M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 843	Press ~~Mis.~~
58-59	
Dated 25-5-1859	

Not to be folded or roughly handled

No. 58. Read the following Proceedings of the Board of Revenue, dated 5th May 1860, No. 2,209:—

Read the following letter from R. S. ELLIS, Esq., Officiating Collector of Chingleput, to J. D. SIM, Esq., Secretary to the Board of Revenue, Fort Saint George; dated Tripassore, 1st May 1860, No. 124:—

	R.	A.	P.
Pay as Deputy Commissioner of Nagpore.....	1,200	0	0
Allowance as Officiating Collector of Chingleput....	715	0	10

On submitting my Abstract of Pay and Acting allowances as stated marginally, the Civil Auditor has rejected my claim to the Acting allowances of Collector of Chingleput by this Endorsement;

"Mr. Ellis being in receipt of compensation salary is not entitled to Deputation allowance "as Acting Collector of Chingleput, under paragraph 40, Chapter II of the Civil Auditor's "Manual."

(Signed) E. F. HARRISON, *Civil Auditor.*

27th April 1860.

2. I would submit that my case is special; my appointment as Deputy Commissioner of Nagpore has not been abolished, but the Governor General has deemed it advisable that I should not return to my appointment at Nagpore, but that I should draw the salary of that appointment until suitably provided for by the Madras Government.

3. During the time of my acting as Collector of Chingleput, I had no substantive appointment other than Deputy Commissioner of Nagpore; I believe that the rule quoted by the Civil Auditor cannot be held applicable to my case, and that I am entitled to draw both my salary as Deputy Commissioner of Nagpore and the allowance as Officiating Collector.

4. I should otherwise be placed in a worse position than any Sub-Collector (probably my Junior in the Service) who might have been appointed to officiate as Collector.

Resolved, that the above letter be submitted for the Orders of Government.

Civil Auditor's Manual, C. II, page 72.
(*b*) Rupees 433-5-4 per mensem.

2. The Board are of opinion that Mr. Ellis is fairly entitled to the usual Deputation allowance, and recommend its being granted to him.

(A true Copy and Extract.)

(Signed) J. D. SIM, *Secretary.*

No. 59. ORDER THEREON, 25th May 1860, No. 843.

1. Mr. R. S. Ellis, holding the appointment of Deputy Commissioner of Nagpore but absent on leave, was ordered by the Government of India, for special reasons not involving censure on Mr. Ellis, not to rejoin his appointment; but he was to draw the full salary of it, till provided with a permanent Office in the Madras Presidency. The Civil Auditor, applying to Mr. Ellis the rule which prohibits an Officer drawing compensation salary in lieu of an abolished appointment, from drawing acting allowance besides, declines to pass Deputation allowance to Mr. Ellis as Acting Collector of Chingleput, and Mr. Ellis refers the question to Government.

2. The Government observe that the present case does not come within the terms of the rule; and that being of an exceptional character, that rule must be construed strictly. They are of opinion therefore that Mr. Ellis is entitled to Deputation allowance as Acting Collector of Chingleput, and they resolve to instruct the Civil Auditor accordingly.

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

No. 2,209

PROCEEDINGS OF THE BOARD OF REVENUE, dated 5th May 1860.

Read the following letter from R. S. ELLIS, Esq., Officiating Collector of Chingleput, to J. D. SIM, Esq., Secretary to the Board of Revenue, Fort Saint George; dated Tripassore, 1st May 1860, No. 124:—

	R.	A.	P.
Pay as Deputy Commissioner of Nagpore	1,200	0	0
Allowance as Officiating Collector of Chingleput	715	0	10

On submitting my Abstract of Pay and Acting allowances as stated marginally, the Civil Auditor has rejected my claim to the Acting allowances of Collector of Chingleput by this Endorsement:

"Mr. Ellis being in receipt of compensation salary is not entitled to Deputation allowance as Acting "Collector of Chingleput, under paragraph 40, Chapter II of the Civil Auditor's Manual."

"(Signed) E. F. HARRISON,
"27th April 1860." "*Civil Auditor.*

2. I would submit that my case is special; my appointment as Deputy Commissioner of Nagpore has not been abolished, but the Governor General has deemed it advisable that I should not return to my appointment at Nagpore, but that I should draw the salary of that appointment until suitably provided for by the Madras Government.

3. During the time of my acting as Collector of Chingleput, I had no substantive appointment other than Deputy Commissioner of Nagpore; I believe that the rule quoted by the Civil Auditor cannot be held applicable to my case, and that I am entitled to draw both my salary as Deputy Commissioner of Nagpore and the allowance as Officiating Collector.

4. I should otherwise be placed in a worse position than any Sub Collector (probably my Junior in the Service) who might have been appointed to officiate as Collector.

Resolved, that the above letter be submitted for the Orders of Government.

Civil Auditor's Manual, C. II, page 72.
(*b*) Rupees 433-5-4 per mensem.

2. The Board are of opinion that Mr. Ellis is fairly entitled to the usual Deputation allowance, and recommend its being granted to him.

(A true Copy and Extract.)

J. D. Sim

Secretary.

To J. D. Bourdillon, Esq., Secretary to Government, R. D.

Exd. J. Wright.

Pub. 31st Dec. 1859 Nos 37-38.

5-8-5f
31-5-60

No 58.

Rev. 1860 Departt.
Rec. of Govt 31st May.
No. 1000.

Proceedings of the
Board of Revenue

Dated 5th
Desp 12 } May 1860
Rec'd 14th

No 2209.

Submitts for order a letter from the Collr. of Chingleput & recommends that the usual Deputation allowance be granted to Mr. Ellis who is fairly entitled to it.

Approved

Forwarded

No 843. 25th May

Revenue Dept.

No. 1843

Proceedings of the Madras Government

Under date the 25th May 1860.

Read the following

Proceedings of the Board of

Revenue.

Submitting for orders a letter from the Collector of Chingleput & recommending that the usual Deputation allowance be granted to Mr. Ellis who is justly entitled to it.

Here enters 5th May 1860 No. 2209)

Mr. R. J. Ellis,

holding the appointment of Deputy Commissioner of Nagpore but absent on leave, was ordered by the Government of India, for special reasons not involving censure on Mr. Ellis, not to rejoin his appointment; but he was to draw the full salary of it, till provided with a permanent office in the Madras Presidency

The Civil Auditor, applying to Mr Ellis the rule which prohibits an officer drawing compensation salary in lieu of an abolished appointment, from drawing acting allowance besides, declines to pass Deputation allowance to Mr Ellis as acting Coll.r of Chingleput, and Mr Ellis refers the question to Govt.

2 The Govt. observe that the present case does not come within the terms of the rule: and that being of an exceptional character, that rule must be construed strictly. They are of opinion therefore that Mr Ellis is entitled to Deputation allowance as acting Coll.r of Chingleput, and they resolve to instruct the Civil Auditor

Auditor accordingly.

11 Copies. Board of Revenue Dis.r 26
3 " Civil Auditor "

Revenue 1860 Dept.
Pro: of Govt 31st May

No 843

Pro: of the Madras Govt.
Dt 25th May 1860.

37-38
31-12-58

Observing that Mr.
A. T. Ellis is entitled
to Deputation allowance
as Acting Collector of
Chingleput.

No 58 & 59.