MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT

G.O. No. 1190 Press —Mis.—

S-6

Dated 16—7— 1857

Not to be folded or roughly handled

1118
2nd
1&2
1429

No. 5. Read the following Extract from the Proceedings of the Right Honorable the Governor General of India in Council, in the Financial Department, under date the 21st August 1857, No. 3546.

Read an Extract from the Proceedings of this Government in the Home Department, No. 1329, dated 20th July 1857, forwarding for consideration and orders, a correspondence connected with a question from the Government of Bombay, regarding privilege leave to the Judges of the Court of Small Causes.

Resolution.—The Government of Bombay enquire, whether the Judges of the Court of Small Causes in Bengal, are considered entitled to a month's privilege leave under Section VI of the Uncovenanted Service Absentee Rules, in addition to the two vacations of 15 days each in the year, during which the Court is shut.

The Civil Auditor, Fort William, observes, that the restriction contained in Section VI of the aforesaid Rule *as regards Judicial Officers*, cannot be made applicable, he believes, to the Judges of the Small Cause Court, inasmuch as the former class of Officers enjoy a leave during the Dussurah and Mohurrum vacations, aggregating nearly two months in the year, while the latter only obtain a month's leave in two periods without the advantage of being able to leave their stations or getting cumulative privilege leave under the Financial Notification of the 27th June last, after an uninterrupted service of twenty-two or thirty-three months.

It seems to this Government that the question turns upon the fact of the Judges of the Court of Small Causes getting *leave* during the vacations or not. If they do get leave during the vacations, they will not be entitled to another month of privilege leave; if they do not take leave during the vacations, they will, if the Government see fit, be able to get another month's privilege leave or they may allow it to accumulate for 2 and 3 years.

The Right Honorable the Governor General in Council is accordingly pleased to authorize the Local Governments of the several Presidencies to act upon this view of the case.

Ordered.—Ordered, that a copy of the above Resolution be forwarded to the Home Department, and that the original papers be returned, copies being kept for record.

Ordered also, that a copy of the Resolution be sent to the Governments of Bengal and Fort Saint George respectively, for information and guidance.

(A true Extract.)

(Signed) C. HUGH LUSHINGTON,
Secretary to the Government of India.

No. 6. Order thereon, No. 1230; dated 16th September 1857.

Ordered to be published in the Fort St. George Gazette, and also communicated to the Judges of the Court of Small Causes and the Civil Auditor.

(Signed) E. MALTBY,
Acting Chief Secretary.

No 11190

Ordered to be published in the New York
St. Kings County Gazette and that a copy
thereof be served upon the Judges of the Court of
General Sessions and the Civil Authorities

[illegible] St. Kings Co
18 September 1857.

Copy from Gazette Dept 18th
" Sessions & C. Court
" Civil Authorities