

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No.	249	Press Mis.
Dated	29-4	1859

B.no 22-23

6/7

Not to be folded or roughly handled

Fort Saint George, Financial Consultation, 29th April 1859.

No. 22. From J. L. LUSHINGTON, Esq., Acting Civil Auditor; to T. PYCROFT, Esq.,
Chief Secretary to Government, Fort Saint George, dated 11th April 1859, No. 208.

As decisions on subjects connected with the Salaries and personal allowances of Officers in the Covenanted and Uncovenanted Service of a Contingent and Permanent nature have been occasionally communicated direct to this office for my information and guidance, subsequent to the formation and assumption of the General Branch of Audit and accounts by the Government of India that is from May 1858, I have the honor to request that you will inform me whether it is intended that the several Rulings of the Supreme Government should be made applicable to this Presidency in all cases where a diversity of practice or Rule exists in this Presidency.

No. 23. ORDER THEREON, No. 249; dated 29th April 1859.

The Acting Civil Auditor is informed that the Government do not consider that the practice or rules hitherto existing in this Presidency connected with the salaries and personal allowances of Officers in the Public Service, Covenanted and Uncovenanted, are to be departed from in consequence of the formation of the General branch of Audit and Accounts in May 1858.

2. If any decision or ruling that may henceforward be given by this Government should seem to militate against any order issued, or principle adopted, by the Supreme Government, it will be proper that the Civil Auditor should bring the circumstance to the notice of the Madras Government for their further instructions.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. A: P. W. Begbie.

J. Lushington
Acting Civil Auditor

General Reports

No 208

From,

J. L. Lushington Esquire
Acting Civil Auditor

To,

T. Pycroft Esquire
Chief Secretary to Government

Sir,

As decisions on subjects connected with the salaries & personal allowances of officers in the Covenanted & Uncovenanted Service of a Contingent and permanent nature, have been occasionally communicated direct to this office for my information & guidance, subsequent to the formation & assumption of the General Branch of audit and accounts by the Government of India, that is from May 1838. I have the honor to request that you will inform me whether it is intended that the several Rules of the Supreme Government should be made applicable to this Presidency in all cases where a diversity of practice or Rule exists in this Presidency

For Saint George
Civil Auditors Office
11th April 1838

C. L. M.

I have the honor to be,
Sir,
your most obed^t. Serv^t

J. Lushington
Acting Civil Auditor

Act 3rd and 4th William Cap. 85. —

Sec. LIX * * * and
provided also, that no Governor or Governor
in Council shall have the power of creating
any new Office, or granting any Salary,
Gratuity, or Allowance, without the pre-
vious sanction of the Governor General
of India in Council. —

Order in the Privy Council of 29th April 1839 No 249.

Para 2. — If any decision or ruling
that may henceforward be given by
this Government should seem to mili-
tate against any order issued, or prin-
ciple adopted, by the Supreme Govern-
ment, it will be proper that the Civil
Auditors should bring the circumstances
to the notice of the Madras Government
for their further instructions. —

Order of Privy Council of India of Dec/43. No 1700
in L.M. 5 Feb/44. No 71

supplies that applications for
issuance of certificates must be
made in a prescribed Tabular

form.

In the letter to the Govt of India 6 March 1858
no 152 this form is intended written to
mean that in contemplation was simply
to form all the Comptroller Officers in the

Account, Audit and Treasury
Departments of the Govt of India
and of the Subordinate Govern-
ments into one body, the appoint-
ments, promotions and changes to
and in which are to be made by
the Governor General of India
in Council, or whether anything
more is intended, and it is de-
signed to alter the relation in which these
Officers at Madras stand to the Local
Government or the authority and control
which that Government now exercises over
them. If such be meant, it was submitted
that, looking to the constant communica-
tion which under any system must pass be-
tween this Govt., the Madras Treasury & Officers
of Audit and Account, the position of their
Govt. towards these Officers and the arrange-
ments under which business
is to be transacted with them should be fully & clearly defined.

The Govt of India replied - 26 March 1858 -
that the Officers of these Deps were to be

to comply with all orders of the Local Govt. which may not appear to be op-
posed to orders of the Govt. of India. In cases in which the orders of the Local
Govt. may appear to be opposed to the orders of this Govt. they shall not be enforced
without the grounds of objection being in the first instance brought to the notice
of the Local Govt. and the orders of the Local Govt. being duly and fully re-
ported or without the question in dispute being forthwith reported for the con-
sideration of the Govt. of India. If any difficulty is anticipated in putting on
the foregoing rules, His Honor in Council will be glad to consider any suggestion
which the Local Government may desire to offer on the subject

No 540

To

J. Pycroft, Esq.
Chief Secretary to Govt.

Sir,

Adverting to para 2 of the Order of
Govt. No 249, Finl. Dept. dated the 29th April 59,
and to the authorities quoted in the Margin, of
Para 73 Chap. III of the Civil Auditor's Manual,
upon which that para is founded, I have the
honor to bring to the notice of Govt. that in their recent
Orders specified in the Margin sanctioning additional
Establishments to the Accountant General and the
Assistant Conservator of Forests, in the Salem District,
respectively, the usual intimation "that the new
Charge is sanctioned subject to the confirmation
of the Govt. of India has been omitted."

I beg therefore I may be informed whether
the omission was intentional or whether I may conclude
that in case of this nature it is the invariable practice
of Govt. to submit such Charges for the confirmation
of the Govt. of India, even though the intimation
may not appear in the Order of Local Government.

Civil Auditor's Office
Fort-Saint George
31st May 1859

I have &c
Signed J. L. Lushington
Civil Audr.

I do not quite understand what the last means - how
 could he get do otherwise than communicate his
 decisions on each point - Financial Dept.
 last month's report I per-
 use - settled here by the local
 government referred to - No 249

Extract from the Minutes of Consultation
 Dated 29th April 1859.

Read the following letter
 from the A. Civil Auditor
 (Whereunto 11th April 1859)
 No 208.

The Acting Civil
 Auditor is informed that
 the Govt do not consider
 that the practice or rules
 hitherto existing in this
 Presidency connected
 with the salaries and per-
 sonal allowances of of-
 ficers in the public service
 Commanded and Uncom-
 manded, are to be depart-
 ed from in consequence
 of the formation of the
 General branch of
 Audit

LG
 W
 R

Trans. 29th April 59-22-8

Financial Dept. No 208

The Civil Auditor also

29th May
 1859

No 208

According to para 3 of the
 Report No 100 3/25 April 1859,
 "being to make the
 having additional tables
 to the above General and the
 other provisions of laws
 in the Indian District, such as
 "that the new change is due
 "to the subject of the con-
 "formation of the post of
 "which has been omitted
 "decisions on the subject."

Trans. 29th April 59-22-8

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Audit and Accounts in
May 1838.

2. - If any decision or
ruling that may hencefor-
ward be given by this Go-
vernment should seem
to militate against any
order issued or principle
adopted by the Supreme
Govt., it will be proper
that the Civil Auditor
should bring the circum-
stance to the notice of
the Madras Govt. for
their further instructions.

JF

Copy to the Civil Auditor. - Disposed of.

H. Maresca

H. B. Bell

In Case 29 exhibit 59

January 1839 before the

No 249

John A. Smith, Esq.

Exhibit 29 exhibit 59

172. 249
In the Court
of the County of
Columbia, that the
Court do not consider
that the power
here or called before
exhibits in this
proceeding connected
with the said
officer in public
service are to be
disputed from
recognition of the
formation of the
branch of the
Columbia & Atlantic