M.R.O. 1—32,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. /3	Press ~~Mis.~~
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Dated 5 — 1 — ~~19~~ 1948	

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Read the following letters.

No. 43. From C. F. CHAMIER, Esq., Acting Register to the Court of Sudr Udalut; to T. PYCROFT, Esq., Chief Secretary to Government, dated 4th December 1857, No. 115.

SIR,

I am directed by the Judges of the Sudr Udalut to transmit copy of a letter from the Principal Sudr Ameen of Vizagapatam, to the address of the Civil Judge of Chicacole, under date the 3rd Ultimo, relative to his having been prevented by indisposition from attending Court for seven days; and to recommend that as the Principal Sudr Ameen transacted some business on three of those days, he may be allowed *casual leave* for his four days' sbsence, on the principle recognized in the orders of the Right Honorable the Governor General of India in Council, under date the 12th June 1857; the present retrospective leave being substituted for the month's privilege leave granted by the Government on the 9th of October last.

(Signed) C. F. CHAMIER,
Acting Register.

From the Principal Sudr Ameen of Vizagapatam; to E. B. GLASS, Esq., Civil Judge of Chicacole, dated, Vizagapatam, 3rd November 1857, No. 401.

SIR,

1. I beg to enclose extract of a letter from the Civil Auditor, dated 27th Ultimo, together with an extract from my letter to his address, dated 16th Ultimo, and as directed by him to request that you will be pleased to apply for 7 days' retrospective leave from the 4th to 11th Ultimo, in consequence of my indisposition, as reported in the Medical Certificates already forwarded to you by the Civil Surgeon.

2. On the 6th, 9th and 10th Ultimo, I wrote and signed certain public letters, and if these acts are deemed sufficient to justify my being considered as not absent from duty, I would respectfully submit that I should only be allowed 4 days' leave, if any leave at all be deemed necessary, under the circumstances referred to in this letter and my letter to the Civil Auditor.

3. At all events, whatever may be the portion of leave which Government may be disposed to grant me, I respectfully request that it may be granted without loss of salary, with reference to the proceedings of the Right Honorable the Governor General of India in Council, in the Financial Department, under date the 12th June 1857, seeing the total period of my absence from duty through indisposition, did not exceed 20 days.

(Signed) W. SLOAN,
Principal Sudr Ameen.

(True Copy.)

(Signed) E. B. GLASS,
Civil Judge.

Extract from a letter from the Civil Auditor, Fort Saint George, to the address of the Principal Sudder Ameen of Vizagapatam, dated 27th October 1857.

In returning audited the enclosed bill of your last month's salary received with your letter of the 16th Instant, I have the honor to inform you, that unless you obtain leave for the seven days of your absence mentioned in the above letter, you will be subjected to a forfeiture of the whole of your salary for that period, and it will be deducted from your next month's bill.

(Signed) F. LUSHINGTON,
Civil Auditor.

(True Extract)

(Signed) W. SLOAN,
Principal Sudder Ameen.

(True Copy.)

(Signed) E. B. GLASS.
Civil Judge.

Extract from a letter from the Principal Sudr Ameen of Vizagapatam; to the Civil Auditor, Fort St. George, dated 16th October 1857.

1. With reference to the letter from the Sheristadar of this Court, dated 1st Instant, No. 361. forwarding an Abstract of the establishment for salary in arrears for September last, which was returned for correction with a Memo: endorsed, dated 10th Instant, I beg to state, that the Sheristadar's letter would lead you to infer that I took the privilege leave applied for in anticipation, which, as was ruled last year, would be contrary to the Absentee Rules for the Uncovenanted Service.

