M.E.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 911 Press ~~Mis.~~

18

Dated 2 - 6 - 1860.

Not to be folded or roughly handled

No. 18. *PROCEEDINGS OF THE MADRAS GOVERNMENT.*

Dated 2nd June 1860, *No.* 911.

1. The Salem District Gazette of the 11th May contains an order by the late Acting Collector on the subject of public servants attending the Courts as witnesses, which requires the notice of Government.

2. The first part of the order cancels a practice which appears to have prevailed in the District, of requiring a report as regards every servant who attended a Court as a witness, and making the issue or stoppage of his pay for the period he was absent from duty, depend on the opinion which the Collector might form of the extent of his interference with the private transactions of the litigating parties. This practice was arbitrary and objectionable in the extreme; its prohibition was quite right, and if it exists in any other District it should be immediately and peremptorily prohibited there also.

3. But the rule prescribed in the latter part of the present order by the late Acting Collector, viz, that a public servant attending as a witness before a Court at the instance of a party to a suit, should forfeit his pay for the time he may be absent from duty, and reimburse himself from the party for whom he attends, is also objectionable and improper; and the Board will immediately direct the Collector to rescind it by an order in his District Gazette.

4. The Governor in Council must remark that Mr. Knox exceeded his powers in thus enacting a new and general rule respecting the stoppage of the pay of public servants. If he thought such a rule expedient his proper course was to recommend it through the Board of Revenue for the approval of Government.

5. This order will be communicated to the Board of Revenue together with a copy of the order in question.

(Signed) J. D. BOURDILLON,
Secretary to Government.

P. D. 2

No 911

Proceedings of the Madras Government

Under date the 2nd June 1860.

No 911

1 The Government resolve to furnish to the Board of Revenue translation of an order of the late Acting Collector of Salem dated 30th April last published in the Gazette of that District of the 11th May 1860 No 132 regarding the Public servants attending the Courts as witnesses, which requires an notice of Govt sanction to it.

Salem District Gazette May contains an order of the Acting Collr on

2. The first part of the order cancels a practice which appears to have prevailed in the District, ~~previously~~ of requiring a report as regards every servant who attended ~~the~~ Court as a witness, and making the issue or stoppage of his pay for the period he was absent from duty, depend on

on the opinion which the Collector might have formed of the extent of his interference with the private transactions of the litigating parties. This practice was arbitrary and objectionable in the extreme, its prohibition was quite right, and if it exists in any other District it should be immediately and peremptorily prohibited there also.

2. But the rule prescribed in the latter part of the present order by the late acting Collector, viz that a public servant attending as a witness before a Court at the instance of a party to a suit, should forfeit his pay for the time he may be absent from duty, and reimburse themselves from the party for whom he attended, is also objectionable and improper, and

and the Board will immediately direct the Collector to rescind it by an order in his District Gazette.

4 The Governor in Council must remark that Mr. Knox exceeded his powers in thus enacting a new and general rule respecting the stoppage of the pay of Public servants. If he thought such a rule expedient his proper course was to recommend it through the Board of Revenue for the approval of Government.

5 This order will be communicated to the Board of Revenue together with a copy of the order in question.

Bd of Rev with the Order Dis.t 4

11 Copies Board of Revenue with the Order
1 " J. J. Moore Esq.r

Revenue 1860 Septr.
Pro: of Govt for June

23-11-11
6-1-12

No 911.

Pro: of the Madras Govt
Dt 2d June 1860.

Board to direct the
Collector of Salem to rescind
the order of the late acting
Collector on the subject of
Public Servants attending
the Courts as Witnesses.

No 18

28 May 61 June