GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following Memorandum from Lieut.-Colonel ROSS THOMPSON, R.E., Acting Under Secretary to Government, Public Works Department, to the Chief Secretary to Government, dated 5th May 1882, No. 993 C:—

With reference to the Proceedings of Government, Public Department, marginally noted, the Secretary to Government, Public Works Department, has the honor to request that he may be favored at early convenience with information on the following points.

No. 781, dated 7th June 1881.
„ 1262, dated 17th September 1881.

2. Paragraph 3 of the Government Order first quoted rules that each case of a Government servant having recourse to the law for the relief of insolvent debtors must *on occurrence* be reported to Government in the Public Department. Does this mean that a case should be reported immediately on receipt of intimation that a man has filed his petition and schedule, or only after the High Court has pronounced judgment? The point seems doubtful, for the Government cannot apparently be in a position to pass orders on a case until the High Court has finally disposed of it.

3. Further, the second Government Order quoted declares that no report need be made to Government in cases where the High Court have not granted a free discharge to insolvents. If, however, every case must be reported immediately the petition has been filed, the second order would appear to conflict with the first.

4. If an insolvent in his petition declares his willingness to pay a portion of his salary towards his debts, should he be suspended under paragraph 1 of G.O., No. 781 of 7th June 1881?

5. It has been ascertained that in some offices the practice is not to suspend in such cases, but this too is a doubtful point, since the head of an office cannot tell what the ultimate decision of the Court will be. Cases may occur where although the insolvent declares his willingness to pay a small portion of his salary towards his debts, yet the Court may grant a free discharge in consideration of the circumstances attending the man's indebtedness.

6. It is also remarked that paragraph 1 of the G.O., of the 7th June 1881, rules that insolvents shall *without exception* be suspended, while G.O., No. 1262, dated 17th September 1881, merely relates to the necessity for reporting cases for the orders of Government, and makes no allusion to suspension during the period a case is pending before the High Court.

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ORDER—dated 20th May 1882, No. 270, Public.

The report prescribed in paragraph 3 of G.O., No. 781, dated 7th June 1881, should be submitted at the time the insolvent files his petition under the Act.

2. The provisions of that order should be considered final, and there can therefore be no exception to the rule that Government servants having recourse to the law shall be, *ipso facto*, suspended.

3. G.O., No. 1262, dated 17th September 1881, which had reference to an order which the Proceedings of the 7th June following virtually cancelled, will be withdrawn.

(True Extract.)

C. G. MASTER,
*Acting Chief Secretary.*

To the Departments of Government.
„ all Heads of Departments.
„ the Accountant-General.

Exd. T. O'Connor.

Govt. of [1882] Madras.

PUBLIC.

Order Memo No. 1430 W
dy 7th June 82
Communicated
to Officers of the
Public Works Dept:
for information &
guidance with
reference to the
undermentioned
Proceedings:-
No 1578 W dy 24th June 82
" 2456 W dy 16th Oct 81
True Extracts
Sdy A.S. Russell
Under Secy to Govt
P.W.D

To Supg. Engrs
Ch. E. for Irrign
Consg. Engrs for Rys
Exr. P.W.D. &c

*Order, dated 20th May 1882, No. 270.*

No 1430 W dy 7th June 82

*Insolvents.*—Directing that the report prescribed in paragraph 3 of G.O., No. 781 of 1881, should be submitted at the time the insolvent files his petition under the Act.



GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

Read—again G.O., dated 20th May 1882, No. 270, Public.

Order—dated 21st June 1883, No. 1215, Public.

In paragraph 1 of this Government Order it was directed that the report prescribed in paragraph 3 of G.O., No. 781, dated 7th June 1881, to be made to Government on each occasion of a public servant having recourse to the law for the relief of insolvent debtors, shall be submitted at the time the insolvent files his petition under the Act.

2. As, however, the main object is to enable Government to judge how far the insolvency is the result of extravagance or otherwise, for which purpose it is necessary to have the decision of the Judge in each case, the Government hereby cancel paragraph 1 of the Government Order in question, and direct instead that the required report shall be made to Government on the adjudication of each case, a copy of the Court's decision being submitted at the same time.

3. This instruction will not be understood as in any way affecting the G.O. of 7th June 1881, No. 781, which ordered the suspension of every Government servant on his having recourse to the Insolvent Act.

(True Extract.)

C. G. MASTER,
*Chief Secretary.*

To the Departments of the Secretariat.
„ all Heads of Departments.

Exd. J. Henricus.

# Govt. of {1883} Madras.

PUBLIC.

*Issued*

*Recd.* *Encl.*

**G.O., 21st June 1883, No. 1215.**

**JUNE.**

B. 86 1898 W Dy 7-83-

Original sent to P.W. 17-7-83

**Insolvents.**

Cancelling paragraph 1 of G.O., dated 20th May 1882, No. 270, and directing instead that the report prescribed in paragraph 3 of G.O., No. 781, dated 7th June 1881, shall be made to Government on the adjudication of each case.

From,

The Examiner P.W. Accounts,

Madras.

To,

The Secretary to Government,

Public Works Department.

No. 39 W.

Madras, 25th May 1883.

Sir,

The Official Assignee of the High Court of Judicature Madras having intimated that Mr. C.R. Ray Clerk ~~XI~~ Class 2nd. Grade on the Establishment of this Office has filed his petition and Schedule for the benefit of the Insolvent Act, I have, with reference to the orders of Government contained in G.O. Public Department No. 270 dated 20th. May 1882 communicated with G.O. No. 1430 W. dated 7th. June 1882, placed him under suspension, on the usual subsistence allowance of one-fourth of salary, with effect from the 15th. May 1883, the date on which he filed his petition.

