No. 41W

From
The SUPERINTENDENT,
MADRAS HARBOUR WORKS,

To The Honble: Col: J. H. M. Shaw-Stewart R.E.
Secretary to Government,
Public Works Department. Fort Saint George
MADRAS, 18th November 1885.

Sir,

With reference to the Government Order of November 2d 1885 No 2555 W upon the Examiner's Report on the Accounts of the Madras Harbour Works I have the honour to state that I duly observe the first paragraph of the Order, and am communicating to the Examiner some explanations and remarks I have to make upon the points touched upon in the Report.

2. With regard to the second paragraph of the Order I take advantage of the permission accorded me to offer some remarks on the 2d and 3d paragraphs of the Examiner's letter. First as regards the Imprest account of the Sub-Engineer. I must explain that originally (in 1876) no such account was kept, but there was then no Cashier on the establishment, I started an Imprest Account in 1877 to save the constant application to the Accountant (who acted as Cashier at that date) for small sums

of money which were and are constantly needed. After the accident of November 1881 the Imprest Account was abolished, but in May of this year 1885 I again opened it with a view towards having some ready money available for coolies employed in landing cement and other stores at hours before the Accountant's and Cashier's Office is open. As there is now a Cashier in the Office I can easily arrange to close the Imprest Account with the Sub-Engineer as the Examiner considers such an Account un-necessary.-

3. With regard to paragraph 3 of the Examiner's letter and 10 of the Deputy Examiners report- In his report the Dy: Examiner disposes of the measurements of work done on the Madras Harbour Works in a somewhat summary and off hand manner when he states that no "measurement books are filed in the Superintendents Office"- I do not quite understand how Mr Heaven can state this as I myself shewed him one of the Measurement Books, namely that for stone quarried, just before he left my office on the 22° October 1885- I will report in detail how measurements are

made

made and have been made on these works for 9 years.

4 There are only three main heads for measurements of contractors work Viz:-

1 Pallavaram stone quarried for Rubble Base and Concrete Blocks

2 —"— "- deposited in the sea by boats

cubic

3 Concrete blocks made, per cubic yard.-

The stone from the quarries is weighed at the South Pier Works, by one of my writers under supervision of the Head Foreman, the Sub-Engineer the Assistant Superintendent and myself- By which I mean that at weighing any one of these officials is liable to be present, but generally the Sub-Engineer or Head Foreman is present- Six waggons are selected at hazard from every train and the average of the six is taken as the weight for each wagon in the train- These weights are recorded by the Sub-Engineer, in a regular printed form book, which shews the date, the railway number on each wagon, the number of Waggons in the train, the gross weight, the tare and the nett weight of stone. This book is kept by the Sub-Engineer subject to my periodical inspection, and from this book the bills for quarrying stone are prepared and checked by the Sub-Engineer before receiving my approval- Mr Heaven remarks that "Progress is noted in the work abstract from

a

a slip furnished by the Sub-Engineer," and the Examiner supposes that these slips are initialled by myself. With regard to initialling "these slips" I must with all deference object to such a course. I will be responsible that the amount of work done is correctly represented and in fact I make myself so responsible in signing the Accounts for the Examiner and the monthly abstracts for the Engineer-in-Chief in London, but I cannot see why I should have to sign or initial what is merely a note from an Employee in one room to one in another. The Sub-Engineer's books are regular records and can be used by the Accountant at any time without having recourse to the "slips" referred to which however are always attached to the Work abstracts.-

5. With regard to the two other items for measurement, viz first (2) stone deposited in the sea by boats," the Sub-Engineer keeps the Accounts of this in a similar way to the other, namely by counting and recording the number of waggons emptied daily. Similarly as regards (3) the "Concrete Blocks made, per Cubic yard," a measurement book is regularly kept recording every block made in the yard, its number, date of manufacture and Cubic contents, and all this information is obtainable from

from these measurement Books without using the slips before mentioned. I should remark with regard to the cubic contents of blocks that no measurement is required except in the first instance, as every block is repeated in precisely similar form so that knowing the number made in one month the cubic contents are arrived at easily.-

6. I have now to remark that there exists a check on the record of all the quantities of work done of which the Examiner is unaware, and that is the monthly abstract of work which I submit to Mr. Parkes. This shows me at a glance all information required and to this I refer for check measurements.- It is prepared by the Sub-Engineer under my close inspection and instructions, and is indeed the most useful record, so far as the Engineers are concerned, kept in the office. This does not come under the Examiner's cognizance, but must nevertheless not be passed over.

6 If the Government consider that my initials to slips of paper bearing figures copied from the books of measurement are really necessary as hinted by the Examiner of course I have no more to say, but to me it seems that it is rather the results themselves that

should bear my signature, and if more
is required the measurement books can
be initialled by me when examining them;
but at present I do not feel disposed to re-
cognise those slips in any way whatever,
as the original figures are always at hand.

