

THE SUPREME COURTS' OFFICERS TRADING ACT 1848

ACT No. XV. of 1848

(Rep., Act 36 of 1957)

[17th June, 1848.]

Passed by the Governor General of India in Council, On the 17th June, 1848.

An Act to forbid trading by the Officers of the Supreme Courts.

FOR the better discharge of their duties by the Officers of the under mentioned Courts of Justice, It is enacted as follows:

I. No Officer of any of the Courts of Judicature established by Royal Charter, within the Territories subject to the Government of the East India Company, or of any Court established for the Relief of Insolvent Debtors within the said Territories, shall directly or indirectly by himself, or by any other person or persons on his behalf, accept from any person or persons any gift or reward for any act or behavior in his Office other than his legal salary and fees and profits of office, or hold any office in any Bank or Public Company, except as hereinafter excepted, or carry on or be concerned in any dealings as a banker or trader or as agent, factor, or broker either for his own advantage, or for the advantage of any other person or persons except such dealings as it may be part of the duty of any such Officer by virtue of his office to carry on.

II. This Act shall not be construed to forbid any Officer of any of the said Courts, who is also a practicing Advocate, Attorney, Solicitor or Proctor in any of the said Courts, from taking the usual fees and emoluments of Advocates, Attorneys, Solicitors or Proctors, nor to apply to any Advocate, Attorney, Solicitor, Proctor, Sheriff, Assignee, Receiver or Committee, so far as he is held to be in that capacity merely for some purposes an Officer of any of the said Courts.

III. This Act shall not be construed to forbid any Officer of any of the said Courts from holding any unpaid office in any Society for Charitable purposes, or for the advancement of knowledge, or for the encouragement of Science, Art, or Manufactures.

IV. Every Officer of any of the said Courts who shall knowingly offend against this Act shall, on conviction thereof, be liable to be punished by deprivation of his office, and also, by the sentence of the Court before which he shall be convicted may be declared incapable, and in that case shall become incapable of being appointed to the same or any other office of the same Court, or to serve Her Majesty or the East India Company in the Territories under the Government of the East India Company, or in such part of the said Territories as shall be specified in the sentence or in the discretion of the Court may be otherwise specified in the sentence or in the discretion of the Court may be otherwise punished by fine or imprisonment for his misdemeanor as to the Court shall seem fit, regard being had to the nature of his offence.
