

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	941	Press
	50-51	~~Mis.~~
Dated	10. 7	19 1858

Not to be folded or roughly handled

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1910

Fort St. George, Judicial Consultation, 13th July 1858.

No. 50. Read the following letter from J. RATLIFF, Esq., Subordinate Judge, Cuddapah ; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 28th June 1858, No. 98.

SIR,

In submitting, herewith, copies of a reference made to the Civil Auditor, as to my being entitled, by the existing orders on the subject, to draw Deputation Allowance, whilst "in charge" of the Civil and Sessions Court, (and carrying on all its current duties in addition to those of my own Court) together with that Officer's reply, I have the honor, with advertence to the affirmative nature of the latter, to solicit that sanction of Government, without which, for want simply (as he observes) of a precedent, he feels unauthorized to admit the claim.

From J. RATLIFF, Esq., Subordinate Judge, Cuddapah ; to J. L. LUSHINGTON, Esq., Acting Civil Auditor, Fort Saint George, dated 15th June 1858, No. 91.

SIR,

I have the honor to solicit the favor of information upon the following point :—1st. In para. 87. Chap : 2, page 14 of the Civil Auditor's Manual, it is set forth, "that as regards claim for Deputation allowances, no difference exists, whether the Officer be "officiating" in, or "in charge only" of, an Office not his own."

As Sub Judge at present "in charge of Civil and Sessions Court," (and saddled accordingly with no inconsiderable amount of current labor), am I, or am I not, (with reference also to para. 91) entitled to the regular Deputation Allowance, whilst thus "in charge," and if not so, wherefore not ?

General Department.

No. 96.

From J. L. LUSHINGTON, Esq., Acting Civil Auditor ; to J. RATLIFF, Esq., Sub Judge of Cuddapah, dated 23rd June 1858.

SIR,

In reply to your letter, No. 91 of the 15th Instant, I have the honor to state that the order* of Government placing Officers Officiating and Officers in charge on the same ground, as regards claim to Deputation Allowance though seemingly susceptible of general application has hitherto only been applied to Officers in the Revenue Department, but I shall be unable, simply, from want of a precedent, to admit a claim for a similar allowance if preferred by a Judicial Officer without the sanction of Government.

* 20th June 1844 No. 568
Pub. Manual, Chap. II,
para. 87.

(True Copies.)

(Signed) J. RATLIFF,
Subordinate Judge.

No. 51.

ORDER THEREON, No. 941 ; dated 10th July 1858.

The Government regard the claim of Mr. Ratliff to deputation allowance for holding charge of the Zillah Court of Cuddapah during Mr. Elliot's absence, to be altogether inadmissible. The rule quoted applies to the case of an Officer in charge of an appointment and performing its full duties as was the Officer in whose instance the reference which led to the order being passed, was made to the Supreme Government, and not to an Officer who is simply in charge of an office in view to the security of its property and records and for the performance of mere subordinate and routine business.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

instance

2)
Judicial Department

No 941
Extract from the Minutes of Consultation
Dated 10th July 1858.

Read the following
letter from the Sub Judge
of Guodapah.

/Here enter 28th June 58 Mo 98/

The Government
regard the claim of
Mr. Rathoff to deputa-
tion allowance for holding
charge of the Pillah Cant
of Guodapah during Mr.
Elliott's absence to be
altogether inadmissible.
The rule quoted applies
to the case of an officer
in charge of an ap-
pointment and perform-
ing its ^{full} duties as was
the officer in whose
instance.

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N.M.
In reply Acc^{to} Genl in
charge of the Acc^{to}
Genl's office.

instance the reference
which led to the order
being passed was made
to the Supreme Govern-
ment, and not to an
officer who is simply
in charge of an office
in view to the security
of its property and
records and for the per-
formance of mere sub-
ordinate and routine
business.

J.P.

W. Bartlett Esq.
Copy to Sub Judge of Cusdopah } Despd 14th
" Civil auditor.

to 27. 8 June 1858.

Journal 1858 de France

8/9/41

Abstract Minut. of Honors

25/10/July 1858—