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Revenue Department

E.M.C. dated 27th January 1857

Back No^o 13-14

order No^o 85 dated 22nd Jan 1857

85
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Fort Saint George, Revenue Consultation of 27th January 1857.

No. 13. Read the following letter from F. LUSHINGTON, Esq., Civil Auditor; to J. D. BOURDILLON, Esq., Secretary to Government Revenue Department; dated Fort Saint George, 13th January 1857, No. 2369.

SIR,

I have the honor to request that you will submit for the decision and orders of Government the following question respecting the operation of the rules regarding the fixed Tent allowance of Revenue Officers, raised by Mr. Arthur Hall.

Mr. Hall while Sub-Collector of Canara, was appointed Collector of South Arcot, and in travelling to join his new station, the period, from 5th June to 13th July 1854 was occupied. Accordingly Mr. Hall ceased to be the Sub-Collector of Canara from the first mentioned date, and hence, ineligible to receive any portion of the salary and allowance of that Office. Para. 2 of the Fixed Tentage Rules,* prescribes that "the fixed tentage shall * Of 17th May 1849. "not be payable to any officer until he shall have assumed charge of the "office to which he may be appointed, and then only, from the date of

"such assumption of office." Mr. Hall therefore was not entitled to any tentage till the date on which he assumed charge of his appointment of Collector of South Arcot. Mr. Hall however, drew the fixed tentage of Sub-Collector of Canara for the whole period of his transit from his station in Canara to his station in South Arcot, which this Office disallowed and ordered to be refunded. Mr. Hall having appealed against the retrenchment, was informed that his predecessor Mr. Edward Maltby was likewise refused a claim, he had preferred, for the fixed tentage of Collector of South Arcot, for the period of his transit to the Presidency, to take up his appointment as a Member of the Board of Revenue; and that the fixed tentage of Sub-Collector of Canara for the period Mr. Hall claimed it, had been drawn by Mr. Fisher, his successor; and that hence the admission of his claim would involve a double expense to the State. Mr. Hall on his side, represents that "the principle of deducting the fixed tent allowance from the pay of a Revenue "Officer when proceeding on duty from one Station in the same branch of the service where Tents "are also required, seems so unfair and strange" that he cannot think that the Government would disallow such a practice if the matter was properly laid before them: and that the objection to admit his claim on the ground of a double charge arising might be removed by allowing him to draw

the fixed tentage of Collector of South Arcot for the period†
† From 5th June to 13th July 1854. of his transit, during which time as Mr. Maltby, his predecessor had relinquished charge on the 24th May 1854, that allowance had not been drawn by any body. It is obvious that the admission of Mr. Hall's claim is barred by the existing rules and which it appears to me, cannot be set aside without incurring the risk of loss to the State, by a double charge on the same account, for although in the present instance the tentage of the Collector of South Arcot was available for Mr. Hall from the accidental circumstance of Mr. Maltby not being in a position to draw the same, yet it is easy to conceive instances of transfer in which no tentage would be available for the relieving officer, either from the situation he was vacating or from that he was about to join and when the admission of his claim thereto would necessarily involve an extra charge. As Mr. Hall has specially requested that the question may be referred for the decision of Government, and as at the same time it is once likely to be frequently raised, I think it desirable to obtain an authoritative decision regarding it.

No. 14. ORDER THEREON, No. 85; dated 22d January 1857.

The Civil Auditor submits for the decision of Government the claim preferred by Mr. A. Hall for fixed tentage for the period he was travelling from Canara to join his appointment at Cuddalore.

2. Mr. Hall's claim is barred by the standing Rules; and the Right Honorable the Governor in Council is unable to alter the Rule, or to make his case an exception.

(Signed) J. D. BOURDILLON,
Secretary to Government.

பாதுகாப்பு பரிசு-1

செப்பனிருவர் பெயர் 6/06

செப்பனிருவதற்காக எடுத்தல்
கொள்ளப்பட்ட நாள்

செப்பனிரு மடித்த நாள்

8/06

11.8.57

சுபாயர்க்கும்
முதல் மு.பி.பா.எ.
கையொப்பம்

கையொப்பம்

following letter

No 2369

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From

J. Lushington Esq
Civil Engineer

To J. D. Bourdillon Esq
Secretary to Government
Revenue Department

I dated 13th Nov 1879
Sir, I have the honor to request
that you will submit for the decision
and orders of Government the
following question respecting the
operation of the rules regarding the
fixed Tent allowance of Revenue
Officers, raised by Mr Arthur
Hall.

