

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1334	Press ~~Mis.~~
3-4	
Dated 1. 11. 1861	10

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Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
1st November 1861.*

No. 3. Read the following letter from F. LUSHINGTON, Esq., Acting Accountant General; to the Chief Secretary to Government, Fort Saint George, dated 15th October 1861, No. 179.

Book and Adjustment Department.

With reference to the Order of Government, No. 1,236, dated the 5th instant, Judicial Department, calling on me to report in what manner the fines of the Police Superannuation Fund, alluded to by the Magistrate of Bellary, should be carried to account, and, when erroneously credited, in what way the error may be rectified without making a reference to Government, I have the honor to state that it does not appear to me to be necessary that the fines appertaining to this Fund should at once be brought into the accounts to the credit of Government, but should be kept in deposit until the quarterly calendar has been reviewed by the Sessions Judge; after which they may be refunded to the parties concerned, or credited to the Police Superannuation Fund, as the case may be. Should this course be adopted, erroneous credits would scarcely ever occur and references to Government would be altogether avoided.

2. With regard to the sum of Rupees 28 alluded to by the Magistrate of Bellary as having been credited in his accounts, I beg to observe that in cases where Judicial fines are refunded to parties, the audit of the Civil Paymaster is necessary agreeably to paragraphs 96 and 97, Chapter VIII of his Manual; but as in the present instance, the money is to be transferred from one head of account to another, a statement with a declaration of the Magistrate will be sufficient for the purposes of this Office to admit the debit in the accounts.

3. The statement and the memorandum attached thereto, received with the Order of Government above quoted are herewith returned.

No. 4. ORDER THEREON, 1st November 1861, No. 1,334.

The Accountant General suggests that the fines appertaining to the Police Superannuation Fund should not at once be brought into the accounts to the credit of Government, but should be kept in deposit until the quarterly calendar has been reviewed by the Sessions Judge, after which they may be refunded to the parties concerned, or credited to the Police Superannuation Fund, as the case may be.

2. In regard to the fines being credited to the Police Superannuation Fund, after the quarterly calendar has been reviewed and refunds have been made to parties concerned, it will be pointed out to the Accountant General that the account "Mofussil Police Superannuation Fund" exists only in the books of the Sub Treasurer, and that there is no such head in the accounts of the Collectors.

3. The Government cannot approve of the fines in question being under any circumstances kept in deposit, i. e., held in suspense and not brought into the accounts, until the quarterly calendars have been reviewed.

4. The Accountant General is requested to reconsider the question. It occurs to Government that the difficulty would be sufficiently met if all fines, including those appertaining to the Fund, were carried in the first instance to the credit of Government, as was done prior to the passing of Act XXIV, 1859—and if, after the reviewing of the quarterly calendar, the adjustment be effected by a remittance to the Sub Treasurer for credit of the Police Superannuation Fund, of such fines as come under Section XII of that Act, the Sub Treasurer's Receipt will be a sufficient voucher for the transfer, and the Inspector General of Police will take care that the Fund gets all sums due to it.

(Signed) J. D. SIM,

Secretary to Government.

Exd. F. Cartledge.

6
Memo.

The objection that the
fines will be kept in de-
posit for some months
is stated in the draft.

Last sentence
of para 6, Pro:
Sillar. 61.
No. 309.

The Jephson Judge, & even
the Magistrate can es-
sanction — but the diffi-
culty, altho' so put by Mr.
Hathaway's letter, is not
who is to sanction, but es
who is to audit.

Every entry in the Collrs. Acct.
current must be supported
by an audited voucher. In
the present case, the Civil
Paymaster has refused to
give the voucher, because it
is a mere transfer entry, &

Notif. in
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transfer entries are exclud-
ed from the Budget.

Formerly audit was effect-
ed on competent sanction
being produced. The Bud-
get system has superadded
another condition. The
Civil Paymaster cannot
pass any sum, unless there
is provision for it in the
sanctioned Budget.

[Faint handwritten text in the left margin, mostly illegible.]

[Small handwritten note:]
230.

Judicial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read letter from the
Acct. Genl.

Enter 15th Oct. 61 N^o 179.

Order — 1st Nov. 1861 N^o 1334.

[Faint handwritten notes:]
The Acct. Genl. suggests that the fines appertaining to the Police Superannuation Fund should not at once be brought into the accounts to the credit of Govt., but should be kept in deposit until the Quarterly Calendar has been reviewed by the Sessions

The Acct. Genl. suggests that the fines appertaining to the Police Superannuation Fund should not at once be brought into the accounts to the credit of Govt., but should be kept in deposit until the Quarterly Calendar has been reviewed by the Sessions

divisions judge - af-
ter which they may
be refunded to
the parties con-
cerned, or credit-
ed to the Police
Superannuation
Fund, as the case
may be.

The Governor in-
Council remarks
that fines ap-
portaining to the
Fund ought not
to be credited to
Govt., & that, when
they are so carried
to

credit, it must
be thro' error or
inadvertence. It
was the object of
the reference made
in the order of the
5. Inst N^o: 1236, to
elicit from the Sect.
Genl. a suggestion
as to the course to
be adopted to rec-
tify mistakes of
this kind.

3. In regard to the
fines being credit-
ed to the Police Su-
perannuation
Fund, after the
Quarterly

Quarterly Calendar has been
reviewed & refund
have been made
to parties concern-
ed, it will be as
pointed out to
the Act. Genl. that
the account "Hofu
sil Police Superan-
uation Fund" ex-
ists only in the book
of the Sub-Treasurer
& that there is no
such head in the
accounts of the Col-
lectors.

4. The Govt. cannot
approve

under any cir-
cumstances

approval of the fines
in question being
kept in deposit i.e.
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& not brought into
the accounts until
the Quarterly Cal-
endars have been
reviewed.

5. The Act. Genl. is
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sider the question.
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The Act. sent.
Inspector General
of Police

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in the first instance
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Govt., as was done
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of Act XXIV-59 - &
that, after the review-
ing of the Quarter-
ly Calendar, the
adjustment be ef-
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tance to the Sub-
Treasurer for cre-
dit of the Police
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of that Act. The Sub-Treasurer

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will take care that the Fund gets all
supplies due to it - ...
...

1/1

George Peck

Serial 1861. Department.

No. 1334

PROCEEDINGS OF GOVERNMENT.

St. A. 1844.

Dated 1. Nov. 1861.

(Communicating) the
disapproval by Government of the
suggestion of the Government
General that the fine of 100
dollars be paid to the Government
and being brought into the
account to the credit of Govern-
ment and paid out to the proper
head under which it should be
credited.