M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 965 — Press / Mis.

123-124

Dated 11-6-1860

Not to be folded or roughly handled

No. 123. Read the following letter from E. F. HARRISON, Esq., Civil Auditor, to J. D. BOURDILLON, Esq., Secretary to Government, Revenue Department, dated Madras 26th May 1860, No. 517 :—

1. I have the honor to submit for the consideration and Orders of Government the accompanying copy of a letter from Mr. Whiteside with previous correspondence.

2. I refrain from making any remark on this application, as the case has been already decided on apparently full information (vide Extract Minutes of Consultation, dated 30th November 1858, No. 1,596,) Mr. Whiteside, however, considers that his former application was made under unfavorable circumstances, and requests that his present letter may meet with consideration.

No. 124. ORDER THEREON, 11th June 1860, No. 965.

1. Mr. Whiteside was appointed, on the 7th September 1858, to act as Head Assistant in Tanjore, and the appointment was communicated to him by a letter of that date. He was then at Chittoor, Assistant Collector, and the Gazette of the 10th September which contained his appointment, reached him on the 12th; he ought therefore to have joined his appointment on the 12th October. He continued to perform his duties at Chittoor till the 20th September, i. e., till he heard from the Collector, who was in a remote part of the District, as to giving over charge of his Office.

2. On the 22nd he left Chittoor and came to Madras. It appears from his letter of the 13th October of that year, addressed to the Collector of Tanjore, that he went on the 8th or 9th idem to order a transit, but found that they were all taken up at Trichinopoly for the transport of Troops. He was consequently, he says, obliged to await the departure of the "Coromandel." He alludes to postponements of the sailing of that vessel; but it is found from the Gazette, that she arrived from Rangoon on the 8th October, and in the next Gazette (the 12th) was advertised to sail for Negapatam on the 14th. She did actually sail on the 15th and landed him at Negapatam on the 16th. Thus there was no postponement of consequence in this case after her arrival. Neither does it appear that the vessel had been expected some time before she really arrived, for Mr. Whiteside does not say a word to that effect in his elaborate letter to the Civil Auditor, dated March 16th 1860. He only says he was delayed by heavy rain. He states also that he might perhaps have got a transit "for the last four or five days" (writing on the 13th October 1858), but that he was ill and unable to travel by land. No sufficient explanation is given, however, why he remained at Madras from the 22nd September to 8th October without taking steps for the prosecution of his journey.

3. Having joined his appointment on the 16th October, four days after the proper time, he was mulcted the pay of the four days, and the Government confirmed the mulct; but the stoppage not having been really made, from oversight, probably, in the Collector's Office, he has been recently called upon to refund the amount; and this seems to be the cause why the case now comes up again. Mr. Whiteside was aware that he ought to join by the 12th;* but he now says that Mr. Lushington told him afterwards that the month allowed for joining counted from the date of giving over charge of his Office. If he rightly apprehended what Mr. Lushington said, that gentleman misinformed him, for the rule is clear and fully established (See Civil Auditor's Manual, Chapter II, page 9, Rule 55) that the time for joining counts from the date of receiving the Order.

November 29th 1858.

* *See his letter of October 13th* 1858.

4. Mr. Whiteside grounds his present application on this erroneous information, viz., on the supposed fact that he need not have joined before the 20th October. He advances no new facts or arguments.

5. The Government have carefully reconsidered all the circumstances of Mr. Whiteside's case but they see no reason to disturb their Order of 29th November 1858, No. 1,596, confirming the retrenchment.

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

Memo on Rev: No. 1109

1. Mr. Whiteside was appointed, on the 10th September 1850, to act as Head Assistant in Tanjore. He was then at Chittoor, Assistant Collector, and the order reached him on the 12th; he ought therefore to have joined his appointment on the 12th October. He continued to perform his duties at Chittoor till the 20th September i.e. till he heard from the Collector who was in a remote part of the District, as to giving over charge of his office.

2. On the 22nd he left Chittoor and came to Madras. It appears from his letter of the 13th October addressed to the Collector of Tanjore, that he went on the 8th or 9th idem to order a transit, but found that they were all taken up at Trichinopoly for the transport of troops. He was consequently, he says, obliged to await the departure of the "Coromandel". He alludes to postponments of the sailing of that vessel, but I find from the Gazette, that she arrived from Rangoon on the 8th Oct., and in the next Gazette (the 11th) is advertized to sail for Negapatam on the 11th. She did actually sail on

~~to Negapatam on the 15th~~. He states also that he might perhaps have got a transit" for the last 4 or 5 days writing on the 13th/ but that he was ill and unable to travel by land. No sufficient explanation ~~whatever~~, is given, however, why Mr Whiteside remained at Madras from the 22nd September to 01st October without taking any steps for the prosecution of his journey.

