

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1118	Press
		~~Mis.~~
	26-27	
Dated	16-8-	1918

Not to be folded or roughly handled

Fort St. George, Judicial Consultation, 17th August 1858.

No. 26. Read the following letter from R. B. CHAPMAN, Esq., Under Secretary to the Government of India; to the Secretary to the Government of Fort St. George, dated the 30th June 1858, No. 1013.

SIR,

Home Dept. With reference to my Endorsement, No. 1587, dated the 21st September last, I am directed to transmit the accompanying copy of a Despatch, No. 29 of 1858, dated the 13th April last, from the Hon'ble the Court of Directors in the Financial Department, and to request that you will, with the permission of the Right Hon'ble the Governor in Council, be so good as to submit any suggestions on the subject of the future allowances of the Administrator General in the Madras Presidency, which His Lordship in Council may desire to offer.

Extract from the Proceedings in the Financial Department, No. 3391, dated 18th June 1858.
Financial Department, No. 29 of 1858.

OUR GOVERNOR GENERAL OF INDIA IN COUNCIL.

The period of two years for which the arrangements were sanctioned for remunerating the Letter from, No. 127, dated 11th September 1857. Administrators General of Madras and Bombay, by a clear income of Rupees 1,200 per mensem being about to expire, we shall be prepared to consider any suggestions which we may receive from you on the subject of their future allowances; your attention being directed, as heretofore, to the union of some other appointment with the Office in question, in view to a diminution of expense.

We are, &c.

London, }
13th April 1858. }

(Signed) ROSS D. MANGLES,
(„) F. CURRIE,
and other Directors.

Order.—Ordered that, with reference to the papers noted in the margin, a copy of the above mentioned Despatch be sent to the Home Department, with a request that the Governments of Madras and Bombay may be called upon to submit any suggestions they may think fit to offer on the subject of the future allowances of the Administrators General, in their respective Presidencies.

(A true Extract.)

(Signed) C. H. LUSHINGTON,
Secy. to the Govt. of India.

(True Copy.)

(Signed) R. B. CHAPMAN,
Under Secretary to the Government of India.

No. 27. ORDER THEREON, No. 1118; dated 16th August 1858.

Before replying to the above communication, the Auditors of the Accounts of the Administrator General will be requested to report the gross receipts of the Administrator General in Commission and Fees, the expenses and net receipts for the years 1855-56-57 and the first half of 1858; and to state, as Act VIII of 1855 has now been more than three years in force, what may be assumed as the average rate of Commission for future years. They will also inform Government, whether since the date of their last report on the subject, any reduction has been made by Mr. Teed in his Office establishment or is now practicable.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Carledge,

Judicial Department

No 1118

Extrait from the Minutes of Consultation
dated 16th August 1858.

Read the following letter from
the Under Secretary to the Govt. of India
(Hue enter 30th June/58 No 1013)

Before replying to the above
communication, the auditors of
the accounts of the Administration
General will be requested to
report the gross receipts of the
Administrator General in Com-
mission and Fees - the expenses
and net receipts for the year 1855-
56-57 and the first half of 1858;
and to state, as Act VIII of 1855 has
now been more than three years
in force, what may be assumed
as the average rate of commis-
sion for future years. They
will also inform Govt. whether
since the date of their last report
on the subject, any reduction

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has been made by Mr. Reed in his
office establishment or is now
practicable.

JP

Copy to Auditors of accts of ad. Genl. Dispt. 19/7

P-10-16

Memo.

of Correspondence about the Administrator General

6 June/56.
para 5.

para 6.

10th July/56
para 2.

Cons. 15th July 1856
at 12/14/15

In their letter of 6th June 1856, the Govt. of India
authorised this Govt. to pay to the Administrator
General at Madras such a monthly salary as added
to the amount of his Commission, calculated upon
an average of the ^{previous} 3 years would give him a
clear income of Rs 1,200 a month after defraying
the cost of his establishment. They at the same
time called attention to the fact that the establish-
ment and incidental charges of the Administrator
General's Office at Madras were greater than those
at Bombay, and apparently too large to be accounted
for by any preponderance of work that might exist
at Madras.

