

(1) Number of pages 18

(2) Date of repair 8-11-45

(3) Initials of the Referencer C.

MADRAS RECORD OFFICE.

Government of Madras.

JUDICIAL DEPARTMENT.

G.O. No. 908

~~Press~~
Mis.

Dated 14-11-45

Not to be folded or roughly handled

Madras, 8 March 1894

12

From
H. G. Wedderburn
Administrator-General

To
The Chief Secretary
to the Government
Fort St. George.

Sir,
1 I have the honor to
acknowledge the receipt of the
Extract of the Proceedings of the
Madras Government with the
Order thereon dated 27th ultimo &c.

In compliance with
the Order I have paid the
amount of Rs. 26. 6. 0 therein
referred to the credit of the
account of the Chief Secretary of the Govt.
of Madras.

3 I must refer you to
the notice of Government dated
15th of a similar nature which was
issued on 15th inst. during
the absence of my predecessor
and his cover.

predecessor Mr. Gould relative to
the Estate of the late Mr. Ann
Donnermuth. Letters of
Administration to her Estate were
obtained on the 24th April 1884
and a debit balance of Rs. 20. 7. 1
exhibited in the accounts in 1885.
The Auditors in their report on
the Administrator General's accounts
for the half year ending 30 June 1885
recommended that this debit balance
(irrecoverable) should be paid to the
Administrator General by Government
and they by their Order dated 3rd
February 1886 Ct. 312 (Judicial)
sanctioned such payment.

4 On the 25th February 1888
some unexpected assets in account
of the Estate of Mr. Donnermuth
were received which paid the sum
of Rupees 20. 7. 1 and closed
the Government.

5 Such debit balance may
arise in the course of business
in liquidating all cases and
attending on the part of the
Administrator General.

16.18.1885
312/7
at the Court of
Sessions

it seems hard therefore to make
the Administrator General
personally responsible for debits
so arising not from any fault or
neglect on his part but merely as
the result of his business operations.

6 In answer to Para 2 of
the Proceedings in which Govern-
ment require me to explain what
I meant by 'provided that the
'Audit Investment Fund is not
'reduced below a certain minimum'
I beg to refer to my reply sent this
day to G. O. of 5 March 1894 Ct. 546.

7 The surplus of the Audit Fund
money is available for extraordinary
expenditure. I am informed that
the Administrator General of
Bengal is allowed to charge Office
rent to this fund.

8 There is a G. O. 27 Sept. 1879
Ct. 2497 which deals with the
Audit Fund and with the question
of transferring the balances set
apart for Creditors to Government.

I have the honor to be, Sir,
Your Obedient Servant

H. S. W. W. W.
Administrator-General

546: 5-3-94 unit
has been marked unit
2773: 12-10-88
The unit papers.

1274

Office 5 Indl Dept
Administrator General

1894 March 8

Recd & Regd 9-3-94

To
cc

The Chief Secretary
to Government
Port St. George.

Subject

Affording Explanation about
the Audit Fund.

M. 14/3
12/15/3

To await the

SECRET
-3. MAR 1894
GOVERNMENT OF MADRAS

Forwards.

Madras, 8 March 1894

1274.

to
Hon

H. G. Wedderburn

Administrator-General

to

The Chief Secretary to Government
Fort St George.

Sir,

I have the honor to acknowledge the receipt of the extract of the Proceedings of the Madras Government Judicial Department and the order made thereon dated 5th instant N^o 546. In compliance with such order I beg to explain that the "Audit Investment Fund" was created under Rule III Clause IV of the rules for the office and duties of the Administrator-General, and has at its credit, Government Securities to the sum of Rs. 70,500.

The interest on the above Government Securities is credited to the "Audit Fund" and is paid quarterly. The interest on the above Government Securities for the year 1893, upon the suggestion of the Administrator-General, the Government by their order dated 17 July 1894 N^o 1418 directed the transfer to the credit of the Audit Fund of all interest

From the ...