on the 15th and landed him at Negapatam on the 16th. Thus there was no postponment of consequence in this case after her arrival. It occurred to me that she might have been expected some time before she really arrived; but Mr Whiteside does not say a word to that effect in his elaborate letter to the Civil Auditor dated March 16th/60. He only says he was delayed by heavy rains

3. Having joined his appointment on the 16th October, 4 days after the proper time, he was mulcted the pay of the 4 days, and the Government confirmed the mulct; but the stoppage does not appear to have been really made, from oversight, probably, in the Collector's office. And this seems to be the cause why the case now comes up again. Mr Whiteside was aware that he ought to join by the 12th;* but he now says that Mr Cushington told him afterwards — that the month counted from the date of giving over charge of his office. If he rightly

Nov 29th 1858

* See his letter of Oct 13th/58

rightly apprehended what Mr Cushington said that gentleman misinformed him; for the rule is clear and fully established (see Civil Auditor's Manual page 9 Rule 55) that the time for joining counts from receiving the order.

4. Mr Whiteside grounds his present application on this erroneous information, viz on the supposed fact that he need not have joined before the 20th October. He advances no new facts or arguments.

I think that Mr Whiteside cannot be excused this retrenchment

5 June 1860

Nellore District
Kristnapatam
Head Asst. Coll.r Office
28th April 1860

No.
32

From,

W.S. Whiteside, Esq.r
Head Asst.t Collector of Nellore.

To,

E.T. Harrison Esq.r
Civil Auditor.

Sir,

1st Adverting to the subject of your letter No. 309 dated the 2d. instant, I have the honor now to forward Copy of a letter from the Officiating Collector of North Arcot No. 103 dated 24th instant whereby it appears that I continued to perform the duties of Assistant of that District until the 20th of September 1858 on which date I delivered over charge: I left the District (as I mentioned in my letter of the 15th Ultimo) on the 22d. September and arrived at Negapatam on the 16th October taking charge of the Office of Head Assistant Collector on the same day this being 4 days within the Month then allowed for joining a new Appointment within 300 Miles distance.

2 Being then under the impression that the Month for joining counted in all cases from the date of Appointment I did not when Applying to Government to be excused deductions from my pay lay any stress on the fact that my delay in starting from Chittoor was caused by my services being required in the Appointment I was then holding, and had I done so I feel sure that the order of Government regarding me would have been other than it was

3 Mr. Whittingham was, at the time of my Appointment to act as Head Assistant of Tanjore employed on the Jamabandis of the Sattvaid Taluq on the Eastern

Eastern border of the District at a distance of 80 Miles from the Huzur Station, and owing to the heavy rains then prevailing the Communications by post there and back occupied no less than 8 days and though I wrote to him at once on hearing of my new Appointment I did not hear from him relative to the making over Charge of my Office for some days; and I was unwilling to leave the District without any previous Arrangement with him because, being the only Revenues Officer then at Chittoor and in Charge of the Treasury, Accountant Generals Bill Book, Stampt paper, &c. I was well aware that were I to do so considerable inconvenience and probable confusion of business would be the certain result

4 I need hardly mention that being nominated to an Appointment of Considerably larger emoluments than that I was holding it was obviously my interest to join as quickly as possible that I was anxious to do so is shewn by the fact that I left the District on the day but one after I gave over Charge of my Office

5 It was surely not my fault that in the main time means of transit was hard to be procured, or that the Steamer Coromandel was delayed for more than a week beyond the time that was fixed for her sailing to Negapatam.

6 Under the impression that there would be no difficulty in procuring the assent of Govt to my Application forwarded from Negapatam in October 1858 I wrote but briefly on the subject but now convinced of the justice of my Claim I have the honor to request that you will be good enough to submit the whole correspondence relative to the facts of my Case for the favorable Consideration of Government

I have &c.

(Signed) W S Whiteside

Head Assist. Collector

5

No. 309.

To

W. S. Whiteside, Esq.

Head Assistant Collector

Nellore.

Sir,

With reference to your letter of the 16th Ultimo I have the honor to inform you that the Month allowed by Section XX of the Civil Absentee Rules for joining an appointment within 300 Miles distance is computed from the date of the Order effecting the Officer appointed.

When an Officer is detained by the orders of Government as in Case in which he is directed to proceed to his new appointment on being relieved the time for joining reckons from the date on which he makes over Charge.