In Exh. Minis. Cons. 10th July/56 (No 73), Govt.
observed that from the Report of the Auditors (28th
Feb/56) it appeared that the average Commission
drawn for the years 1853, 54, & 55 on estates admi-
nistered to both by the Administrator General
and Ecclesiastical Registrar amounted to Rs 14,500
per annum or Rs 1209 per mens. The estab-
lishment on the scale revised by the Auditors
was Rs 680 per mens. and with the allowance
for stationery & incidental expenses Rs 710. This
deducted from the average Commission left ^{a surplus} Rs 500. The complement necessary to raise the
net emoluments of the office to Rs 1200 per mens.
was therefore Rs 700, the exact amount of salary
this Govt. proposed in their letter to the Govt.

of India to assign the Administrator General.
Under these circumstances Govt. resolved to pass the Administrator General, from the commencement of 1856, an allowance of Rs 700 per mensem in addition to his commission, the said defraying the expenses of his establishment. This allowance was however to be subject to a reduction of Rs 100 monthly on a vacancy taking place in the office of Manager & the salary of that appointment being reduced from Rs 300 to 200 as recommended by the auditors.

para 3

para 4

In his letter of 19th Aug. following the Administrator General represented that the average of the Commission drawn by the Administrator General and Ecclesiastical Registrar for the years 1853-54 & 55 reported by the Auditors on the 28th Feb. 56 could not be relied on as the correct average for the future. The Commission would from time to time be reduced, as the estates unclaimed for 15 years were transferred to Govt. under Act VIII of '55 Cl. 57. These transfers being made the interest ceased to be drawn by the Administrator Genl. of course the Commission which he would otherwise be entitled to draw on receipt & disposal would also cease.

19th Aug/56.

In Ext. Mins. Cons 13th Sept. 56 para 3, the Auditors were desired to give their attention to the subject of the Administrator General's establishment, in view to their suggesting from time to time such reductions as the decreasing number of estates and plots in the custody of the Administrator Genl. might allow.

13th Sept/56.

Cons 16th Sept 1856
13.25 @ 30.

7th Oct/56.

Cons 7th Oct 1856

22 Oct/56.

Cons 15th Jan 7/57

15th Jan 7/57.

Cons 20th Jan 4 1857
11.10 @ 8

In their letter to the Govt. of India of 7th Oct 56, this Govt. reported the arrangements made in regard to the remuneration of the Administrator General as above noticed.

In reply (22nd Oct/56) the Govt of India reviewed the correspondence that had taken place on the status of the Administrator General at Madras. They, it appeared, did not contemplate the union of the office of Administrator General & Master in Equity in the case of Mr. Genl as a more than temporary measure, and they considered it objectionable as a permanent arrangement; but requested certain information before passing final orders on the subject.

Govt, in reply, stated (15th Jan 7/57) that in regard to the first point on which explanation had been required, viz: as to the amount at which the Govt of Madras had fixed the allowances of the Administrator General, ^{the Govt of India} would have ~~been~~ learnt from their Chief Secy's letter of 7th Oct. last, ~~in which it was stated~~ that the amount had been fixed at 700 Rs per mensem, calculating the Commission on the average of the 3 years 1853-54 & 55, ^{the time period} but that as the Commission did not ~~at that time~~ ^{at that time} equal that average, and indeed barely covered the charges this amount of Rs 700 monthly did in fact at the time constitute the sole remuneration of the office. It was also remarked that in the Chief Secy's letter of 26th April last, it was however suggested that such an arrangement as above described should be subject to revision at the expiration of 3 years in reference to the improvement that might be expected to occur in the amount of the Commission & Govt. thought that this should still be