7 I now come to the 4 paragraph of the Ex-
aminer's letter, referred to in the 3d of the Govern-
ment Order, namely the advance of one
month's pay to a clerk who is described
as under suspension, and I must preface
my remarks by stating that I had no in-
tention of exceeding my powers in thus ac-
ting — The clerk in question, C. Thaniachellum
Moodeliar, has been in this office from
he first commencement of the works
nd has since April 1st 1885 drawn a
salary of Rs 30 a month. He bears a
most excellent character & is a thoroughly
aluable Accountant's Assistant — His
aving to take advantage of the Insolvent
Court is the result of the too common
tory in Madras, namely putting his
ame as a guarantee for money on ac-
ount of a Relation who was once in a
ir trade but who recently failed, and
e clerk in question was naturally called
pon to fulfil his guarantee — This he
could

Could not do and was forced to apply on July
7th for the protection of the Insolvent Court
his Insolvency dating from July 17th 1885.
He drew his salary up to July 16th — But
it appears conclusively proved from my
investigation of the case that he has
some claim or title (whether good or not
I cannot say) to a sum exceeding his
debt, and the Insolvent Court have de-
ferred pronouncing any decree in his
case until this Civil case is settled,
with which object I see by official do-
cuments the protection of the Insolvent
Court is extended to him up to Decr. 21
1885.

8. He has been working steadily
and without intermission since July
17th and as there seemed no doubt
whatever of the truth of his story
as to the Civil Suit I ventured on
September 23d to advance him Rs 30
which is all the pay he has drawn
since July 16th As he has done work
to the value of about Rs 121 since
July 16th there need be no fear about
recovering

recovering the value of the advance.

9 But I would ask whether, under the circumstances he may not be reinstated or allowed to draw pay as before, at any rate till this suit is decided. He is "under suspension" only by reason of the P. W. Code, and not from any order of mine or from any fault of his own in this office, and I most respectfully ask that, as he belongs to no regular service his case may be made exceptional and the suspension ordered by the Code for those who apply to the Insolvent Court, may be cancelled.

Vide S.O. No 266 of 1885 of [illegible]
S.P.
19-11-85

I have the honour to be,
Sir,
Your most Obdt Sert
F. N. Harrowgood.
Superintendent

Lep

R. No 652.
21. 11. 85.

~~Encl~~

Chepak
20th Nov/85

No 2654 D

To C
For remarks

13/11/86

Rcd 99/10

Accounts

From
The Superintendent
Madras Harbour Works

No 41W
Dated 18 November 1885
Rec 19

No of Enclosures Nil

Accounts

Submits explanatory remarks on the Deputy Examiner's report on the —

To

[Form No. viii.]

GOVT. OF MADRAS. 1885. P. W. DEPT.

EXAMINER, P. W. ACCOUNTS.

Madras, 24th November 1885.

OFFICE NOTE No. 680.

Encl: 1.

24 NOV 85

To
W.

Your O. N. No. 3654 D. dated 20th.
November 1885.

Mr. Heaven quite recollects the book referred to by the Supdt., but did not understand that it was a part of the Office records to which access was open. He was under the impression it was kept in the Sub Engineer's Office. Under the explanation now given in the Supdt's. letter, this Register was always available and is the record approved by the Supdt. for progress of work. Nothing further is necessary.

2. The matter of the last three paras of the Supdt's. letter is one for Govt. to consider.

C.

23/11

23/11

KEEP-WITH Genl. No.

dated 188 .

2555W d 2/11/85
1570 W d 24/6/81
…4 W d 1/12/85
…45 W d 16/10/84

Dec 10179

SAW

No. 2890 W.

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the Decr. 4. 1885

READ the following

From the Superintendent Madras Harbour Works	H. E. No. 41 W d 18th Novr./85
Office Note from the Examiner P. W. Accounts	" No. 680 d 24th Novr./85

With his letter above recorded, the Supt Madras Harbour Works submits the remarks called for in para 2 of G. O. No. 2555 W dated 2nd November 1885.

2. As ~~it is reported that~~ the imprest accounts with the Sub. Engineer can be closed without inconvenience, the Supt

will be requested to arrange for petty payments being made in future by the Cashier, upon pay orders passed by responsible officers.

3. The explanation afforded by the Supt in paras 3 to 6 of his letter is quite satisfactory and no further orders on the subject are necessary. The ~~remarks by the~~ Dy. Examiner's remarks appear to have been ~~were~~ made ~~under a misapprehension of the facts of the case.~~ ~~He was~~ under the impression that the book referred to by the Supt was not part of the office records to which access was open

4. In regard to the

∗ P.W. G.O. No. 1578 W. of 24.6.81.

