M.R.O. 1—77,006—8-6-37.

(1) Number of pages 10

(2) Date of repair 29-8-50

(3) Initials of the Referencer

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MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 282	Press / Mis.
121-127	121-122
Dated 9-2-	1875.

615

Not to be folded or roughly handled

No. 282.

FROM

THE HON. D. F. CARMICHAEL,
Acting Chief Secretary to the Government of Fort St. George,

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA,
FINANCIAL DEPARTMENT.

SIR,

In reply to your letter, dated 17th December 1874, No. 7186, I am directed to state that the Sydapett School Committee were originally appointed School Commissioners under Madras Act VI. of 1863, but that since the repeal of that Act by Madras Act IV. of 1871, the maintenance of the School has been thrown on the Local Funds raised under that Act in the Sydapett Circle, and the School Committee now acts in subordination to the Local Fund Board which is itself in the administration of Local Funds under the control of Government within the meaning of the Resolution of the Government of India in the Financial Department, No. 721, dated 3rd June 1873, quoted in your letter under reply.

2. The view taken by this Government appears, therefore, to have been incorrect, but it was based on the supposition that in making an objection of the kind, the Accountant-General would not have failed to draw attention to any explicit ruling on the subject; the Resolution quoted by him being obviously open to the interpretation put on it by this Government.

3. The Resolution of the Government of India, dated 3rd June 1873, No. 721, will now be communicated to all Local Fund Boards, and the Accountant-General directed to pass the charge in question as a special case.

I have the honor to be,
Sir,
Your most obedient servant,

FORT ST. GEORGE,
9th February 1875.

Acting Chief Secretary.

Exd. T. O'Connor.

1875.

FINANCIAL DEPARTMENT.

From

The Acting Chief Secretary to Govt.,
Fort St. George,

To

The Secretary to the Govt. of India,
Financial Department,

Dated 9th February 1875.

Recd.

No. 282.

Enclosure.

Sydapett Circle.—Certain information respecting the Sydapett School furnished, with the intimation that the view taken by this Government of the inapplicability to the School Committee of the Resolution requiring Stores from England to be obtained through the Secretary of State, appears incorrect.

No. 721, dated 3rd June 1873

Resolution - By the Govt. of India, Fin. Dept.

Read - A communication from the Public Works Department, Accountant General, No. 257 A-G, dated the 12th May 1873, forwarding for consideration and orders Copy of an entry in the Abstract Proceedings of the Government of Bombay exempting Local Fund Committees in that Presidency from the operation of the rule requiring the purchase of Europe Stores through the India office.

Resolution — The Governor General in Council observes that the orders requiring the purchase of Stores in Europe through the Secretary of State do not apply to independent and non-official corporations, such as Port Fund Commissioners or Municipalities; but that they do apply to all other local bodies. The general test should be the origin of the funds to be spent, and the nature of the control over them vested in the Government. If such funds are derived from a private source, as an endowment, or from self-imposed taxation, as in the case of Municipalities, and if the Government has no legal control over the administering body, it cannot interfere with it,

or

or direct it to procure stores by any particular channel.- But when the funds are obtained by taxation imposed by the Government, whether such taxation be imperial, provincial, or district, and the action of the administrative body is subject to control by the Government, as is usually the case with Local Fund Committees, then the general rule should apply, and purchases in Europe should be made through the Secretary of State.-

Ordered, that the foregoing be communicated to the Public Works Department and to the several local Governments and officers of the Account Department.-

(True Copy)

Illegible
Registrar - Fin. Depart.

Order

In Fund No 2742 1/74

No. 7186 GV 1

To,

The Acting Chief Secretary
to the Government of Fort Saint George

Financial Depart. Sir,

I have the honor to acknowledge the receipt of your letter No. 1820, dated the 23rd October 1874, submitting for the confirmation of the Government of India a copy of the Proceedings of the Madras Government, ruling, with reference to the action taken by the Sydapet School Committee in purchasing certain prize books direct from England, that the orders contained in Financial Resolution No. 402 dated the 25th May cannot be held to apply to local funds administered by local boards.-

2 In reply, I am directed to call your attention to the Resolution of the Government of India in the Financial Department No. 721 of the 3rd June 1873 - (Copy of which is forwarded for facility of reference) and with reference to the terms of that resolution to enquire from what source the funds of the Sydapet School Committee are derived, what is the origin and Constitution of the board, and what control the Government

Government exercises over its proceedings.

I have the honor to be,
Sir,
Your most obedt. Servant

Fort William
The 17th December 1874

J. A. Bourdillon

Offg. Under Secretary to the Govt. of India

16/12

23d October /74, No. 213-215
2d October /74, No. 9—10
5th Aug /74, No. 4—7
27th June /73, No. 172-173
Ext. 18 September 1868 - 49-50
Madras Blue Book 1863
Ext. 11 Dec 1863 - 46-48

1874 Aug 5th No. 213-215
From Chairman Local Fund Committee
To Government of Madras
Financial Dept.

From Secretary to the Government of Madras
To Secretary to the Government of India
Financial Dept.
No. 702 dated 7th Dec 1874

No. 7186 dated 17th December 1874
From Secretary to the Government of India
To Secretary to the Government of Madras
Financial Dept.

No. 282

Forwarded to the Madras Government for information.

Fort William
The 17th December 1874

J. A. Bourdillon

Offg. Under Secretary to the Govt. of India

No. 121.—

Financial Dept.

Despatch 5th
1874/75

No. 282

To

The Secretary to the Government
of India,
Financial Dept.

Sir,

In reply to your letter dated 17th December 1874, No. 7186, I am directed to state that the Lydapett School Committee were originally appointed School Commissioners under Madras Act VI of 18[illegible] but that since the repeal of that Act by Madras Act IV of 1871, the maintenance of the School has been thrown on the Local Funds raised under that Act in the Lydapett Circle, and the School Committee now acts in subordination to the Local Fund Board which is

itself

itself in the administra-
tion of local funds under
the control of Government
within the meaning of
the Resolution of the
Govt. of India in the Finan-
cial Department No. 721
dated 3rd June 1873 quoted
in your letter under reply.

2. The view taken by this
Government appears, therefore,
to have been incorrect, but
it was based on the sup-
position that in making
an objection of the kind,
the Accountant General
would not have failed
to draw attention to any
explicit ruling on the
subject; the Resolution
quoted by him being
obviously open to the
interpretation put on it
by this Govt.

3. The Resolution of
the

Govt
Pursuance the reply of the
Govt of India shall be awaited
Upon action is taken as
proposed in this para. JC
9/8/75

the Govt of India dated
3rd June 1873 No. 721 will
now be communicated
to all Local Fund Boards
and the Accountant Gene-
ral directed to pass the
charge in question as a
special case.

JC
5/2

Govt
The same interpretation
would appear to have been
put on it by the Bombay Govt
and hence the Resolution was
opened to us

JC

187 Jud Department.

No. 282

To The Secretary to the
Government of
Department.

Dated 9 Feby 1875.

Jud 124-2

Bydapett Circle. Certain instns
respg the Bydapett School furnish-
-ed with the intimation that the
views taken thereon by Govt. of the
inapplicability of the School
Com.tee of the Res.y requiring Stores
for Engineering Class & Hand Stores
Pro.s of S. appear incorrect