

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 150

Press
~~Mis.~~

Dated 21. 4.

1860

B. NO. 1-3

5/6

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Financial Department,
for the month of April 1860.*

Read the following papers:—

No. 1. From N. POCHIN, Esq., Civil Service, to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Honore, 28th March 1860.

I have the honor to request you will respectfully lay the following before His Excellency the Governor in Council.

His Excellency will be aware that ever since I lost my permanent appointment of Additional Sub-Collector of Canara, I have been held to be out of employ.

The office of Additional Sub-Collector of Canara having been abolished on the 16th December 1859 on the division of the District of Canara into two separate Collectorates, I acted as Collector of North Canara from that date till the arrival of Mr. Levinge on the 29th idem. I then assumed charge of my appointment as Acting Civil and Session Judge of Honore and continued in this office till the 24th instant during the absence of Mr. Molle on privilege leave for three months.

It will thus be seen that from the 16th December 1859 till the 24th instant, I was never for a single day without performing the duty of some office, though only in an acting capacity, and during this period, I drew deputation allowance of the appointments in which I acted in addition to the out-of-employ allowance of my rank.

I am now appointed to officiate as Civil and Session Judge of Mangalore during the absence of Mr. Chatfield on privilege leave or until further orders, and the Civil Auditor informs me in reply to my reference that from the 25th instant to the date of my joining the new appointment at Mangalore, I shall be entitled to out-of-employ allowance only, and no travelling allowance. Mr. Chatfield, I believe, proposes to avail himself of his leave from the 2nd or 3rd of April.

I therefore respectfully request His Excellency will be pleased to take into consideration the fact of my having been thrown out of employ by the abolition of the office I held, and permit me to draw compensation for loss of appointment, as provided in paragraph 39, Chapter II, Civil Auditor's Manual for such a period as I may be actually without employ.

Referred for the report of the Civil Auditor.

5th April 1860.

(Signed) T. PYCROFT,
Chief Secretary.

No. 2. From E. F. HARRISON, Esq., Civil Auditor; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 16th April 1860, No. 346.

In obedience to the Order of Government, dated 5th instant, referring for my report a letter from Mr. C. N. Pochin, soliciting the grant to him of compensation for loss of his appointment as Additional Sub Collector of Canara, which was abolished from the 16th December last, I have the honor to report that under the Orders of the Honorable the late Court of Directors, dated 28th August, No. 24 of 1844, communicated with Extract from Minutes of Consultation, dated 14th December 1844, No. 609, Financial Department, Mr. Pochin may be granted, subject to the confirmation of the Government of India, such portion
* Rupees 1,166-10-8 per month. of the salary* of his late appointment, not exceeding two thirds as Government may be pleased to sanction.

Mr. Pochin as mentioned by himself has been acting from the 16th December last, to the 24th ultimo as Collector of North Canara and Civil and Session Judge of Honore, and drew deputation allowance of Rupees 1,166-10-8, in addition to the out-of-employ allowances of his rank Rupees 253-12-0, the same allowances will be payable to him while acting as Civil and Session Judge of Mangalore. If compensation is granted to Mr. Pochin he will of course cease to draw out-of-employ allowance for the same period.

*Proceedings of the Madras Government, Financial Department,
for the month of April 1860.*

No. 3. ORDER THEREON, 21st April 1860, No. 150.

The Civil Auditor states, in answer to the reference made to him, under date the 5th instant, that Mr. Pochin may be granted, subject to the confirmation of the Government of India, such portion of the salary* of his late appointment not exceeding two thirds† as Government may be pleased to sanction. He adds, "Mr. Pochin, as mentioned by himself, has been acting from the 16th December last to the 24th ultimo, as Collector of North Canara and Civil and Session Judge of Honore, and drew deputation allowance of Rupees 1,166-10-8 in addition to the out-of-employ allowances of his rank Rupees 253-12-0, the same allowances will be payable to him while acting as Civil and Session Judge of Mangalore. If compensation is granted to Mr. Pochin, he will of course cease to draw out-of-employ allowance for the same period."

2. The Government do not clearly gather whether the "same period" above adverted to is the whole period for which Mr. Pochin has been acting as Collector of Canara and Judge of Honore and for which he may act as Judge of Mangalore—or simply the period for which he now desires compensation, that is, from the time of his giving over charge of the Honore Court to his assuming charge of the Court of Mangalore, or from the 24th March to the 2nd April.

3. However that may be, it seems clear from paragraph 40, Chapter II, Civil Auditor's Manual, that if he does draw compensation salary for that interval, he will have to act in the Mangalore Court without any additional allowance in place of drawing as he has at Honore and would otherwise do at Mangalore Rupees 1,420-6-8 monthly. As Mr. Pochin has already acted in the Mangalore Court 18 days, it would be more to his advantage to forego compensation salary from the 24th ultimo to the 2nd instant, than to draw it on such terms.

