

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	577-578	Press
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251-253		
Dated	23. 4	186.4

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Not to be folded or roughly handled

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*Proceedings of the Madras Government, Judicial Department,
23rd April 1864.*

No. 251. Read the following letter from R. W. LODWICK, Esq., Civil Paymaster, Fort Saint George; to the Secretary to the Government of India, dated Fort Saint George, 19th April 1864, No. 91.

I have the honor, with reference to the accompanying documents, to request instructions for my guidance.

2. The Government of Madras have as will be seen authorized Judicial officers to absent themselves during this year also when their Courts are adjourned without detriment to their privilege leave, or regard to the period spent at duty from return from privilege leave.

3. It will also be seen that I immediately, on becoming aware of the order, solicited its re-consideration, and pointed out that the telegram of the Government of India, dated 18th May 1863, did not seem to admit of such permission being granted, since the year 1863 was clearly specified as the limit during which Madras Judicial officers were to have the power of so absenting themselves.

4. The Madras Government having ruled that their orders do not appear to require amendment, I have acted thereon pending the final instructions of the Supreme Government, which I have now the honor of soliciting.

No. 94.

True copy forwarded to the Chief Secretary to Government for information.

(Signed) R. W. LODWICK,
Civil Paymaster.

No. 252. To the Secretary to the Government of India, Home Department, dated Fort Saint George, 23rd April 1864, No. 577.

The Civil Paymaster in this Presidency having submitted to Government a copy of a letter addressed by him to the Secretary to the Government of India in the Financial Department under date the 19th instant, having reference to an order passed by this Government, under date the 8th ultimo, No. 329, authorizing all Judicial officers in this Presidency to leave their stations during the adjournment of the Courts for the present year, I am directed to state that this order has been passed in consequence of the further orders promised in your telegram of the 18th May last not having been received, and for the reasons urged in my letter of the 6th May 1863 in support of the recommendation made by the Governor in Council that "pending the revision of the Absentee Rules" he might be authorized in the case of Judicial officers, as in the case of Masters of Government Schools, to substitute the annual vacations for privilege leave."

2. I am to add that since the date of that letter no Judicial officer in this Presidency has been granted privilege leave; and to request that until the general question has been settled, the Civil Paymaster may be prohibited from making any deductions from the salaries of Judicial officers on account of their absence from their stations when their Courts are closed.

3. A copy of this letter and of the papers to which it refers has been sent to the Secretary to the Government of India in the Financial Department.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

No. 253. To the Honorable H. FRERE, Puisne Judge of the High Court of Judicature at Madras, dated Fort Saint George, 23rd April 1864, No. 578.

Adverting to my letter of the 15th ultimo, I am directed to send you the enclosed copies of a correspondence* which has passed between the Government and the Civil Paymaster on the subject of Judicial officers absenting themselves from their stations during the adjournment of the Courts for the present year, and of a letter† which has been addressed by this Government to the Government of India on the subject; and to inform you that, in the present position of

* From the Civil Paymaster, 24th April 1864, No. 80.
Order thereon, 18th April 1864, No. 524.
From the Civil Paymaster, 19th April 1864, No. 94.

† 23rd April 1864, No. 577.

Proceedings of the Madras Government, Judicial Department,
23rd April 1864.

the question of leave to Judicial officers, and adverting to the tenor of the recommendation made by this Government to the Government of India in May last year—which led to the concession granted in Mr. Secretary Bayley's telegram of the 18th of that month, viz., that this Government should be authorized, in the case of Judicial officers, "to substitute the annual vacations for privilege leave"—His Excellency in Council has come to the conclusion that he would not be justified in granting to you or any other Judicial officer amenable to the rules applicable to the Covenanted Civil Service, any privilege leave in addition to the authorized vacation.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

despatch per "Steamer" Rangam?

This should be sent if possible by the incoming
Steamer - a order may be passed on Mr. Lovrick's
2. former separation can be Judicial Department:
come to hand - No. 577

To
The Secretary to the Government
of India.

- from the
saying that it is coming
and begging that it may Sir,
be waived for -

The Civil Paymaster
in this Presidency having
submitted to Govt. a copy
of a letter addressed by
him to the Secretary to the
Govt. of India in the Finance
Deptt. under date the 19th
instant, having reference
to an order passed by the
Govt. under date the 8th
ultimo No 329 authorizing
all judicial officers in
this Presidency to leave
their stations during the
adjournment of the Courts
for the present year,
I am directed to state
that this order has been
passed.

Ed. J. Tulloch.

passed in consequence
of the further orders pro-
mised in your telegram
of the 18th May last not
having been received and
for the reasons urged
in my letter of the 6th
May 1863 in support of
the recommendation made
by the Governor in Council
that "pending the revision
of the absentee rules he
might be authorised in
the case of judicial officers,
as in the case of Masters
of Govt. Schools, to substi-
tute the annual vacations
for privilege leave."

2. I am to add that
since the date of that
letter no judicial officer
in this Presidency has
been granted privilege
leave; - and to request
that until the general
question

question has been settled,
the Civil Paymasters
may be prohibited from
making any deductions
from the salaries of
judicial officers on account
of their absence from
their stations when their
Courts are closed.

3. A copy of this letter
and of the papers to which
it refers has been sent
to the Secretary to the Govt.
of India in the Financial
Department.

Fort St. George }
23rd April 1864 }

duplicate.
desp. 23/4

YR

Copy to the Secretary to the Government of India
Financial Department - with copy of the correspondence - } desp. 23/4
per Secy. to Govt. of India

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Salut 23 April 1871.
No 4336. 1217.

of studies.

Sept. 23/4

No 578 Judicial Department
The Honorable A. Frey,
Quiere Judge of the High Court of
Judicature at Madras.

Respected Sir,

Adverting to my letter of
the 15th ultimo, I am directed

to send you the enclosed

* From the Civil Paym. 5 April 1871

Order thereon

18 - No 574

From the Civil Paym. 19 - No 94

Copies of a correspondence

which has passed between

the Government and the

Civil Paymaster on the

subject of Judicial Officers

absenting themselves from

their stations during the

adjournment of the Courts

for the present year, and

of a letter which has

been addressed by the

Government to the Govern-

ment of India on the

subject; and to inform

* 23 April 1871 No 577.

22 April
R 23

You that, in the present
position of the question
of leave to judicial officers,
and advert^{ing} to the tenor
of the recommendations
made by this Government
to the Government of
India in May last year,
which led to the concession
granted in Mr Secretary
Bayley's telegram of the
11th of ~~the 11th~~ ^{the 11th}, viz. that
this Government should
be authorized, in the case
of judicial officers, to
substitute the annual
vacations for privilege
leave. His Excellency
in Council has come to the
conclusion that he would
not be justified in granting
to you or any other judicial
officer amenable to the
rules applicable to the
Covenanted Civil Service.

Covenanted Civil Service,
any privilege leave in
addition to the authorized
vacation. —

Michael Roberts
1853
to the Smith St. where
found the of the
Smith St. of the
Michael

to the 28th of June 1874.
24330-1217