M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 888
149 - 150

Press
~~Mis.~~

Dated 31- 5- 1860.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, for the month of May 1860.

No. 149. Read the following Proceedings of the Madras Government in the Financial Department, 25th May 1860, No. 236 :—

Communicating a Resolution of the Government of India that where inconvenience is actually experienced on account of delay in the receipt of the sanction of the Supreme Government to the entertainment of new Establishments, Civil Auditors might be allowed to pass salaries on the receipt of special orders from the Local Governments.

(Vide Financial Proceedings, from 21st to 31st May 1860, Nos. 18-19.)

No. 150. ORDER THEREON, 31st May 1860, No. 888.

Ordered to be recorded.

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

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following Extract from the Proceedings of the Government of India, in the Financial Department, dated 23rd April 1860, No. 3582.

Read letter from H. YOUNG, Esq., Chief Secretary to the Government of Bombay, to C. H. LUSHINGTON, Esq., Secretary to the Government of India, dated 28th March 1860, No. 216.

Financial Department.

I am directed to acknowledge the receipt of copy of the Resolution* passed by the Honorable the President in Council regarding the competency of local Governments to sanction establishments.

* *No.* 1,530, *dated* 14*th February* 1860.

2. It has here been the practice to report immediately for the confirmation of the Government of India, whenever sanction has been given to the entertainment of new establishments, temporary or permanent. The rule therefore which His Honor in Council has directed this Government to adhere to, is that which already obtains in this Presidency.

3. But the Resolution goes much further, for it declares that "the Auditors shall not pass "the charges for any such establishments unless they have been sanctioned by the Government "of India;" and I am instructed to respectfully represent that this appears open to objections which may not have occurred to the Honorable the President in Council when the Resolution was passed.

4. The Civil Auditor, a subordinate of Government, will according to this order be in a position to ignore the commands of the Government which he nominally serves, and he will be placed in an attitude of antagonism to that Government, and will in fact virtually supersede their functions under the new power he will possess of questioning and checking their action.

5. It is the opinion of the Right Honorable the Governor in Council that the effect of vesting the Civil Auditor with such power must be to lower the local Government in the estimation of those to whom their orders are addressed, and must therefore conduce to render it weak and inefficient.

6. It often happens that delay pending a reference would be prejudicial to the public service, and His Lordship in Council submits that it is only on such occasion that the local Government would act without previous sanction. That cases of this nature must occur is admitted by the fact that provision is made in the Resolution for immediate report on their occurrence. I am desired to point out that if the local Government may entertain establishments under such circumstances, it should follow as a matter of course that their orders are to be obeyed and carried out.

7. I am therefore directed very respectfully to request re-consideration of that part of the Resolution which places the local Government in subordination to the Civil Auditor.

FINANCIAL DEPARTMENT, FORT WILLIAM, THE 23RD APRIL 1860.

RESOLUTION.

The Honorable the President in Council is of opinion that there is no sufficient reason to modify the orders contained in the Resolution of this Department, dated the 14th February last.

2. His Honor in Council considers that it is clearly inexpedient that the Auditor should, as a rule, be permitted to pass bills for salaries or establishments which have not been sanctioned by the Supreme Government; and there must, he observes, be very few cases in which any material inconvenience is experienced from delay in the receipt of such sanction.

3. Where inconvenience is actually experienced on that account, the Auditors might, the President in Council is of opinion, be allowed to pass salaries on receipt of special orders from the local Governments in each case, such orders being reported to this Government.

4. Cases in which a difference of opinion as to the applicability of rules, &c., may exist between the local Governments and the Auditors, have, His Honor in Council observes, already been provided for by the Resolution passed in this Department on the 26th March 1858.

Copy forwarded to the Government of Bombay for information and guidance.

* *Governments of Bengal, Madras, N. W. Provinces, Punjab, and the Eastern Settlements.*
† *Civil Auditors, Fort William, N. W. Provinces, Punjab, Madras, and Bombay.*

Copy also forwarded to the Governments* and the Auditors† noted in the margin, for information and guidance.

‡ *Chief Commissioner of Oude.*
Finl. Commissioner of do.
Judl. Commissioner of do.
Commissioner of Nagpore.
Finl. and Judl. Commissioner, Hyderabad.

Copy also forwarded to the Foreign Department, together with transcripts of the Resolution of the 14th February last, and the letter to the Civil Auditor, North Western Provinces, dated 30th ultimo, for the information of the officers noted in the margin,‡ with reference to the separate Resolution of this date.

(A True Extract.)

(Signed) C. HUGH LUSHINGTON,
Secretary to the Government of India.

ORDER THEREON, 25th May 1860, No. 236.

Communicated to the several Departments of the Secretariat in reference to the Order of Government, dated 23rd March last, No. 115, and 1st instant No. 180.

(True Extract.)

Chief Secretary.

To the Revenue Department.
„ Public Works „
„ Military „
„ Judicial „
„ Public „

Exd. F. Cartledge.

10 fair copies

Revenue 1860 Depart.
Pol. of Govt. & T. May

No. 1108

Proceedings of the Madras
Govt. in the Financial
Department.

Dated 25th May 1860.
Recd. 29th

Communicating a Reso-
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No. 149 & 150.

No. 888.
Recorded
31st May 1860.