4. The Civil Auditor will be so good as to state whether this view be not correct.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartedgè.

*See also a letter from Mr. Pochin
and Civil Auditor's report thereon.*

At the end of his report the Civil Auditor states that if compensation is granted to Mr. Pochin for the loss of his appointment as Sub Collector of Canara, he will of course cease to draw out of employ allowance for the same period for which it is given, leaving it to be inferred that the Deputation allowance already passed to him will not be affected thereby. But it is clear from para 40 of Chap. II of the Civil Auditor's Manual that Compensation and Deputation allowance can not be drawn together for one and the same period.

*1. A Sub Collector, acting for a Collector on Jila charge draws altogether Rs. 1000 - viz
Salary ————— Rs. 1100-10-8
Dep. Allowance ———— 100-0-0
besides*

$$\begin{array}{r} 777 \\ 253 \\ \hline 3 \overline{) 524} \\ 178 \end{array}$$

$$\begin{array}{r} 1166- \\ 253 \\ \hline 1419 \\ 779 \\ \hline 640 \\ 213 \\ \hline 426 \end{array}$$

being for a few days on one of a day
 allowance —
 At all events if he be permitted com-
 -pensation I allow for the civil
 but in his going on charge of
 N. Rangas. Brown & assuming
 charge of the Transpore Court he
 will draw no deputation allow in the
 latter Court but must act on his
 own responsibility.

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 776

besides fixed extra con-
 -sation when officiating in
 a Revenue capacity. Mr.
 Pochin has drawn
 deputation allowance Rs. 1166-10-8
 out of employ do 253-12-0
 total Rs. 1420-0-8
 or Rs. 119-9-4 less than
 any officer holding the
 permanent appointment
 of Sub Collector. + Mr. Pochin
 will be a loser if
 compensation is granted
 to him for loss of appoint-
 -ment which at two-
 thirds of the amount will
 give him only Rs. 777-12-4
 per mensem.

S. D. S.
 18/4/60.

I think it should be pointed out to the
 C.A. that if Mr. P. be permitted com-
 -pensation salary he can by Sec 40 C.I.
 draw any deputation allow. He
 should also be asked whether in the
 case of compensation salary being
 paid to Mr. P. his pay would not
 have to be adjusted accord? from the
 time of his being thrown out of employ
 which would be lower for his time

List

Financial Department.

Proceedings of the Madras Government

Read the following papers:

From N. Pochin Esq. (Dated 25 March 1860.)
 From the Civil Auditor (— 16 April — N. 346)

Order thereon 21 April 1860. No. 150.

The Civil Auditor states,
 in answer to the reference made
 to him under date the 5th Instant,
 that Mr. Pochin may be granted,
 subject to the confirmation of the
 Govt of India, such portion of
 the salary of his late appoint-
 -ment not exceeding two-thirds
 as Govt may be pleased to sanc-
 -tion. He adds, Mr. Pochin, as men-
 -tioned by himself, has been
 acting from the 16th Decr last
 to the 24th Ultimo as Collector
 of North Canara & Civil &
 Session Judge of Honore, and
 drew deputation allowance
 of Rs. 1166-10-8 in addition to the
 out-of-employ allowances of
 his rank Rs. 253-12-0 the same
 allowance

+ Rs. 1166-10-8 per mensem
 + Rs. 777 — do —

allowances will be payable to him while acting as Civil & Session Judge of Mangalore. If compensation is granted to Mr. Pochin, he will of course cease to draw out-of-employ allowance for the same period."

2 The Govt. do not clearly gather whether the "same period" above adverted to is the whole period for which Mr. Pochin has been acting as Collector of Banara & Judge of Honore and for which he may act as Judge of Mangalore - or simply the period for which he now desires compensation, that is, from the time of his giving over charge of the Honore Court to his assuming charge of the Court of Mangalore, or from the 24th March to the 2nd April.

3 However that may be, it seems clear from para 40 Chap. II Civil Auditor's Manual that if he does draw compensation salary for that interval, he will have to act in the Mangalore Court without

Deputation allowance #64-10-8
Out of employ " 253-12-"

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without any additional allowance in place of drawing as he has at Honore and would otherwise do at Mangalore Rs. 1420-6-8 monthly. As Mr. Pochin has already acted in the Mangalore Court 18 days, it would be more to his advantage to forego compensation salary from the 24th Ultimo to the 2nd Instant than to draw it on such terms.

4 The Civil Auditor will be so good as to state whether this view be not correct.

J.P.

of 24/4/0.

To the Civil Auditor, D. 24/4/0.

Library

W. B. Smith

No. 150
Financial 1870 & 1871

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Proceedings of Court

of 21st April 1870 -

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