

MADRAS RECORD OFFICE.

Government of Madras.

General DEPARTMENT.

G.O. No.	1696	Press
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Dated	25. 11.	19. 1864

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Proceedings of the Madras Government, Judicial Department,
25th November 1864.

No. 231. Read the following letter from E. W. BIRD, Esq., Civil and Session Judge of Tanjore; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Judicial Department, Fort Saint George, dated Tanjore, 15th November 1864, No. 1162.

I have the honor to forward, for the favorable consideration and orders of Government, the accompanying original letter and its enclosure from the Officiating Additional Principal Sudder Ameen of Tanjore, of this day's date, in view to such arrangements being made as may obviate the necessity of this officer losing, on this occasion, the pay to which he seems fairly entitled for the period he must necessarily occupy in travelling from Tanjore to his substantive appointment at Tinnevely, rendered needful under the late orders of Government, directing the abolition of his temporary functions here from the 30th instant.

From KISTNASAWMY IYER, Officiating Additional Principal Sudder Ameen of Tanjore; to E. W. BIRD, Esq., Civil Judge of Tanjore, dated Tanjore, 15th November 1864, No. 143.

I have the honor respectfully to bring to your notice, for submission to Government, the difficulty which, I apprehend, will be experienced, unless it pleases the Government to make any special arrangement beforehand to avoid the same, in drawing my salary during the time that will be required by me, after the abolition of this Court, to travel from Tanjore to Tinnevely in order to resume my substantive appointment at the latter station.

2. The Official Gazette, dated the 4th instant, announces the abolition of the Additional Principal Sudder Ameen's Court at this station from the 30th instant. Unless, in the meantime, the Government is kind enough to make provision for me in some other way, it is certain I must rejoin my permanent appointment at Tinnevely.

3. Paragraph 23 of the Uncovenanted Civil Service Absentee Rules, dated the 13th April 1864, provides that, where an officer is transferred from one appointment to another of equal or higher value, he is to draw so much of the salary of his new office as may be equal to that of his former appointment.

4. Under the above rules, I believe that the salary payable to me, during the period of my travelling from Tanjore to Tinnevely after the 30th of November, will be the salary of the Principal Sudder Ameen's Court at the latter station.

5. But I am unable to see how this can be done, if the officer that at present acts for me at Tinnevely is permitted to do duty there till I relieve him, as, in such a case, he will lay claim to the salary as the officer that actually performed the duty, and as the Government will in no case undertake to allow salary to both the officers for one and the same period.

6. I was formerly Principal Sudder Ameen in this District. On the occasion of the abolition of that Court at the end of the year 1858, and my nomination to the Principal Sudder Ameer'ship at Tinnevely, a similar difficulty was experienced by me, and I had to lose at that time Rs. 250, being half of my salary for a month, as would appear from the accompanying Extract from the Minutes of Consultation dated the 8th April 1859. It is in view to avoid the risk of a similar loss on this occasion that I seek your kind interference in the matter.

7. In order to relieve me of the loss of salary for the period above referred to, I think either that Mr. A. P. Steenevassa, who acts for me at Tinnevely, should be directed to deliver over charge of the Principal Sudder Ameen's Court at once to the Civil Judge at that station on the 30th of November, so that the salary of that office may become available for me from that date; or that the abolition of the Additional Principal Sudder Ameen's Court here should be deferred till I join Tinnevely, so that the salary of this office may be given to me during the period, especially the retention of this Court till any period within the end of April next being already sanctioned by the Government.

8. In conclusion, I submissively request you will be good enough to bring the above case of mine to the notice of Government, and obtain for me their favorable orders, so that I may incur no loss of salary for the time that will be required by me to travel from Tanjore to Tinnevely after the abolition of the Additional Principal Sudder Ameen's Court here.

*Proceedings of the Madras Government, Judicial Department,
25th November 1864.*

Referred to the Civil Paymaster for report. Kistnasawmy Iyer having been appointed Temporary Principal Sudder Ameen of Coimbatore, it is presumed that he will be entitled to draw a salary equal to that which he drew as a Principal Sudder Ameen of Tanjore, for the period occupied by him in travelling from Tanjore to Coimbatore.