~~Put up~~

submitted

the case of Clerk C. Thaniachellam Mood., the Government observe that, under G.O.∗ No. 781 Public dated 7th June 1881, he should have been granted subsistence allowance from the date of his suspension, in accordance with the provisions of section 58 of the Pay and Acting allowance Code. The Supt acted unauthorisedly in grant the man an advance and his attention will be directed to the Notification published with the G.O. above recorded, with reference to which the fact of the clerk's having stood security for a relation is no excuse for his insolvency.

5. As the clerk is a servant of Govt, he must continue under suspension until his case (after adjudication by the Court) has been ~~submitted to Government and they are satisfied that his insolvency is not the result of extravagance.~~ finally decided by the Govt - vide G.O. No 2864 W of 1 Decr 1885.

1/12/85

No. 2896 W of Decr 4. 18

2.12.85

Supt M. H. W.

Ex. P. W. Acctor

Despd 5-12-85.

Jd 1/12

30/11/5.

26th May 1884, No. 1098, Public.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

Read—the following paper :—

From E. GIBSON, Esq., Secretary to the Board of Revenue, to the Chief Secretary to Government, dated Madras, 9th May 1884, Mis. No. 3999.

I am directed to forward, for the information and orders of Government, copies of the notes and orders of the Honorable Justice Kernan, High Court of Judicature, Madras, in the matter of the insolvency of T. Subraya Naicker, an accountant in this office on Rs. 30 per mensem, and now under suspension with reference to G.O., dated 7th June 1881, No. 781, Public.

2. T. Subraya Naicker has been declared to be entitled to the benefit of the Act, but the Court has ordered him to pay Rs. 3 per mensem towards the liquidation of his debts.

3. From the petition filed by T. Subraya Naicker in the Insolvent Court, and which was unopposed, it appears that the original debt was for Rs. 500 only contracted during his minority by his widowed mother. Owing to causes beyond his control Subraya Naicker was unable to pay up the whole of the debt, which, with compound interest, increased to Rs. 1,500.

4. In these circumstances, I request permission to restore T. Subraya Naicker to his appointment and to disburse his pay for the period he was under suspension (*vide* section 58, rule III, clause II, of the Pay and Acting Allowance Code, 6th edition).

Order—dated 26th May 1884, No. 1098, Public.

The recommendations of the Board of Revenue are approved and sanctioned on the understanding that the entire pay is available.

2. The Board do not say, nor do the enclosures to their Proceedings show, when the insolvent was suspended, nor what arrangements were made for his duties.

3. It is not the intention of Government that suspension in such cases should practically result in leave on full pay.

(True Extract.)

E. F. WEBSTER,
Chief Secretary.

To the Board of Revenue, with all enclosures.
„ the Departments of the Secretariat.
„ all Heads of Departments.

Exd. J. W. Fischer.

P. W. D.

No. 1560 Wd/21st June/84

Communicated to officers of the P. W. Dept, with reference to para 3 of the Order in the Public Dept.

(Signed) J. H.

Govt. of {1884} Madras.

PUBLIC.

Issued

Recd. *Encl.*

G.O., 26th May 1884, No. 1098.

No. 1560 Wd/21st June/84

MAY.

Ch. E. for I. ✓
Consg: Engr: for Rys: ✓
Supty: Engineers ✓
Supt. of W. I. M. ✓
Consg: Acct. to Govt. ✓
Genl. Supt. P. W. S. ✓
Supt. M. H. W. ✓ ✓
Examr. P. W. Accts ✓
Examr. Ry: Accts ✓

Insolvents.

Passing orders on letter from the Secretary to the Board of Revenue requesting permission to restore T. Subraya Naicker, an accountant in the Board's office, now under suspension on account of his being an insolvent debtor, to his appointment with arrears of pay.

With order

26th February 1884, No. 349, Public.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

Read—the following paper:—

Extract from the Proceedings of the Government of India in the Home department (Public), dated Calcutta, 19th January 1884, No. 2—77-102.

Read—

Home department resolution, No. 100, dated the 12th January 1856.

Resolution—

In the resolution of January 1856 cited above, heads of offices having establishments in the pay of Government were directed to impress upon their subordinates the discredit attaching to a resort to the Insolvent Court, and to warn them that such a proceeding would be considered as of itself constituting a sufficient cause for exclusion from the public service, unless it should appear that the embarrassments of the insolvent had been the result of unforeseen misfortunes or of circumstances over which he could exercise no control, and had not proceeded from dissipated and extravagant habits. By a circular memorandum, No. 67-2816 to 2821, dated the 19th November 1874, heads of departments under the Government of India were requested to hold the registrar or head of the office responsible for reporting to the Secretary in charge or to the Chief of the department the insolvency of clerks or other assistants.