Mr Hall while Sub-
Collector of Canara, was appointed
Collector of South Arcot, and in
travelling to join his new station, the
period

period, from 5th June to 13th July 1854,
was occupied. Accordingly Mr. Hall
ceased to be the Sub Collector of Canara
from the first mentioned date, and
hence, ineligible to receive any portion
of the salary and allowance of that
Office. Para 2 of the Fixed Tentage
Rules, prescribes that "The fixed tentage" * of 17th May 1854,
"shall not be payable to any Officer
"until he shall have assumed charge
"of the Office to which he may be
"appointed, and then only, from the
"date of such assumption of office."
Mr. Hall therefore was not entitled to
any tentage till the date on which
he assumed charge of his appointment
of Collector of South Arcot. Mr. Hall
however, drew the fixed tentage of Sub
Collector

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Collector of Canara for the whole, in
period of his transit from his Station to
in Canara to his Station in South
Arcot, which this Office disallowed,
and ordered to be refunded. Mr.
Hall having appealed against the
retrenchment, was informed that his
predecessor Mr. Edward Maltby was likewise
refused a claim, he had preferred, for
the fixed tentage of Collector of South
Arcot, for the period of his transit to the
Presidency, to take up his appointment
as a member of the Board of Revenue,
and that the fixed tentage of Sub
Collector of Canara for the period which
Mr. Hall claimed it, had been drawn
by Mr. Fisher, his successor; and that
hence the admission of his claim would
involve a double expense to the State. Mr.
Hall on his side, represents that "The
"principle of deducting the fixed tent allowance
from

"from the pay of a Revenue Officer when
"proceeding on duty from one situation in
"the same branch of the service where Bents
"are also required, seems so unfair and strange
"that he cannot think that the Government
"would disallow such a practice if the
"matter was properly laid before them: and
"that the objection to admit his claim on the
"ground of a double charge arising might
"be removed by allowing him to draw the
"fixed tentage of Collector of South Arcot
"for the period of his transit, during which time
"as Mr. Matthey, his predecessor had
"relinquished charge on the 21st May 1854,
"that allowance had not been drawn by any
"body. It is obvious that the admission of
"Mr. Hall's claim is barred by the existing
"rules and which it appears to me, cannot
"be set aside without incurring the risk
"of loss to the state, by a double charge
"on the same account - for altho' in the
"present

* from 5th June to
18th July 1854.

present instance the tentage of the Collector
of South Arcot was available for Mr. Hall
from the accidental circumstance of Mr.
Matthey not being in a position to draw
the same, yet it is easy to conceive instances
of transfer in which no tentage would be
available for the relieving Officer, either
from the situation he was vacating or
from that he was about to join and when
the admission of his claim there would
necessarily involve an extra charge. - As
Mr. Hall has specially requested that
the question may be referred for the
decision of Government, and as at the
same time it is one likely to be frequently
raised, I think it desirable to obtain
an authoritative decision regarding it.

I

I have the honor to be,

Sir

Fort St George,

Civil Audr's Office,

13th January 1857

Cramped
Admde

Your most Obedient Servant
Civil Auditor

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216th January 1857

11th 85th 22nd 57

Submits for
the decision of Govt.
the claim preferred
by Mr. A. Hall for
freight charges as
paid to the Govt. of
the period in transit
to him a declaration
of the receipt of
the Govt. of the
11th 85th 22nd 57

10th 22nd 69
From 20th July 1869 to 1899
Transit to the Govt.

10th 22nd 69
10th 22nd 69

10th 22nd 69
10th 22nd 69
10th 22nd 69

No 85
The Civil Auditor submits for the decision
of Government the claim preferred by Mr. Hall for freight
charges for the period he was travelling from Kars to
join his appointment at Lendakore.
Mr. Hall's claim is barred by the standing rule
and the Right Honble the Governor in Council is unable to
altering the rule, a for making this case an exception.
Fort St George 22nd Jan 57
Civil Auditor. Diff 23