2. Mr. Ray has since sent in the enclosed representation (submitted in original) stating that his misfortunes are the result of circumstances over which he had no control and requesting that he may be reinstated in his appointment without forfeiture of any portion of his salary.

3. His reinstatement will, I presume, depend on the orders the Court may pass on his petition, which I understand will be heard in August next, some three months hence. In the meantime, Mr. Ray points out that he has to maintain a family of seven persons including himself on Rs. 15 per mensem.

4. I have the honor to recommend that Government be pleased to allow Mr. Ray to draw full pay till the Court decides his case, when a further report will be submitted to Government for orders. I beg further to report that Mr. Ray continues at work, his duties being special, and any interruption of them will cause considerable inconvenience to the work in hand.

5. Very early orders are solicited.

I have the honor to be,

Sir,

Your Most Obedient Servant.

D. C. Ewbank

Examiner P.W. Accounts.

Madras
29th May 1883.

PWC No 1412

Public (1883) Dept
(Insolvency.)

P. Wks
5.338/83

1022 C.

From

The Exam. P. W. Accounts
Madras.

To. The Secy. to Govt.
P. W. Dept.

No. 39 W.

Refered to the Public Department for consideration.

(By Order)

/Sd/ C Bowen
Major RE.
Under Secy to Govt. PWD.

No. CONSULTN No. 1681.

Dated 25th May
Received 28th May
Red 30th
} 1883.

Enclosures 2

SUBJECT.

Insr Ray. Recommends that — be allowed to draw full pay while under suspension.

For

Public Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

READ the following

Endorsement from the Public Works Dept. N 29th May 1883, No. 1022 C. on letter from the Examiner, P. W. Accounts regarding the insolvency of Insr Ray, & recommending that he be allowed to draw full pay while under suspension.

Order 21 June 1883, No.

Sanctioned

/True Extract/

Chief Secretary

To

The Public Works Department

with C.N. 1681/1883

P.W.C. No. 5338

Rec. 25/6/83

En 4

B Do 1792 Wdy 25th June 83

Communicated
Communicated
to the Examiner, P.W.
to the Examiner P.W.
Accounts
Accounts.

23/6/83

To The Exam, P.W. Accts

Dasp 25/6

G.O. 1792 Way 25-6-8
× " 1898 Way 7-7-8
" 1630 Way 7-6-82

Embodying
G.O. Public No. 1215 dy 21-6-83

No. 95 W.

AMINER,
PUBLIC WORKS ACCOUNTS,
MADRAS,

ary to Government,
lic Works Department.

*Madras,* 7th September 1883.

para 4 of my letter No. 39 W.
e honor to forward herewith
s of the orders of the Court
ay clerk 3rd. Class 2nd. Grade on
ice and with reference to G.O.
to solicit the favor of early

he honor to be,

Sir,

Most Obedient Servant.

D. C. Gordon

Examiner P.W. Accounts.

Chepauk
11th & Sept/83

Encl
Pub. Ck. 7709
8/7/83

No 1697 C

Referred to the Public Depart for consideration, with adverteuce to the undermentioned orders in that dept:—

No 1215 dy 21 June 1883
" 1220 (mis) dy — do — do —

(Bryndey)

Cttee:
Mnr. Rly
Inundation & Irr Wks

From,

The Examiner P.W. Accounts,

Madras.

To,

The Secretary to Government,

P.W. Department.

No. 95 W.

Dated 7th September 1883.

Recd. /9 ——

Enclos. 3

Mr. C.R. Ray. Forwards the orders of the Court about---- for the orders of Government.

Referred

Public — Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

READ the following

Letter from the Examiner Public Works Accounts, to the Secretary to Govt. P.W.D. dated 7th September 83 No. 95. W.

In continuation of para 4 of my letter No 39. W. dated 25th May 1883, I have the honor to forward herewith / to be kindly returned / Copies of the orders of the Court in the Insolvency of Mr. C. R. Ray, Clerk, 3d Class, 2d Grade, on the establishment of this office and with reference to G.O. No. 1898. W. dy 7th July 1883 to solicit the favor of early orders of Government.

—

No 1697-C. Chepauk, 11th Sept 83

Referred to the Public Department for Consideration with adverteuce to the undermentioned orders in

Department:—

No 1215 dated 21st June 1883.

" 1220/Mis/83 on on

/By order/

Sd/ C Howell Majr R.E.

Under Secy: P.W.D.

—

Order thereon 20 September 1883 No 1862 Mis:—

Mr Ray's retention in his appointment is sanctioned.

/True Extract/

C. Howell. Majr R.E.

Under Secy P. W. D.

for Chief Secretary

To

The Public Works Department.

with encls:—

1697 11.9.83.

Sw.No. 8276

Re 2741 Way 1st October 83

B

[6]

Govt. of {188 } Madras.

To

Communicated
to the Govt. N.W. Provs

The Secy N.W.P.

Cy.
26/9

Rec'd 25/9/83 En 4

Proceedings, dated 20 Septr 188 3
No. 1862 Rm

Subject.

Re 2741 Way 1-10-83

Secy to Govt
Govt retention
in his appointment.

Govt
2/10

Govt N.W.P.
with Enclos.

Worthington