2. As there is reason to believe that the operation of these orders has to some extent been lost sight of, the Governor-General in Council in reproducing them desires to direct the attention of all local Governments and heads of departments to the imperative duty which devolves upon them of taking severe notice of the misconduct of clerks and other employés who allow themselves to fall into embarrassed circumstances. It is no valid excuse for hopeless indebtedness to show that it has been caused by standing security for friends—the plea which is frequently put forward in such cases. Assistants in Government offices should clearly understand that, if they voluntarily contract debts or obligations which they are unable to meet, they render themselves liable to summary dismissal.

Order—

Ordered that a copy of this resolution be forwarded to * local Governments and Administrations for information;

that a copy be forwarded to all departments of the Government of India; and

that a copy be forwarded to all heads of offices under the Home department for information and guidance.

* Madras,
Bombay,
Bengal,
&c., &c., &c.

It is suggested that a copy of this resolution should be given to every clerk on first appointment to Government service, and that it be entered in the order book of every Government office.

Ordered further that this resolution be published in the *Gazette of India* for general information.

(True Extract.)

(Signed) A. MACKENZIE,
Secy. to the Govt. of India.

To the Chief Secretary to the Government of Madras.

Order—dated 26th February 1884, No. 349, Public.

Recorded.

2. It is observed that the rule in this Presidency is that every public servant receiving a salary of more than 20 rupees a-month, who resorts to the Insolvent Act, is immediately suspended, and is not restored until his case (after adjudication by the Court) has been submitted to Government and they are satisfied that the insolvency is not the result of extravagance.

(True Extract.)

E. F. WEBSTER,
Chief Secretary.

Exd. A. Raitt.

Govt. of {1884} Madras.

PUBLIC.

Issued

Recd. Encl.

G.O., 26th February 1884, No. 349.

FEBRUARY.

Insolvents.

ecording, with remarks, resolution of the Gernment of India regarding the insolvency of cls in Government offices.

17th November 1885, No. 2679, Public.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

Read—the following Summary of Orders passed on the subject of the Insolvency of Government Servants :—

G.O., 28th October 1859, No. 2539, Public Works department.

The rule laid down in this behalf in 1859 was "that every person in public employ taking the benefit of the Insolvent Act should *ipso facto* be suspended from the service, and should not resume his duties without special orders from Government on a report to be made by the head of the office."

G.O., 25th August 1864, No. 1279, Military department.

Public servants were to be considered under suspension from the date on which they applied for the benefit of the Insolvent Act and until Government passed final orders on their cases.

G.O., 20th December 1864, No. 1445, Public department.

It was to be distinctly understood that public officers taking the benefit of the Insolvent Act, who might be permitted to resume their appointments, would on no account be allowed to draw salary for the period of their suspension.

G.O., 6th January 1881, No. 7, Public department.

No reference was to be made to Government by heads of offices in respect of subordinates declared insolvents by the Presidency Court of Small Causes under the extension of chapter XX of the Code of Civil Procedure to that tribunal.

Government Order, 17th September 1881, No. 1262, Public, declared the last quoted order to be applicable to cases where the High Court have not granted a free discharge to insolvents.

G.O., 7th June 1881, No. 781, Public department.

In 1881, in supersession of previously existing orders on the subject, it was laid down that Government servants, who had recourse to the law for relief of insolvent debtors, should, *without exception*, be suspended, and that for the period of their suspension pay should follow the rule for other cases of suspension contained in section 53, Pay and Acting Allowance Code. In case of imprisonment for debt, pay might be withheld altogether, subject to further orders of Government.

Each case on occurrence was to be reported to Government in the Public department.

The Public Works department then came up with a reference in connection with the orders of 7th June and 17th September 1881. They pointed out these orders were in apparent conflict, as follows :—

June Order.	*September Order.*
1. That each case shall be reported on occurrence.	1. That no reference need be made in cases where the High Court has not granted a free discharge.
2. That insolvents shall *without exception* be suspended.	2. That cases should be reported for the orders of Government (no allusion being made to suspension).

Upon this the Government ruled that the provisions of the order of 7th June 1881 were to be considered final, and that there was to be no exception to the rule that Government servants having recourse to the law shall be *ipso facto* suspended. And the order of 17th September 1881 was at the same time withdrawn.

G.O., 20th May 1882, No. 270, Public.

In June 1882, public servants, drawing salaries of Rs. 20 and under, were exempted from the operation of the order directing suspension on recourse to the Act.

G.O., 30th June 1882, No. 472.

A year later it was ordered that while suspension took effect from date of having recourse to the Act, the report prescribed by G.O., No. 781, dated 7th June 1881, should be submitted with a copy of Court's decision on adjudication under the Act.

