

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1799

Press
Mis.

97-98

Dated

5-10-1860.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
5th October 1860.*

No. 97. Read the following letter from F. C. CARR, Esq., Madras Civil Service, to Colonel R. CREWE, Private Secretary to the Honorable the Governor, dated Salem, 19th September 1860 :—

SIR,

1. I shall feel much obliged if you would kindly lay before His Excellency my claim to deputation allowance for the period I was in charge of the Sub-Collectorate of Coimbatore.

2. From the enclosed paper it will be seen that on my forwarding my application to the Government, it was referred to the Civil Auditor, who forwarded the reply of which the enclosed is a copy.

3. In paragraph 1 the Civil Auditor states that heretofore all similar claims to my own have been admitted, owing to (what appears to the Civil Auditor) a misapprehension of the Bengal practise.

4. Government in their Order thereon of the 14th June 1860, No. 988, refuse to alter their decision, and recommend the modification or cancelling of the rule which Mr. Harrison thinks has been misunderstood. I would respectfully submit to His Excellency, that I fully reckoned on my claims being admitted, as the Civil Auditor acknowledges similar claims have been heretofore; and that, though for the future we must of course submit without demur to any alteration of the rule which the Government may see fit to make, yet it is hard to make such alteration apply to my claims which arose before the rule was modified.

5. It being, I conclude, not the intention of Government to make the new rule applicable to all previous claims which have been admitted, but only to those which may hereafter arise, I would humbly request His Excellency that my case should not be made an exceptional one, by being acted upon by unforeseen and future rulings.

6. I trust that under the circumstances His Excellency will kindly forgive my re-opening the question.

No. 98. ORDER THEREON, 5th October 1860, No. 1,799.

1. In this letter Mr. Carr brings forward for the third time his claim to deputation allowance while in charge of the Sub-Collector's Office of Coimbatore though without any appointment thereto by Government. Against the Order of the 14th June (No. 988) rejecting his claim, he urges that the new rule ought not to have retrospective effect.

2. Mr. Carr will be informed that the merits of the claim have been all along the same; and are not affected by the new rule, which is only to prevent such mistakes as he has been led into by the unauthorized rule issued by a late Civil Auditor. There is nothing unusual in the order as Mr. Carr supposes. The universal practice is that when a course of proceeding is discovered to be erroneous, it is corrected immediately.

(Signed) J. D. BOURDILLON,

Secretary to Government.

Proceedings of the Madras Government.

Read the following letter from E. F. Harrison Esqre, Civil Auditor, to J. D. Bourdillon Esqre, Secretary to Govt, Revenue Department, dated Madras 28th May 1860, N^o 522:—

1. In acknowledging the receipt of the orders of Govt. of the 11th Inst. N^o 755, Revenue Dept. referring for my report Mr. Carr's claim to Deputation allowance for the period he was in charge of the Sub-collectorate of Coimbatore, I have the honor to state that Mr. Carr's statement that claims similar to his own have been admitted heretofore by the Civil Auditor is correct.

2. The practice appears to have arisen from a misapprehension of the practice in Bengal as explained in a letter from the Financial Secretary to the Govt. of India N^o 794, dated 31st May 1844.

3 The passage to which I refer is as follows "regard being

Note. Sec. XXVI of the present code providing for the performance of duty by a subordinate for one month without deputation allowance. — } had to Sec. XXX of the amended Absentee

Rules, no distinction is made in Bengal

so far as authorized Deputation allow-
ances are concerned between an officer
designated as officiating in an ap-
pointment not his own, and an
officer in charge of such an appoint-
ment only."

4. The allusion in the above
extract was clearly to the practice
of the Bengal Govt. of directing a
Collector or Magistrate when deputing
him to officiate in another appoint-
ment to make over charge of his
office to his apt. such an order would,
if the apt. remained in charge
for more than one month, entitle him
to draw Deputation allowance, al-
though not designated as officiating
Collector or Magistrate; but I have
no reason to think that in Bengal
Deputation allowance has ever been
admitted, unless the officer claim-
ing it has been placed in charge
of office by the orders of Govt.

5. I cannot recommend that
any different course should be
allowed to obtain in this Presidency.

order

Order thereon, 14th June 1860, No 988.

1. A copy of this letter will be trans-
mitted to the Collector of Coimbatore
in answer to his letter of the 13th April
and for communication to Mr Barr.
The Govt. are unable to modify their
former decision.

2. It appears desirable that the
Rule of the Civil Auditor's Manual
which has caused the misunderstan-
ding should be modified or cancelled &
Mr. Harrison will be requested to advise
the Govt. on the subject.

(True Extract)

(Signed)

the Civil Auditor.

J. D. Boudillon

Collector of Coimbatore

Secy. to Govt.

Board of Revenue for information

cc Mr. Thomas.

(True copy)

J. H. H.

Rev. Dept.

No 1799
Proceedings of the Madras Government
Under date the 5th October 1860

Read the following letter from Mr. H. Carr. Madras Civil Service.

Regarding certain deputation allowance claimed and objected to by the Civil Auditor. (Here enter 19th Sept 1860)

W M
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W M

1. In this letter Mr. Carr brings forward for the third time his claim to deputation allowance while in charge of the Sub Collector's office of Coimbatore though without any appointment thereto by Government. Against the order of the 14th June (No. 900) rejecting his claim, he urges that the new rule ought not to have retrospective effect.
2. Mr. Carr will be informed

De 20/10/60

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 the claim have been all
 along the same; and are
 not affected by the new
 rule, which is only to pre-
 vent such mistakes as
 he has been led into by
 the unauthorized rule is-
 sued by a late Civil Auditor.
 There is nothing unusual
 in the order as Mr Carr
 supposes. The universal
 practice is that when
 a course of proceeding is
 discovered to be erroneous,
 it is corrected immediately.

[Signature]

J. F. Carr Esq
 Copy
 To J. F. Carr Esq / 5 Cops 25
 12 - *[illegible]*
 3 - Civil Aud - 0

[Faint handwritten notes and numbers, possibly a ledger or account book entry.]

(4)
Mr. Curri's claim to deputation

24-25
20-2-60
1-2
20-5-60
167-168
14-6-60

Revenue 1860 Sept 17th
over of Post for October
No 1799.
Ph of the Madras Post
25th October 1860.

Sum

150-157
13-7-60
42-43
25-2-60
133-134
13-8-60

No 97 & 98

On a letter from
Mr. Carr regarding his
claim to deputation
allowance while in
charge of the Sub-Post
Office at Comblator.