done. - With respect to the other enquiries, the Govt. of India stated that they were desirous that Mr Deed should hold both offices of Administrator General and the Master in the Supreme Court permanently, and that they did understand the orders of the Govt. of India dated 6th June 1856, as authorizing the arrangement. It was observed that in the Chief Secy's letter of 28th April para 11, the continuance of Mr Deed ^{as Administrator} was proposed and being distinctly premised in the beginning of that of para. that he was Master in Equity & that the Judges of H.M. Supreme Court saw no objection to the union of the ^{two} Offices. This was recited in para. 2. of Mr Offs Under Secy's Chapmans letter (6th June 1856) without as appeared to this Govt., any exception being taken to it. It was true, it was remarked, that the salary assigned to the Administrator General in the same letter, or Rs 1200 per mensem, clear, was more than this Govt. deemed sufficient for the appointment if held in commendam with another, but as already explained, the manner in which that allowance was calculated did in fact, for the present at least, reduce it very greatly below its nominal amount. ^{Supreme had} The Govt. ~~for~~ remarked that there was no good reason for supposing that with the salary fixed upon the basis authorized by the ~~Supreme~~ Govt., the emoluments of the Office of Administrator General would not realize Rs 1200 a month clear, as Act VIII of 1835, would not materially affect the amount of Commission after the first year. Conceding that the diminution in the Court so far as it had been caused by the operation of the recent act would be temporary, the Govt. nevertheless submitted that the act had then been in operation for nearly two years, but as would be seen from the statement submitted by Mr

14506 per annum
or 1200 p mensem.

19 Feb/57.

17th March 1857
1437438.

20 April/57.

15th June/57.

Cons: 10th June 1857
1423824.

Deed, the Commission was far from having reached the standard on which the compensation sanctioned under date 16th June 1856 was calculated. The Govt then stated that they would experience much embarrassment in getting the office efficiently filled unless by some such arrangement as then subsisted.

8 Under the circumstances represented, the Govt. of India, under date 19th Feb/57, permitted the arrangement entered into with Mr Deed to stand as a temporary measure until the orders of the Hon'ble Court could be obtained. It was to be clearly understood that Mr Deed was not to be entitled to compensation in the event of any alteration being made in the office of Administrator General or in the mode of remunerating that Office.

- 9 In reference to a Despatch from the Hon'ble Court to this Govt. Faml. Dept. No 5 of '57, the Govt. of India called for information on the following points:
1. What other office could be combined with the Administrator Generalship.
 2. Whether the salary of the Office of Administrator General could be reduced; - and
 3. Whether the expense of its establishment could not be diminished.

10 In reply to the first two enquiries, the Govt. remarked, that as would ^{have} been seen from the preceding correspondence, Mr Deed held the Office of Master of the Supreme Court in conjunction with that of Administrator General & that it was in consequence of this union of offices he performed the duties of the latter, at a rate of remuneration which, though nominally Rs 1200 per mensem, was from the mode in which it was calculated,

really Rs 700. The Govt. stated they were unable to
 suggest any other arrangement whereby the wishes
 of the Honble Court might be met, but that they would
 be borne in mind when existing arrangements
 came under revision on the expiration of two
 years. In regard to the third point it was observed
 that it was then impracticable to effect any reduc-
 tion in the office establishment of the Adminis-
 trator General. The modifications proposed by the
 Auditors & referred to in the Chief Sec's letter of 10th
 July 1856, it was stated had not been yet carried
 out & that Mr. Sood had been & was therefore, still
 paying Rs 75 1/4 per mensem above the sum fixed.
 He had also been obliged to employ extra hands
 from time to time to assist in the preparation
 of the accounts of the Estates which had lapsed
 & Govt. under Sec 57, Act III of 1855.

From the reports of the Auditors it appears
 that the Commission drawn by the Administrator
 General in 1856 and 1857 was

for the half year ending 30 June/56	- 4,572-5-8	
- do - do - 31 st Decr/56	- 4,523-13-4	9096-3-12
- do - do - 30 June/57	- 4,356-3-5	
- do - do - 31 st Decr/57	- 1,992-4-10	
	63,488-8-3	
Besides for furnishing copies of accts		
& collecting the same	434-10-3	6783-2-6
	2	15,879-5-6
Average per annum Rupees	- 7,939-10-9	
Average per annum for 1853-54 & 55 on which		
compensation was fixed		14,506

Memo

of Correspondence about remuneration
of Administrator General

Re. 394 to Com. 17 Aug 5
Judicial 1858 de from the

W. 1118-

Extract. Minis. of Land

21/16 August 1858

0.1110.40-41

12/10/57

45/16

13/15/2.
I have replied to the
letter from the Government of
India, respecting the fact of
submitting any suggestions on
the subject of the future of
the colonies of the Administration
General. Call upon the
Directors of the Account
for certain information.