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

In February 1884, the Government of India ruled, as this Government had on two previous occasions, that standing security for friends is no excuse for insolvency, and that public servants who voluntarily contract debts or obligations, which they are unable to meet, are liable to summary dismissal.

G.O., 26th February 1884, No. 349.

In communicating this order the Government repeated the exemption, from the operation of the suspension order, of clerks drawing less than Rs. 20.

The only subsequent order of any importance is G.O., 26th May 1884, No. 1098, wherein Government stated that it was not their intention that suspension should practically result in leave on full pay.

Order—dated 17th November 1885, No. 2679, Public.

The précis read above will be communicated to the departments of the Secretariat and heads of departments under the Chief Secretary to Government with an intimation that the reports received under G.O., 21st June 1883, No. 1215, have not, as a rule, been prepared in a satisfactory manner.

2. Attention is accordingly directed to the orders of the Government of India recorded in G.O., 26th February 1884, No. 349.

3. Heads of departments will, in future, submit with their reports, under G.O., 21st June 1883, No. 1215, copies of the insolvent's schedule and petition. The order of the Court is in all cases silent as to whether insolvency is the result of extravagance. It will be the duty of the officer submitting the report to express his opinion on this point and to bear in mind that reinstatement with arrears should only follow in the rare cases in which the insolvent is practically blameless. It should be stated in the report from what date suspension took place, and what subsistence allowance, if any, has been drawn during its currency under section 58, Pay and Acting Allowance Code.

4. In several cases that have recently come before Government it appeared that the insolvents concerned had, notwithstanding the order of suspension, been allowed to work as usual in their offices. This practice is prohibited for the reason that, after the insolvent has passed through the Court, it is made the ground for a claim to pay in full during the period of suspension.

5. The order of Government exempting public servants receiving salaries of or under Rs. 20 from the operation of the order, directing the suspension of Government servants having recourse to the Insolvent Act, is cancelled, as are all previous orders which may be held to be in conflict with any direction contained in the orders now issued.

G.O., 30th June 1882, No. 472.

(True Extract.)

W. WILSON,
Acting Chief Secretary.

To the Departments of the Secretariat,
,, Heads of departments under the Chief Secretary, } with copy of G.O., No. 349, dated 26th February 1884.

Exd. T. O'Connor.

No 2864 W d/ 1st Dec/85

Communicated to all officers of the P. W. Dept for information and guidance

2. The orders quoted in para 3 was communicated with G.O. No 1898 W d/ 7th July/83

3. In accordance with para 5 G.O. No 1891 W d/ 25th July/82 is cancelled.

(Sig) J. S.

Chief Engineer for Irrigation
Supdt Engineers
Supdt of works in charge II Circle
Cons Engineer for Rys
Cons Architect to Govt
Engineer in Chief State Ry Surveys
Examr P. W. Accts
Examr Guaranteed Ry Accts
Examr State Ry Accts
Supdt of Madras H. Works

Govt. of 1885 Madras.

PUBLIC.

R/ 20 S Cattle
10149/B

Copy taken for Ch 10096
Do 10179
24-11-85
Do Sent 26/11/85
Copy taken for Sent 26.11.85

Issued

Recd. *Encl.*

G.O., 17th November 1885, No. 2679.

B.R. 2864 W d/ 1/12/85

NOVEMBER.

Insolvency.

Passing orders on the summary of Government orders issued on the subject of — of Government servants.

With order

21st June 1883, No. 1215, Public.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

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

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

Public Dept.

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.

Order thereon No: 1898 W a/ 7.7.83.

Communicated to officers of the P.W. Dept for information & guidance in continuation of G.O. No: 1430 W a/ 7th June /82.

(True Extract)

(Sd) C. Bowen R.E.

Dr.

Govt. of {1883} Madras.

PUBLIC.

PW 19.SC
5576/83

Issued

Recd. Encl.

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

B No. 1898 W d/ 7/7/83

JUNE.

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.

No. 53 W.

FROM

THE SUPERINTENDENT,

MADRAS HARBOUR WORKS,

To The Honble Colonel J. H. M. Shaw-Stewart, R.E.
Secretary to Government
Public Works Department.

EXAMINER
No.
1 MAR 1886
ENCLOSURES
P.W. ACCOUNTS

MADRAS, 22nd February 1886.

Enclosures three

+ G.O. 2679 (Public) d 17.11.85.

Sir,

With reference to G.O. No. 2864 W+ of 1st December 1885, I have the honour to submit copies of Petition and Schedule of C. Thaniyachella Moodelly, clerk in my Office, who had resorted to the benefit of the Insolvent Act and who was discharged on the 11th January 1886 as per copy of the discharge Certificate No 77 of 1885 herewith enclosed.