[illegible]

Order
Final orders upon the second
of the letters read above will
be deferred until the J.G.'s reply
to G.O. of 5 March 1894, No 546,
and, which should be expedited
is received. It is observed that
there seems to be nothing in
the Rules for the guidance of
the Administrator-General which
renders it absolutely illegal
to defray the cost of defending
the suit "J. Swaminádh Pillai
& others against the Adminis-
trator-General & others" from
the Audit Fund although
such use of the Fund is
obviously not contemplated.
With regard to the first of
the letters read above the
J.G. if I will be moved to
take steps to amend the
Administrator-General's Act
1874, in such a way as
to permit the crediting to Govt
after a specified period
of unclaimed balances set
apart for creditors. In this
connection it is observed
that the system of account
sanctioned in para. of G.O.

of 30 Dec. 1893, No. 2705, Ltd.,
is not in strict accordance
with Rule 26 of the Rules for
the Guidance of the Administra-
tor-General & an alteration
of the Rule seems therefore to
be necessary. The Admin.-Genl.
will be requested to furnish
a draft of the amendments
he proposes to make in the
Rules in view of the recent
change in the method of
account.

19/3/94
18 Mar.

Letter Admin. Genl. (Q 20)

— I.G. of Police (Q 4 para 1)

Letter

Letter Sec. to the G. of I., H.D.

I am directed to request
that the following proposal
for the amendment of the
Administrator-General's Act
1874, may be brought to the
notice of the G. of I.

1. Under the terms of sec. 44(a)

of the Act the balance of

each estate under administration

must be shown in the half-

yearly schedule whether there

has or has not been any

receipt or payment during

the half-year in respect of

the estate & as a consequence

of this provision, the Schedule

contains particulars of a

number of estates of which

the balances consist entirely

of money set apart for

payment to creditors whose

Transactions on account
of such estates are rare
& as the names of the
creditors do not appear
in the schedules, the half-
yearly publication of
the balances available
for payment is of little
value. But the Act provides
Section 62 of the Act provides
for the transfer to the
credit of Govt. of unclaimed
assets after the lapse of
fifteen years & it has
been represented that it
would be convenient if
a similar provision were
made for the periodical
transfer to the credit of
Govt. of unclaimed balances
set apart for the
payment of creditors. In
the absence of such a
provision the list of
estates of which the
balances are of the nature
described above has grown
to an unwieldy size &
it contains particulars
of estates of which the
balances were set apart
less than fifty years
ago. The suggested amendment
has therefore the support
of H. H. G. in C. & I am
directed to commend it to
the consideration of the
G. of I.

I have etc
19/3/94
18 Mar.

Note

It seems unnecessary

to make any allusion to the condition that the Audit Fund shall not be reduced below a certain figure. That condition, if necessary at all, can best be brought to notice when a Bill is framed.

h h

Administrative General Accounts.

H. C.
June

[5]
45-21-12-03.

DEPARTMENT.

Papers to be read in Proceedings:—

Again G.O., dated 27 Feb 1894, No. 504, Ind.
Again G.O., dated 5 March 1894, No. 546, Ind.
Current No. 1273 of 1894, dated 8 Mar. from the Adm. Gen.

Current No. 1274 of 1894, dated 8 Mar. from J.

Order 14 April 1894 N° 908

Note

A revised draft is submitted under H. C.'s personal instructions.

Copied 16/1
x 17/1
Final orders upon the second the papers read above will be deferred until the J. G.'s reply to G.O. of 5 Mar. 1894, N° 546, Ind. is received. This reply should be expedited.

2. It is undoubtedly a defect in the Administration-General Act, 1874, that it contains no provision for the crediting to Govt after a given period of unclaimed balances set apart for creditors but, before adding the G. of I. on the subject, the Govt desires to be satisfied that the effects of the proposed amendment have been fully considered by the Adm. Gen. It is understood that the present arrangement under which a great part of the unclaimed balances set apart for creditors which were incurred many years ago. If the Act is amended so as to require that such unclaimed balances set apart for creditors shall be transferred to Govt after a given period, the Administration-General will probably be an almost complete success.