As the circumstances in the Case of your transfer from North Arcot to Tanjore appear to have been already fully laid before Government I regret that I do not feel at liberty to place the Case before them again. I find the following Rule in the Orders of Government

"Mr Whiteside had ample warning that he was running his time close, & if he chose to delay until the last moment it was his own fault".

If you still consider that you

were

were detained from causes beyond your control. you can of course again represent the matter through the usual Channel.

I have &c.

2d April 1860. /Signed/ E. F. Harrison

Civil Auditor.

No. 17.

Nellore District

Head Assistt Collector's Office

Krishnapatam

16th March 1860.

From,

W. S. Whitecross, Esqre,

Head Assistt Collector Nellore

To,

E. F. Harrison, Esqre,

Civil Auditor.

Sir,

I have the honor to bring to your notice the following statement of facts.

2. On the 7th September 1858 I was Gazetted to act as Head Assistt Collector of Tanjore, and was informed of the fact a few days afterwards, but happening at the time to be in charge of the Treasury and the only Revenue Officer then in Chittoor (Mr. Whittingham being absent on Jamabundy) I was unable to give over Charge of my Office for some days, and I continued to do duty as Assistant Collector of North Arcot Dindigul /if I am not mistaken/ the very day before I left the District which was on the

22d September.

3. I was delayed some time in Madras through the heavy rains that prevailed then, and there being no transit Conveyance to be had, and eventually I took Charge of my Office at Negapatam on the 16th October, having arrived by Sea in Steam transport "Coromandel".

4. I was informed, and was then under the impression, that the month allowed for joining a new appointment counted always from the date on which the name of the Officer appointed appeared in the Gazette; and therefore made an application to Government that, in consideration of the delay I had "experienced enroute" not having been caused by remissness on my part, the pay that was otherwise due to me might not be deducted from my Salary for the few days by which the month (reckoning from the date of my appointment) had been exceeded, Government however refused my application, and decreed the amount of Salary due to me for those days to be deducted (Viz Rs. 65-5-4).

5. During my residence in the Tanjore District my pay was received very irregularly and in different sums, under various Heads, and this irregularity of payment prevented my noticing that the deduction ordered by Government had, by some oversight, not been made, and I was therefore some what surprised at receiving the two enclosed letters

marginally

marginally noted by which I am required now to make good the sum that it seems was not deducted from my salary in 1858.

X To be returned No 2010 Acct Genl's Office dated 14th Sept 1860 - Collr of Tanjore 9th March 1860 -

6. When in Madras in the month of May 1859 on my way up to Nellore to join my present appointment I had an interview with your predecessor Mr Lushington, and he informed me that the month allowed for joining an appointment within 300 miles distance counted always from the date on which you actually gave over Charge of your former appointment and ceased to discharge the duties thereof.

7. My appointment to this District was dated April 9th 1859 but (as had been the case in North Arcot) a press of business of an important nature, and no other Officer at hand at the time, prevented my giving over Charge of my Office and leaving the District till the end of the month, and anxious to avoid stoppages similar to those I had experienced I applied to Govt for, and obtained, an extension of time in which to join this District, but acting on the information received from Mr Lushington I afterwards requested that this extension might be cancelled, and this was sanctioned by Govt; the rule I have mentioned above, as explained by Mr Lushington, must have applied to me equally when joining Tanjore, and as I was in Charge of my Office and doing duty in North Arcot almost up to the very date

of my quitting that District I was consequently actually within, instead of over, my allowed travelling time, and no deductions from my pay were necessary.

8. I have the honor therefore to request that you will be so good as to submit this explanation of the actual facts of the case for the consideration and final orders of Government.

I have &c
(Signed) W. S. Whitehead
Head Assist Collector

To

No 192.

Tanjore Collector's Office,
Vallam 9th March 1860.—

To,

W. S. Whiteside, Esqre
Head Assistt Collector of Nellore.

Sir,

† Dated 14th Feby 1860 No 2010.—

I have the honor to enclose the accompanying Copy of a letter from the 2nd Asstt Accountant General, and to State that the difference of Rs 65-5-6 therein alluded to not having been recovered from you & credited in my accounts I request you will be pleased to remit it by a Bill of Exchange on this Collectorate in Order that I may afford credit in my accounts as directed by the Accountant General.—

I have &c
Signed/ W. Mc. Cadell.
Collector.—

Fort Saint George,
Acctt General's Office,
14th February 1860.—

No 2010.