2. The Clerk although suspended from the 17th July 1885, was allowed to work pending the decision of Insolvent Court. His case having from time to time been adjourned he was granted an advance of one months pay, but, the Government in their order No 2555 W of 2nd November 1885, directed the recovery of advance, which was accordingly done, on claiming subsistence allowance authorized in G.O. No 2896 W of 4th December 1885. This allowance was claimed under the spirit of the above order and paid to him from 17th July 1885 to 31st January 1886, at Rs 7.8.- per mensem

aggregating to Rs 48-10-1, but in February 1886, the Examiner in auditing the Salary bill for January 1886 deferred the audit of the whole claim pending reply to a reference made by him to the Accountant General Public Works Department as to whether the granting of subsistence allowance to members of the Temporary Establishment was admissible.

3. The Clerk was entertained on these works on the 10th September 1876, on a salary of Rs 15. and has received increase to his pay from time to time and now draws Rs 30, he has been very hard working useful and most attentive to his duties, and on no occasion have I had to find fault with him.

4. With regard to the cause of Insolvency it so happens that I have never seen the schedule of a lowly paid bankrupt in this country before, but although the Clerk states most positively that the enormous sums for which he is liable are in no way connected with his personal expenditure, I am unable myself to raise one single word in his favour on this point and can only repeat that he is and ever has been a most excellent clerk and of very great service in this Office.

5.

5. I venture therefore to ask that he may be restored to his post from the date of his discharge in the Insolvent Court (January 11th 1886) and that the subsistence allowance of Rs 7-8-0 per month from July 17th 1885 to January 11th 1886 may be sanctioned to him.

I have the honour to be,
Sir,
Your most obedient Servant,
F. N. Thorowgood M. Inst. C.E.
Superintendent

Rd. 885
1. 3. 86

No. 808 C Chepauk 26th Febry/86

To G/ For favor of early remarks on the subject of para 2

24/2/86

SECRETARY TO GOVERNMENT DEPARTMENT 4 MAR

No. 893
3. 3. 86

To W.

In the absence of a definite ruling as regards the admissibility or otherwise of subsistence allowance to members of the temporary Establishment, the subsistence allowance claimed on behalf of the clerk was disallowed pending result of a reference on the subject made in January to the Accountant General P. W. D. No reply has as yet been received.

C.

3/3

3/3

1741 A

Incl. 1433

367/4

General

From
The Superintendent
Madras Harbour Works

SECRETARY TO GOVERNMENT DEPARTMENT 23 FEB 86

Encl:— No 58 W.
Dated 22nd February 1886
Recd 25
4/3/86

No of Enclosures three

C. Thanaachella Moodelly
Submits Insolvent Petition of ——— for favourable consideration.

To

Public Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the follwing

from the Public Works Department dated 6th March 1886 No 9 [illegible] C, transferring papers relating to the insolvency of Thaniyachella Moody., clerk, Office, of Superintendent, Madras Harbour Works.

No. 2327-S. G.-W.
25-3-86

Order 25 March 1886 No (647) Mis ~~W~~

The reinstatement of the insolvent C. Thaniyachella Moodali, is sanctioned as recommended.

(True Extract)

Ag Under Secretary

To
The Public Works Department
with Encs: (4)

K

1886.

P. W. DEPARTMENT.

Current No. 1633

From The Supdt, W H Works

ENCLOS.— 2

No. 53W

Dated 22-2-86

Received 23-2-86

SUBJECT.

C. Thanachella Moodelly, clerk, H.W office — submitting insolvent petition and schedule of — for favorable consideration

DISPOSAL.

No. 808 C Dated 26th Febry/86

To C/T

For favor of early remarks on the subject of para 2 -

for Dwb

DW

desd, 26-2-86.

Cd/3

No. 808 C d/ 26-2-86
G.O. B 2896 W d/ 4-12-85
No. 2654 D d/ 20-11-85
G.O. A 2555 W d/ 2-11-85
" 2545 W d/ 16-10-84
G.O. B 1560 W d/ 21-6-84
" 1898 W d/ 7-7-83
" 1578 W d/ 24-6-81

Ed 7/3

433. 1711. 927. C. a 2367

B/B. No. 848 W. d/ 29 March 86

~~The foregoing proceedings will be~~ Comd to the S. M. H. W., with refce to his No. 53 W d/ 22.2.86

2. The question of admitting subsistence allowance must lie over, pending receipt of a reply from the Acct. Genl. P.W.D. to a reference made by the Exr P.W.A. regarding the admissibility of subsistence allowance to members of the temporary establishment.

26.3.86

S. M. H. Works
with 3 Enclos.
Exr P.W.A.
Desd
29/3

13/4

14/4

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[6]

Govt. of 188 Madras.

Pr. 2367

To

The MRd

26 MAR
DEPARTMENT

Eu 26/3/86 En. 4

Proceedings, dated 25/3/ 1886
No. 647 M.

Subject.