2. This however was not the case. I was taken ill, and a report of my incapacity to attend duty, pro tem. dated 22nd, was sent in to the Civil Judge of Chicacole on the 23rd Ultimo, by the Civil Surgeon! From 25th to 29th September the Court was closed on account of the Dussara holidays, during which period it was immaterial whether I could attend the Court or not. My disease was at its height during the Dussarah holidays, after which I began to amend. As I could not leave my quarters till the 11th Instant, the Surgeon's report which was only required to be sent in after the expiration of a week, was a sufficient intimation with reference to C. O. S. U. dated 4th September 1833, and Section XIV, Regulation II of 1802, of my inability to hold Court 3 days during the week when my attendance at Court was needed. Having been pronounced in an official report by the Surgeon addressed to the Civil Judge, fit for duty on the 12th Instant, I attended the Court that day; you will hence perceive that I was bona fide absent from work between the expiration of the week for which the report was required under the C. O and provision above referred to, and the date of my return to duty, only for the space of 7 days. During the close of the Court for the festival, and during the period I was unable to attend Court, though able to attend to such work as did not require my presence in Court, there was no necessity for the delivering over of charge to the Sheristadar, or the assumption by him of charge without my concurrence, which was never given as already explained in my letter to you of the 9th Instant, No. 368. Under these circumstances, I beg to submit for sanction 2 abstracts, one prepared in the ordinary way, and one without the insertion of my salary, as well as a separate bill for my salary for last month, either of which I request you will be pleased to sanction.

* * * *

(Signed) W. SLOAN,
Principal Sudr Ameen.

(True Extract.)

(Signed) W. SLOAN,
Principal Sudr Ameen.

(True Copy.)

(Signed) E. B. GLASS,
Civil Judge.

(True Copies.)

(Signed) C. F. CHAMIER,
Acting Register.

Referred to the Civil Auditor for report.

(Signed) T. PYCROFT,
Chief Secretary.

Fort St. George. 5th December 1857.

No. 44. From F. LUSHINGTON, Esq., Civil Auditor; to T. PYCROFT, Esq., Chief Secretary to Government, dated 16th December 1857, No. 932.

SIR,

I have the honor to acknowledge the receipt of the orders of Government, dated 5th Instant, referring for my report a letter from the Acting Register to the Court of Sudr Udalut, dated 4th Idem, recommending that Mr. W. Sloan, Principal Sudr Ameen at Vizagapatam, may be allowed casual leave for four days with retrospective effect on the occasion of his absence from duty on account of sickness, during September and October last, under the provisions of the Resolution of the Government of India in the Financial Department, dated 12th June 1857, No. 2527.

In reply, I have the honor to state that it was ascertained from Mr. Sloan, that he was absent from duty on account of illness from 23rd September to 11th October last, but of this period, Mr. Sloan solicits to be considered as not *actually absent*, under the Circular Order Sudder Udalut, dated 4th September 1833, and under the Section XIV, Regulation II of 1802, which directs that in the event of a Zillah Judge not being able to hold Court for three days in the week, a report of the circumstances should, after the expiration of a week, be forwarded to the Sudr Udalut, and he claimed the same indulgence for the period, from 25th to 29th September inclusive, during which his Court was closed on account of the Dusserah holidays, this reducing the period of his absence to seven days. For these seven days this office required him to obtain retrospective leave to free him from liability to forfeiture of full salary.

It would appear from the recommendation of the Sudr Court, that out of the above seven days, Mr. Sloan is considered to have been actually absent only four days, having, during the other three days, transacted some business, and for these four days' absence it is open to Government to permit Mr. Sloan to come under the provisions of the Resolution of the Government of India, dated 12th June last, quoted above.

I understand from the latter part of the Acting Register's letter under reference, that the Court intend that the leave now solicited for four days without loss of salary, should be in lieu of the month's privilege leave granted to Mr. Sloan on the 9th October last, but I observe from that gentleman's report, that he has availed himself of that leave from the 10th of last month.

(Signed) F. LUSHINGTON,
Civil Auditor.

No. 45. ORDER THEREON, No. 13; dated 5th January 1858.

Under the provisions of the Resolution of the Government of India, dated 12th June 1857, the Right Honorable the Governor in Council is pleased to grant Mr. W. Sloan, Principal Sudder Ameen of Vizagapatam, leave of absence for four days, as recommended by the Court of Sudder Udalut.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge,

Judicial Department.

No. 13

Extract from the Minutes of Consultation

Dated 5th January 1858.

Read the following ~~upon~~ letter from A.t Register of the Sudder Adawlut dated 4th ~~and enclosing~~ 2nd June 1857 and also letter from the Civil Auditor

(Accounts & Records)

dated the 1st Instant on the subject of the Resolution of the Court of Sudder dated 12th June 1857, the Right Honble the Governor in Council is pleased to grant the Judges Principal Sudder Ameen of Vizagapatam leave of absence for four days as recommended by the Court of Sudder Adawlut

To the Court of Sudder Adawlut & Civil Auditor