers and that privilege leave is not to be exceeded to them except in cases of "urgent necessity" or whether it is their wish to reserve to themselves the power of granting such leave even where not of urgent necessity.

I have the honor to be
Sir
Your obedient servant
F. Huthinson
Accountant General

Comp'd. B.J.

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Financial 1872 2 DEPARTMENT.

FROM THE ACCTT. GENERAL
TO THE GOVT. OF MADRAS.

To

The Chief Secretary
to Government
Fort St. George

Dated 15 } November 1872
Received 18 }

No. 2336.

No. 487.

ENCLOSURES.

Requesting to be informed as to whether and under what circumstances Privilege leave can be granted to Judicial Officers under the Civil Leave Code.

With Order

15th February 1873 No 218.

Resolution. Leave Rules.

Leave Rules for Judicial Officers.

Circulated for information of the Judicial Officers.

Jud. sub copy to Govt of India.

Leave.

To the Accountant General, Madras.

C 25/11-
R 27/2
12/10/72
C 12/2/73

Govt. of {1873} Madras.

Financial

To

The Accountant General.

Dated 2d 15th
Rcd. Rud.

G O. 15th Feb 2, 1873, No. 218.

Nos. 98-99

In reply to the Govt. of India's enquiry
Intimating that the Govt. reserve
to themselves the power of granting
Privilege leave to Ind. Officers
under very special circumstances
irrespective of the rules.