B. No. 848 W d/ 29-3-86

Reinstatement of Insolvent Shanmugachella Mudali is sanctioned as recommended

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COPY OF A LETTER NO.432 G. DATED 11TH MARCH 1886.

FROM
THE GOVERNMENT OF INDIA,
PUBLIC WORKS DEPARTMENT.

TO
THE ACCOUNTANT GENERAL
PUBLIC WORKS DEPARTMENT.

IN REPLY TO YOUR ENDORSEMENT NO.155 E. DATED 16TH FEBRUARY 1886 SUBMITTING FOR THE ORDERS OF THE GOVERNMENT OF INDIA A COMMUNICATION FROM THE EXAMINER PUBLIC WORKS ACCOUNTS MADRAS ENQUIRING WHETHER MEMBERS OF TEMPORARY ESTABLISHMENTS PLACED UNDER SUSPENSION ARE ENTITLED TO ANY SUBSISTENCE ALLOWANCE, I AM DIRECTED TO STATE THAT A TEMPORARY SERVANT IS NOT ENTITLED TO CLAIM ANYTHING WHILE UNDER SUSPENSION, BUT THAT IF THE AUTHORITY SUSPENDING HIM CONSIDERS THAT SOME ALLOWANCE SHOULD BE MADE IN ANY PARTICULAR CASE, HE MAY SANCTION ALLOWANCES NOT EXCEEDING THOSE AUTHORIZED IN SECTION 58 OF THE PAY AND ACTING ALLOWANCE CODE, AND THAT IN DECIDING WHETHER ANY SUCH ALLOWANCES SHOULD BE GRANTED, THE PERIOD OF THE TEMPORARY EMPLOYMENT SHOULD BE TAKEN INTO CONSIDERATION.

(TRUE COPY.)

G. E. Ratton

SUPT. CORRESPONDENCE BRANCH.

AP
26/3

AP 26/3

Encs: One

26/3

Pd Jan 1
2427/86.

[Form No. I.]

N.B.—In any future communication on this subject, the number and date of this letter should be quoted.

No. 145 W.

From

THE EXAMINER,
PUBLIC WORKS ACCOUNTS,
MADRAS.

To

The Secretary to Government,
Public Works Department.

Madras, 26 March 1886.

Sir,

× Ans. 2367 in
Current Section
29-3-86.

With reference to your memorandum No. 937 ×C. dated the 6th. Instant, I have the honor to forward herewith copy of a letter from the Government of India to the Accountant General P. W. Department No. 432 G. dated 11th. March 1886, in reply to a reference made by this Office regarding the admissibility or otherwise of subsistence allowance to members of the temporary Establishment, and to request that I may be favored with early orders of Government as to whether any subsistence allowance should be admitted to Thaniyachella Mudaliar clerk of the Harbor Works Office, and if so, at what rate.

2. Thaniyachella Mudaliar has been employed on the Madras Harbor Works for the past 6½ years.

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

O. C. Garavey

Examiner P. W. Accounts.

S.P. 26/3.

Encs: One

Ae 26/3

No. 927 Ca/6-3-86

1886.

P. W. DEPARTMENT.

Current No. 1633

From The Supdt, MH Works

Enclos. — 2

No. 53 W

Dated 22-2-86

Received 23-2-86

SUBJECT.

C. Thamachella Moodelly, clerk, H.W. office — submitting insolvent petition and schedule of — for favorable consideration

DISPOSAL.

No. 808 C Dated 26th Febry/86.

To C/

For favor of early remarks on the subject of para 2-

for Dirl

DW

Desd. 26-2-86.

No 84 W. 29.3.86.

From,

The Examiner P. W. Accounts,

Madras.

To,

The Secretary to Government,

P. W. Department.

26 MAR

No. 145 W.

Dated 26th March 1886.

Recd. 29 "

Enclo. I.

Thaniyachella Mudaliar Clerk Harbor Works Office. Requesting whether ------- is entitled to any subsistence allowance if so at what rate.

B/

No. 878 W

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 31st March/86

READ the following

From the Ex: P. W. Accts: No. 145 W of 26th March/86.

The Examiner P. W. Accounts is authorised to pass subsistence al=lowance at the rate of a quarter of his salary to clerk Thaniyachella Mudaliar, for the period during which he was under suspension.

2. With reference to para 2 of the Examiner's letter, it is observed that, in para 3 of his No. 53 W. of 22nd February/86, the Supt: Madras Harbour

Works reported that the clerk was entertained on the 10th September 1876 which gives him a service of nine and a half years.

3. The Secretary to the Code Committee will be requested to take the necessary steps for embodying the ruling contained in the + letter from the Government of India in the P.W. Code.

30/3/86

30.3.86

FB.

B. No. 878 W d/ 31-3-86

+ No 432 G d/ 11 March 1886.

