

Public (1899) Department.

ORDINARY MS.

G.O., No. 834

Dated 26-7/98

INDEXED.

K
28 2/4

[Despatch Abstract.]

Considering Mr. J. K. Bhatia
I.C.S. to have retained a lien upon an
acting appointment of Collector
during his transit from North Arcot
Berar.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Public (1899) Department.

CURRENT No.

Encl
Order

Referred to the Accountant.
General for remarks

Chief Secretary

Blm
12-6-99

From
J. H. Batten Esq. Esq.
Off. and Division, Secy
Mikala.
No. 2amp 4

Dated 3 June 1899

Received } 10
Registered }

Enclosures 1

Spare copies -

SUBJECT.

Forwarding copy of letter 10829
dated 21 May 99 from the Comptroller,
Hyderabad requesting him to
declare that he had a superior
lien on the appointment of
acting collector of North District
at the time when he was relieved
of that appointment.

BACK PAPERS.

G.O.	No.	Department.	Date.
	312-3	Pub.	11.3.98
	512.	"	6.5.99
	498	"	3.5.98
	387	"	15.3.98
	867	"	15.3.98

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Tracing the name of the person

No. 827

Public, 1897

Am

He is a student

H. P. S. S. S.

Lo

He is a student

offg. C. B. S. S. S.

C. B. S. S. S.

Si

In continuation of para
one of my letter no 676, dated 17th
May 1899, I have the honor to
inform you that the Assistant
General Madras reports that
you had not a superior line on
the officiating appointment of
Collector of North Arcot when you
were relieved of the appointment.
and you are therefore entitled to
the pay of your superior line
post (S. C. Collector, Krishna) as
I have to

I have the honor to
Your most obedient Servant
Sd/ H. Keene
Comptroller
Madras

M. W. Keene
Sd/ H. Keene

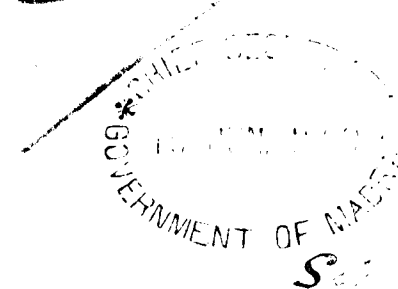
Camp No 4 of 1899.

From

J. M. Batten Esquire J.C.S.
Offg. District Judge
Madras

To

The Chief Secretary
To Government, Madras



Dated Chitalda 3rd June 1899.
(Despatches dated 5 June '99)

In forwarding herewith a
Copy of letter no 829, dated 31st
May 1899, from the Comptroller
Madras, I have the honor to
request that you will be good
enough to move the Madras
Government to declare that I
had a superior view on the
appointment of Acting Collector
of North Arcot at the time
when I was relieved of that
appointment.

I. At the time I left Madras
I was relieved of that

of Rs. 1494.7.1 it was decided
in the case of Rs. 44.7.1. In this province
I am drawing Rs. 1833.5.4 as
officiating Civil and Session Judge,
my permanent appointment (which
however I never joined) being
Deputy Commissioner on Rs. 1666.10.8
It is therefore a serious loss
of pay to me if, for the
twelve days on which I was
en transit, I am allowed to
draw pay at the rate of
only Rs. 1166.10.8. If I had
been transferred in Madras
instead of to another province
I do not think I would have
suffered in this manner.
My change of appointment
was as a transfer, not as a
reversion, as I believe I am
right in thinking that if
I had remained in Madras
I should not have received

I

I have the honor to be,
Sir
Your obedient servant
W. H. M. M. M.
W. H. M. M. M.

Public Department.

G. No. 1533.

For the Chief Secretary.

Mr. J. I. Batten, I.C.S., who was transferred to Berar in April last, requests this Govt. to declare that he had a superior lien on the appointments of acting Collector of North Arcot at the time when he was relieved of that appointment. In the absence of such a declaration Mr. Batten would lose heavily, seeing that during his transit from 7th to 13th April he would be entitled only to the pay of the substantive appointment he was holding before he left this Presidency, viz, that of Sub Collector, Distna.

Mr. Batten was relieved on the 7th April by Mr. W. L. Campbell, an Officer senior to him. Thus from the date of relief Mr. Batten lost his lien on the officiating appointment of Collector of N. Arcot.