Fort Saint George,
22nd November 1864.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

No. 192.
REPORT.

As Kistnasawmy Iyer holds the permanent appointment of Principal Sudder Ameen of Tinnevely, he is entitled* to his pay as such for the transit time from Tanjore to Coimbatore; the extra charge thus incurred being defrayed by Government, agreeably to the orders of the Government of India, 17th November 1859, No. 10,088.

22nd November 1864.
To the Chief Secretary to Government, Fort Saint George.

No. 232. ORDER THEREON, 25th November 1864, No. 1696.
Communicated to the Civil and Session Judge of Tanjore.
(True Extract.)

Chief Secretary.

To the Civil and Session Judge of Tanjore.

Encl. J. T. S. S.

JUDICIAL DEPARTMENT.

No. 480.

Extract from the Minutes of Consultation under date the 8th April 1859.

Read the following letter from KRISTNASAWMY Iyer, Principal Sudder Ameen of Tinnevely; to T. PYCROFT, Esq., Chief Secretary to Government, Fort St. George, dated 19th March 1859, No. 191.

Sir,

1. I have the honor to forward herewith copy of a letter from the Civil Auditor, dated the 10th February 1859, and to respectfully submit for the favourable consideration and orders of His Lordship in Council the question whether, under paras. 2 and 7, Chapter III of the Civil Auditor's Manual, I am not entitled to any salary from 1st to 14th January last, the time occupied by me in travelling from Coimbatore to Tinnevely.

2. I held Court in Coimbatore till the 31st December 1858, under the orders of the Government, and joined this station within the time allowed by the rules for travelling. My appointment as the Principal Sudder Ameen of Tinnevely was gazetted prior to the date in which my Court in Coimbatore was closed and I was thus, at no time, without employ, nor am I aware of any failure of duty on my part which should subject me to forfeiture of pay. The case, however, being my own, I refrain from advancing any more arguments in support of my claims.

From F. LUSHINGTON, Esq., Civil Auditor; to T. KRISTNASAWMY Iyer, Principal Sudder Ameen, Tinnevely, dated 10th February 1859, No. 100.

Sir,

In returning passed the abstract of your Court establishment for last month, I have the honor to inform you that, on the abolition* of the additional Principal Sudder Ameen's Court at Coimbatore, you were placed in the position of a servant without employ from that date, and that you were not entitled to the salary of your appointment as Principal Sudder Ameen of Tinnevely; until you actually assumed charge of that Court. I have accordingly been compelled to strike out from the bill your salary from 1st to 15th ultimo.

I beg also to inform you that I have not passed Mr. Bosith's salary, which you have included in the abstract herewith returned, as that Officer is required to submit a distinct bill to this office for Audit.

Order.—The Principal Sudder Ameen of Tinnevely places before Government copy of a letter to his address from the Civil Auditor, who had retrenched his salary for the first 15 days of January last, and submits the question, for the favorable consideration of Government, whether under the rules in paras. 2 and 7, Chapter III of the Civil Auditor's Manual, he is not entitled to salary for the period disallowed by the Civil Auditor.

2. Mr. Lushington, in the letter referred to, informed the Principal Sudder Ameen that on the abolition of the Additional Principal Sudder Ameen's Court at Coimbatore, he was placed in the position of a servant without employ from that date, and was not entitled to the salary of the appointment of Principal Sudder Ameen at Tinnevely, until he had assumed charge of that Court.

3. The circumstances are these—
The Principal Sudder Ameerah at Coimbatore which had been filled by the present applicant Kistnasawmy Iyer was, on the recommendation of the Court of Sadr Adawlat, abolished on the 1st January last, and in lieu of it a Principal Sudder Ameen's Court was opened from the same date at Mangalore.

9. Government do not see how Krishnaswami Aiyar can receive salary for an appointment, the full salary of which was drawn by another person who had been in the actual performance of the duties.

F. L. T. Carrington.

29th November 1864.

denoting the abolition of his temporary
Government has given the 30th instant.

I have the honor to be,

The Chief Secretary
to Government

Good Friend

Carroll & Co. New York

N^o 1696 - 25 November 1864
Communicated to the Civil
& Session Judge of Bangalore.

The Civil & Criminal
Judge of Paul Jones.