Supt: M. H. Works

Ex: P.W. accts

Des PW 1-4-86.

EdC 1/4.

1885.

P. W. DEPARTMENT.

Current No. 9990

From The Supdt, M H Work

ENCLOS.—2

No. 41 W

Dated 18-11-85

Received 19-11-85

SUBJECT.

Submitting explana-tory remarks on the Deputy Examiner's repo on the M H W Accounts embodied in G.O. No. 2555 W d/2-11-85.

DISPOSAL.

No. 2654 W Dated 20th November

To C/For remarks

20/ D W

G.O. A/ 2555 W a/ 2-11-85
" 2548 W a/ 16-10-85
B/ " 1560 W a/ 21-6-84
" 1898 W a/ 7-7-83

Cwo 9770

C. A. W.

I think the accompanying G.O. may be of some use in the disposal of the latter portion of the letter from the Supdt. M. H. W. regarding his accounts &c. I could not find it in time to send it to you yesterday, but hope it is not now too late. J.P.

J.P.
20/11/85

HC

The paper was sent out yesterday, endorsed to C. for remarks –

Kindly put this with the file

Cg
20.11.85

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

7th June 1881, No. 781.

Insolvents.

Read again—

Proceedings of Government, Public Department, dated 20th December 1864, *No.* 1445.

Read the following Proceedings of Government in the Military Department:—

Intimating that Government will not retain in their service incumbents who avail themselves of the Insolvent Act in consequence of accepting bills, &c., for others.	(Dated 1st December 1864, No. 4299).

ORDER.—The Governor in Council directs that the following Notification be published in the *Fort St. George Gazette*, and in the several District Gazettes:—

NOTIFICATION.

Several cases having recently been brought to the notice of Government, in which clerks and other persons employed in public offices have taken the benefit of the Insolvent Act, partly on account of debts incurred by them by accepting bills for others, His Excellency the Governor in Council desires that the Heads of offices will inform their subordinates that liabilities of this nature will not be considered, in future, as furnishing any excuse for insolvency, or for exempting the insolvent from the penalty of removal from the Public Service.

2. His Excellency in Council also directs that it may be distinctly understood that public officers taking the benefit of the Insolvent Act, who may be permitted to resume their appointments, will on no account be allowed to draw salary for the period of their suspension.

A. J. ARBUTHNOT,
Chief Secretary.

Read also the following papers:—

Official memorandum from the Revenue Department, dated 19th March 1881, *No.* 122.
Letter from the Master Attendant, Madras, dated 30th March 1881, *No.* 2956.
Demi-official letter from the Secretary to the Government of Bengal, dated 14th May 1881.
Do. letter from the Secretary to the Government of Bombay, dated 19th May 1881.
Do. letter from the Secretary to the Government of India, Home, Revenue, and Agricultural Department, dated 26th May 1881.

ORDER THEREON, 7th June 1881, No. 781.

In supersession of existing orders on the subject, the Honorable the Governor in Council resolves that Government servants, who have recourse to the law for relief of insolvent debtors, shall without exception be suspended, and that for the period of their suspension pay shall follow the rule for other cases of suspension as contained in Section 53 of the Pay and Acting Allowance Code (5th Edition).

2. In case of imprisonment for debt, pay may be withheld altogether, subject to further orders of Government.

3. Each case must *on occurrence* be reported to Government in the *Public* Department, in which department alone orders relating to insolvents will in future be passed.

(True Extract.)

Under Secy &
for *Offg. Chief Secretary.*

To all Departments of the Secretariat. (P.W.D)
„ Heads of Departments.

Exd. J. Wright.
208-C

B No. 1578 W d/ 24th June /81

Communicated to Officers of the P. W. Departt.

Cy

CGT
21.6.81

Supdg Engrs ✓
Supdts of W. ✓
C. E. for I. ✓
Consg. Engr for Rys ✓
Secy P. W. D. ✓
〃 Ry Accts ✓
Consg. Archtt ✓
Supt. M. H. Works ✓
Genl Supt. P. W. Wt Stores ✓

Issued
27/6/81

P. W. C. No. 3662

Govt. of {1881} Madras.

PUBLIC.

To
ALL DEPARTMENTS OF THE SECRETARIAT,
&c., &c., &c.

Dated June, 7th.

Issued

Recd. June 20th Encl.

G.O., 7th June 1881, No. 781.

20. S.C.

JUNE.

B No. 1578 W d/ 24th June /81

Insolvents.—In supersession of existing orders on the subject, ruled that Government servants, who have recourse to the law for relief of insolvent debtors, shall without exception be suspended, and that for the period of their suspension pay shall follow the rule for other cases of suspension as contained in Section 53 of the Pay and Acting Allowance Code.

Copy to Accty - 30-