W
14/4/94

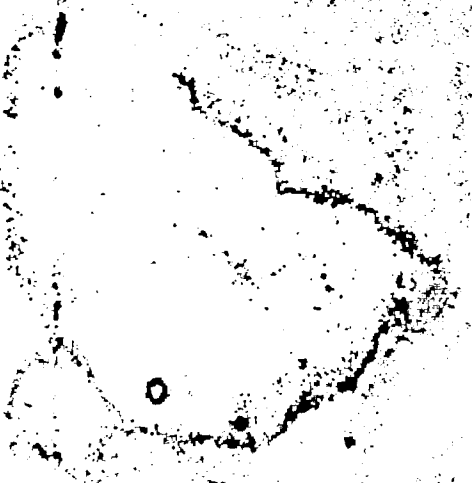
it is doubtful whether the
Audit Fund will suffice—
alone to meet the cost of audit
& of stationery & postage. This
point should be carefully
considered by the Administrator
—General & full information
should be furnished to Govt.
as to the nature of the sums which
go to make up the Audit Investment
& Audit Fund, the extent to
which they will be reduced by
the proposed legislation & will
fall short of the demands upon
them.

In this connection the Govt. notes
that the Rules of 1856 are very
obscure in parts & that they
seem never to have been amended
with reference to G.O. 2, 19 July 1841,
N^o 1413, Ld^o. There are also
numerous purposes to which
the Audit Fund can be devoted
in Bengal for which no provision
is made in the Land Revenue Rules.
There ought, it seems to Govt., to be
some provision in the Act or
the Rules framed thereunder
to enable the Administrator to raise
to meet charges, such as the
R.B.C. referred to in the Govt.
of the letters, &c. & also the
cost of sending the audit
unit, from the mission, &c. & also
of the Administrator's general
expenses, about Rs. 5000 per
annum, & giving them up to the
Administrator's discretion, & the Govt.
to sanction the same. It might be
said that the Audit Fund is not
large enough for these purposes.

Administrative

i.e. either proportionately from the
total under administration or from
the Audit Fund.

Note This is in answer to subject of the
18th. pointing out to me that it is
to the advantage of the Govt. to
relieve the possibility of the
Administrator's but that it is
not to be held responsible for
payment of sums which are
to be referred to Govt. for
sanction. The Government of India
such sums as are paid to the
Govt. for the purpose of the
Audit Fund. It is not the
Govt. which is to be held
responsible for the payment of
the sums, but the Administrator
who is to be held responsible for
the same. It is not the Govt.
which is to be held responsible
for the payment of the sums, but
the Administrator who is to be
held responsible for the same.



1273

1273

Indl. & Co.

504:27-294

2708:30-1293

1276:17-6-96

2355:17-1292

1273:11-7-92

312:3-2-96

From

H. G. Wedderburn

Administrator-General

To

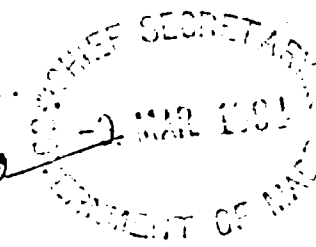
The Chief Secretary

to Government.

Port St George

1894 March 8

Read the



Subject

Stating that the debit
balance of Rs 26.6.0 of the
Estate of Mr. Edmund Smith
has been adjusted as per
Order of the 27th 11th June 1894

143 P. 143 Please put up by 143
in the office of the Chief Secretary

READ AGAIN ORDER OF GOVERNMENT, DATED
27/7/1894, No. 504, MISCELLANEOUS

573/14 N: 546

No.

1273

1274

NOT WITH DITTO.

GOVERNMENT.

GOVERNMENT.

NOT WITH DITTO.

NOT FILED UP, BEING MEANT FOR DISPLAY
IN ORIGINAL (NOT P. 143)

M. H. -
A - Copy in full
B - Not to be copied
P - Copy abstract only
Q - Copy heading only

PAPER, No. 546/53-94

PAPER, No. 18750/94 110 of 18

2440/94

3136/94

3964/94

ORDINARY, MS.

General DEPARTMENT.
G.O., DATED 14-4-94
No. 908

INDEXED.

When given for copying.

[Despatch Abstract.]

Calling for full information
as to the members of the
Committee which go to make
up the Audit Committee
& Audit Funds created under
rules for the Office and
Officers of Administrator
General Has to know they
will be affected by the
proposed legislation &
wishing that the matter
in question be reviewed

8-12-95

5308

7-10-15

1-6-15

13.6.30