From the Civil List for April 1899 it will be observed that Mr. Batten was then the junior acting Collector who would have had, in the ordinary course, to revert to his substantive appointment owing to the return from privilege leave of Mr. W. L. Alwin who ousted Mr. W. L. Campbell on the 5th April last.

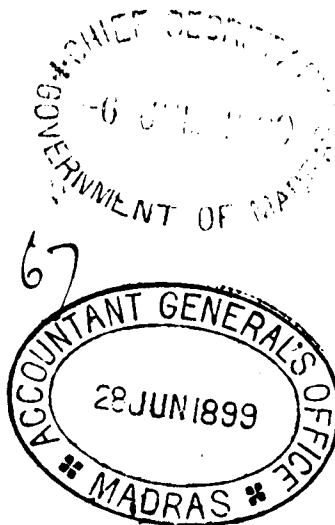
But it is submitted that it is doubtful whether Mr. Ballen would have actually reverted to his substantive appointment at that time and that a declaration to the effect that he retained a superior lien upon the officiating appointment of Collector of M. Arcot for the period in question would not materially affect any officer in as much as Mr. Campbell became entitled to the officiating Collector's allowance on the 7th April. There does not appear to be any account objection to such a declaration being made, but it would perhaps be safer to refer the matter to the Accountant General for remarks.

John
19-6-99

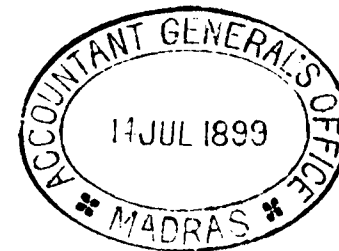
A.C. u.o. No 1652 of 26-6-99.

M
12/6/99.

Art 205 CSR. says "an officer transferred from one offg appoint to another shall not draw a.a. during j time if he had not a superior lien on either of the offg appoints to that of the officer relieved by or relieving him" Mr. Ballen apparently had not a lien superior to that of Mr. Campbell. Even if it were certain that he would not have reverted if he had not been transferred to Bazar that circumstance would not of itself affect the question of his title to offg a.a. during transit.
12-7-99. 11/7



[S. G. A.]
1000-25-3-99



28
11/7

NOTE FOR THE Chief Secretary.

The file is resubmitted with the Accountant General's ~~revised~~ reply to U.O. Ref no 1652 of 26-6-99. In view of the remarks of the A.G., Mr. Ballen may, it is submitted, be told that the Govt is unable to comply with his request.

John
10-7-99
Mr. Campbell is senior to Mr. Ballen in his service; but it is not clear that his lien on the Collectorate of M. Arcot was superior to Mr. Ballen's; since it was, in consequence of Mr. Ballen's transfer from M. Arcot that Mr. Campbell was posted there. The A.G. may, it is said, be asked whether there would be any objection to declaring Mr. Ballen's lien to be the superior, if there is no objection, what the pecuniary effect on Mr. Campbell would be.

Not to Mr. C. W.?
have had the period for before Mr. Ballen. It is true Mr. C. W. probably have been it had been if Mr. Ballen had but turned out in time: but it is unclear that Mr. C. had a superior lien on Mr. Ballen.

11/7/99.

John
11-7-99
No 1822
12-7-99

9.579
8/5/99-7-79

Mr. Batten, a junior officer
continued to act as a collector
when Mr. Batten was transferred
to Berar. Mr. Batten may
therefore be held to have had a
lien on an acting appointment of
collector during transfer.

2/8/99

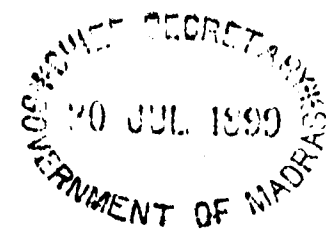
For the C.S.

Orders are solicited as to
whether, in view of the ^{foregoing} ~~above~~
opinion of the Accountant
General, an order may issue
declaring Mr. Batten to have
retained a ^{superior} ~~superior~~ lien
upon ^{an acting appt of} ~~the~~ ^{Collectorate}
~~the~~ ~~Collectorate~~ during transit

Edm 2/17/99 CMB 23.7.99

Give him the lien.

2/17/99



Public Dept
C.N. 1686

Order N. 834 D. 26.7.99.
his

Mr J.K. Batten Esq,
will be considered to have
retained a superior lien
upon an acting appoint-
ment of collector during
his transit from N. And. to Berar

Edm
24-7-99

2/17/99

To J.K. Batten Esq Esq (2 to)
Acctt Genl (P.O.)