M.R.O. 1—77,006—8-6-37.

(1) Number of pages 10

(2) Date of repair 26 10 37

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Financial **DEPARTMENT.**

G.O. No. 244 Press / Mis.

1-2.

Dated 2- 6- 18)0.

1-2 6/6

Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department, 2nd June 1870.

No. 1. Read the following Extract from the Proceedings of the Government of India in the Financial Department, dated Simla, 28th April 1870, No. 143 :—

Read letter from the Acting Under Secretary to the Government of Bombay, Judicial Department, to the Secretary to the Government of India, Home Department, dated Bombay Castle, 26th February 1870, No. 704.

I am directed to forward, for the information of the Government of India, a copy of the Resolution* passed by this Government relative to the appointment of substitutes of uncovenanted servants and the adjustment of the acting allowances.

*No. 703, 26th instant.

Extract from the Proceedings of the Government of Bombay, Judicial Department, dated 26th February 1870, *No.* 703.

Read the following letter from the Judge of Surat, dated 8th January 1870, No. 59 :—

"With reference to Government Resolution, No. 4441, dated 14th ultimo, empowering Heads of Offices to appoint substitutes on full pay to temporary vacancies, the salary of which does not exceed Rupees 20 per month, I have the honour to request the instructions of Government whether, after the orders issued by the Government of India, embodied in the Bombay Government's Financial Resolution, No. 1697,† of the 20th ultimo, the restriction laid down in Resolution, No. 4441, as to the power of Heads of Departments to make temporary nominations on full pay, and the necessity of submitting quarterly returns of the same, still hold good."

† Circulated with endorsement, No. 4673, 29th Dec. 1869.

Read also the following report by the Officiating Accountant-General, dated 24th January 1870, No. 3778-A.

"The undersigned has the honour to report that the orders contained in Local Government Resolution, No. 4441, dated 14th December 1869, are not affected in any way by those‡ of the Government of India alluded to by Mr. Kemball. The former refer to the adjustment of the acting allowances of substitutes of absent uncovenanted servants whose salaries are under Rupees 20 a month, whereas the latter prescribe the manner in which appointments may be made to vacant situations, (which it may not be expedient to fill up permanently,) so as to secure the full pay thereof to the incumbents for the time being.

‡ Govt. of India's letter, No. 1697, 20th Dec. 1869.

"2. The undersigned would, however, remark that the rule laid down in Government Resolution, No. 4441, of 14th December 1869, has virtually been partly superseded by the Government of India's Notification, No. 3443, of 30th idem, which authorizes an uncovenanted servant acting in an office, the salary of which is less than Rupees 100 per month, being allowed, if necessary, as much of the salary of that office as is available."

Resolution.—The following orders should be issued in supersession of Government Resolution, No. 4441, of 14th December 1869, Judicial Department.

2. Government of India letter, Financial Department, No. 308, of 1st May 1869, applied the rules contained in Government of India Resolution, Financial Department, No. 122, of 6th January 1869, to all uncovenanted servants.

Three exceptions to the general rules have since been made in the case of lowly-paid appointments.

3. Government of India Resolution, * Financial Department, No. 1821, of 12th July 1869, seems to apply to cases where the person appointed to act for the uncovenanted absentee is not in the employment of Government.

4. Government of India letter, † Financial Department, No. 2858, of 30th November 1869, relates only to the case of a ministerial officer, whether already in the service or not, being appointed to a vacant post, with the stipulation that the appointment is temporary, or depends for its continuance on a contingency. This order seems to apply to salaries of any amount, as when the office is vacant the whole salary would be available without extra expense to the State.

5. Government of India Resolution, ‡ Financial Department, No. 3443, dated 30th December 1869, refers to the ordinary case of one uncovenanted servant acting in place of another when the salary of the office is less than Rupees 100 per mensem. In such cases the acting officer may be allowed as much acting allowance as is available.

6. Government are pleased to order that Heads of Departments may, in cases to which the above rules apply, and in anticipation of the sanction of Government, appoint substitutes on full pay to offices the salaries of which do not exceed Rupees 20 per mensem. A quarterly return of such appointments should be made to Government through the Accountant-General.

A previous separate reference must be made to Government in all cases in which the monthly salary exceeds Rupees 20.

7. In all appointments under the above Resolutions of Government of India creating exceptions to the ordinary rules, the strictest attention should be paid to the tenor of the Resolutions, and especially to the fact that in none of the three cases should any extra expense be incurred by the State through the grant of the excess of allowances.

8. Copy of this Resolution should be sent to the Government of India.

(True Extract.)

(Signed) J. JARDINE,
Actg. Under Secy. to the Govt. of Bombay.

No. 1370, dated Fort William, 14th March 1870.

(Endorsed by the Home Department.)

Copy forwarded to the Financial Department for consideration.