To,

The Collector of
Tanjore.—

Sir,

No 118 for Rs 405-2-0 to be returned—

I am desired, by the Accountant General, to forward herewith the Bill of Exchange noted in the margin, drawn on you by the Collector of North Arcot on account of the Salary &c of Mr Whiteside, & to request that you will have the goodness to explain why you have debited the full amount of the Draft Viz. Rs 405-2-0 instead of Rs 339-12-6 the net amount of Mr Whiteside's pay Abstract for November 1858, passed

passed by the Civil Auditor. If the difference of Rupees 65-5-6, over debited by you, and apparently over paid, has been Since recovered from Mr. Whiteside, as it Should have been, I have to request that you will inform this Office in what month's account the Same has been credited, under what head, and in what Item included.—

I have &c.
(Signed) J. W. Raynor.
2d Asst. Acctt. General.

(True Copy)
(Signed) W. M. Cadell.
Collector.—

No. 103

North Arcot,
Collector's Office,
Chittur April 24th, 1860.

From,

J. D. Robinson, Esqre.
Acting Collector of
North Arcot

To,

W. S. Whiteside, Esqre.
Head Assistant Collector of Nellur.—

Sir,

In reply to your letter of the 17th Instant No. 26, I have the honor to inform you that it appears from the records of this office that you delivered over charge of the Office of Assistant Collector of this District on the 20th September 1858.—

I have &c.
(Sigd) J. D. Robinson.
Acting Collector.

(True Copies)
Civil Auditor.—

C. A. W.

Rev. Dept.

№ 965.

Proceedings of the Madras Government
Under date the 11th June 1860.

Read the following letter from the Civil Auditor.

Submits for the consideration and orders of Government a letter from Mr. Whiteside on the subject of the retrenchment of four days pay made against him in 1858 for exceeding the period allowed by regulation for travelling from Chittoor to Negapatam.

(Here enter 26th May 1860 № 517)

1. Mr. Whiteside was appointed, on the 7th September 1858, to act as Head Assistant in Tanjore.* He was then at Chittoor, Assistant Collector, and the Gazette of the 10th September which contained his appointment reached him on the 12th, he ought therefore to have joined his appointment on the 12th October. He continued to perform his duties at Chittoor till the 20th September: i.e. till he heard from the Collector who

~~Ext. St George Gazette 10th September 1858~~

* and the appointment was communicated to him by a letter of that date.

who was in a remote part of the District, as to giving over charge of his office.

2. On the 22nd he left Chittoor and came to Madras. It appears from his letter of the 13th October of that year, addressed to the Collector of Tanjore that he went on the 8th or 9th idem to order a transit, but found that they were all taken up at Trichinopoly for the transport of troops. He was consequently, he says, obliged to await the departure of the "Coromandel". He alludes to postponements of the sailing of that vessel; but it is found from the Gazette, that she arrived from Rangoon on the 8th October, and in the next Gazette (the 12th) was advertized to sail for Negapatam on the 14th. She did

did actually sail on the 15th and landed him at Negapatam on the 16th. Thus there was no postponement of consequence in this case after her arrival. Neither does it appear that the vessel had been expected some time before she really arrived, for Mr. Whiteside does not say a word to that effect in his elaborate letter to the Civil Auditor dated March 16th 1860. He only says he was delayed by heavy rain. He states also that he might perhaps have got a transit "for the last four or five days" (writing on the 13th October 1859) but that he was ill and unable to travel by land. No sufficient explanation is given, however, why ~~Mr. Whiteside~~ he remained at Madras

Madras from the 22nd Sep-
-tember to 8th October without
taking ~~any~~ steps for the
prosecution of his journey.

3. Having joined his ap-
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time, he was mulcted the pay
of the four days, and the Govern-
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why the case now comes
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he rightly apprehended what
Mr Cushington said, that
gentleman misinformed him,
for the rule is clear and
fully established (see Ci-
-vil Auditor's Manual
Chapter II page 9 Rule
55) that the time for
joining counts from the
date of receiving the order.

4. Mr Whiteside
grounds his present ap-
-plication on this erroneous
information, viz on the
supposed fact that he
need not have joined
before the 20th October. He
advances no new facts
or arguments.

5. The Government
having carefully recon-
-sidered all the circum-
-stances of Mr White-
-side's case, but they see no reason
to

to disturb their order of
29th November 1858 No. 1596
confirming the retrench-
-ment.

Dest Under order - Son

3 Copies. Civil Auditor Dist 12
11 " Board of Revenue

Book Keeper - for sign.

25 10
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46-47

30-11-58

Revenue 1860 Departt

Ord: of Govt for June -

No 965.

Ord: of the Madras Govt

of 11th June 1860 -

Observing that the Govt see no reason to disturb their order of 29 Nov. 1858. confirming the retrenchment of Mr Whitesides pay for 4 days.

Nos 123 & 124.