OBSERVATIONS.—The Resolution of the Government of Bombay is unobjectionable, except inasmuch as it states that the Resolution, No. 1821, passed in this department on the 12th July 1869, applies "to cases where the person appointed to act for the uncovenanted absentee is not in the employment of Government," and that the order of this Department, No. 2858, dated the 30th November 1869, is an exception to the rules for acting allowances. With reference to these statements, the Governor-General in Council observes that the Resolution of the 12th July 1869 applies to the cases of all persons, whether in the service of Government or not, who are appointed to officiate for uncovenanted absentees on salaries of less than Rupees 200 per mensem, and that

* *Vide* Bombay *Govt. Gazette*, 29th July 1869, page 854.
"The Govr.-Genl. in Council is pleased to empower Local Govts. and Administrations to grant at their discretion more acting allowance than the rules authorize to the substitute of an uncovenanted absentee whose salary is less than Rs. 200 per mensem, whenever they may consider that the allowances provided by rule are, on public grounds, insufficient, provided that the total acting allowance does not exceed the amount of salary forfeited by the absentee, and that thus no extra charge to the State is incurred."

† *Vide* Govt. Resn., No. 1697, 20th Dec. 1869, Rev. Dept., circulated with endorsement, No. 4673, 29th idem, Judl. Dept.
"I am directed to acknowledge the receipt of Mr. Offg. Depy. Accountant-General W. E. Gordon's letter, No. 2892-A., of 13th instant, and in reply to state that a ministerial officer who has been appointed to a vacant post by the Head of his Office, with the stipulation that his appointment is temporary, and must be given up after a certain time, or on a certain contingency, can, under the orders of this Dept., No. 22, 12th Jan. 1865, be allowed the full pay of the post.

‡ *Vide* Bombay *Govt. Gazette*, 6th Jan. 1870, page 4.
"The Govr.-Genl. in Council is pleased to rule, in continuation of the second paragraph of the order of this Dept., No. 308, 1st May 1869, that when an uncovenanted servant acts in an office on a salary of less than Rs. 100 per mensem, the authority by which he is appointed to act may, if necessary, allow him as much of the salary of that office as is available."

the order of the 30th November 1869 relates not to acting appointments, but to appointments which, though temporary, are substantive.

Ordered that a copy of the foregoing Observations be forwarded to the Home Department, with a copy of the order of the 30th November 1869, therein referred to, and to the Accountant-General, Bombay.

(True Extract.)

(Signed) G. H. M. BATTEN,
Under Secy. to the Govt. of India.

From the Under Secretary to the Government of India, Financial Department, to the Accountant-General, Bombay, dated Fort William, 30th November 1869, No. 2858.

I am directed to acknowledge the receipt of Mr. Officiating Deputy Accountant-General W. E. Gordon's letter, No. 2892-A., of the 13th ultimo, and in reply to state that a ministerial officer, who has been appointed to a vacant post by the Head of his Office with the stipulation that his appointment is temporary and must be given up after a certain time, or on a certain contingency, can, under the order of this Department, No. 22, dated the 12th January 1865, be allowed the full pay of the post.

Ordered that a copy of the foregoing letter be forwarded to the Government of Bombay.

No. 2374.

Copy, with copy of the letter from the Government of Bombay, dated the 26th February last, forwarded for information to the Government of Madras.

By order of the Governor-General in Council,

HOME DEPARTMENT, PUBLIC,
SIMLA 16*th May* 1870.

(Signed) W. M. SOUTTAR,
Offg. Under Secy. to the Govt. of India.

No. 2. ORDER THEREON, 2nd June 1870, No. 244.

Communicated to the Revenue, Military, and Public Works Departments, in continuation of G. O., dated the 11th August 1869, No. 355.

(True Extract.)

Chief Secretary.

To the Revenue Department.
,, Military do.
,, Public Works do.

Exd. J. Wright.

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Rec'd 27 June '70

Rec'd 16 Aug 70
Ans 18 Aug

No 222

Coming correspondence
during recess respecting
duty of substitutes of
Discovenanted Servants

142.

With enclosures.

Govt. of India
FINANCIAL,
No.
From THE REVENUE & AGRICULTURAL DEPARTMENT,
&c., &c., &c.,
To
Dated Simla, 2nd
Read
Forwarded
G. O., Simla, 1870, No. 344.
JUNE
Nos. 1-2.
Communicating papers received from the Government of India on the subject of the acting allowance of the substitutes of Uncovenanted Servants.

No 246. 2 June 70

Communicated to the Revenue, Military & Public Works Departments in continuation of G.O. of the 11th August 1869 - No 955 -

To the Revenue Department
— " — Military — Do. —
— " — Public Works — Do. —

Govt. of [1870] Madras.

Finl.

To the Revenue Dept.

Dated June 2.

Read. Rept.

G.O. 2 June 1870, No. 244.

Nos. 1 & 2.

Commy. papers, received from the Govt. of India on the subject of the Acting allowances of the Substitutes of Uncovenanted Servants.