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M.R.O. 14—10,000—21-4-22

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1864 Press
~~Mis.~~

232.234.

Dated 26 9 18 61.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 26th September 1861.

Read the following papers:—

No. 232. Read the following Proceedings of the Court of Wards, dated 4th June 1861, No. 2,893:—

Read again letter, dated 8th March 1861, No. 65, from the Collector of Ganjam, regarding the Regimental allowances of Captain Stuart, the Officer in charge of the Sibundi Corps in the Parlakimedi Estate.

(In Cons. 20th March 1861, No. 1,727.)

Read also letter, dated 10th April 1861, No. 2,983, from the Accountant General on the same subject.

(In Cons. 10th April 1861, No. 2,221.)

1. Resolved that the letters above recorded be submitted for the consideration and orders of the Honorable the Governor in Council.

2. The Collector brings to notice that the Accountant General and Civil Auditor have thrown upon the Kimedy Estate the payment of Captain Stuart's Regimental allowances, in addition to his Staff pay, and solicits instructions regarding the matter.

3. The Accountant General reports that if Captain Stuart was in regular Civil employ, his Regimental allowances would, according to the rules, be debited to the Civil Department; but as such is not the case, it cannot now be done, unless Government are pleased to make an exception to the rule laid down in their Order, dated 20th March 1861, No. 654.

In Cons. 21st March 1861, No. 1,809.

4. The amount of Civil salary drawn by Captain Stuart is 300 Rupees per mensem with a fixed tent allowance of 42 Rupees, and the greater part of his duties is in connection with the Sibundi Corps, of which he his Commandant, in which capacity alone the services of a Commissioned Officer can be said to be indispensable to the Estate.

	Rs.
Salary	300
Fixed tent allowance...	42
Total...	342

5. In their Proceedings, dated 6th October 1860, No. 4,573, the Court represented to Government that the Police of the Kimedy Zamíndári ought properly to be as much a charge on the State as is that of other parts of the country, and recommended that a fixed portion* of the charge for the Police which is now borne by the Estate be hereafter disbursed from the Government Treasury, as a public charge. The Government deferred the consideration of the matter till the Inspector General of Police was able to visit the District of Ganjam and make arrangements for the introduction of the new Police into that Province.

* 5,000 Rupees.

O. G. No. 1,467, 10th, in Cons. 19th November 1860, No. 5,988.

6. Under these circumstances, the Court feel convinced that, as a mere question of equity, the Government will not desire to increase the burden of the Police charge already borne by the Estate, and they therefore recommend that the order passed by the Civil Auditor for debiting the Regimental allowances of Captain Stuart to the Estate be set aside.

(A true Extract.)

(Signed) W. HUDLESTON, *Secretary.*

No. 233. Read the following Proceedings of the Court of Wards, dated 4th September 1861, No. 4,778:—

Read the following letter from G. S. FORBES, Esq., Collector of Ganjam, to W. HUDLESTON, Esq., Secretary to the Court of Wards, Chepauk, dated Chetterpúr, 10th August 1861, No. 219.

Sir,

With reference to the Proceedings of the Court of Wards, No. 3,836, dated the 19th ultimo, I have the honor to report that the amount marginally noted has been debited to the Parlakimedi Estate on account of Captain Stuart's Regimental allowances, and those of Corporals Fuller and Thorpe employed on the Public Works in Kimedi.

	Rs.	A.	P.
From 1st January to 16th June last (the date on which Captain Stuart relinquished charge of the Estate), at Rupees 195-12-0 per month.....	1,083	2	5
Corporal Fuller's pay and allowances from 1st May to 1st June last, the date of his demise, at Rupees 22-4-7 per month.....	23	0	5
Corporal Thorpe's do. do. from May to July do. at do. per month.....	66	13	9
Total....	1,173	0	7

Proceedings of the Madras Government, Revenue Department, 26th September 1861.

In Cons. 21st March 1861, No. 1,809.

1. Ordered to be submitted for the information of Government, with reference to their Proceedings, dated 20th March 1861, No. 654.

2. The Court of Wards consider that the amount debited to the Estate on account of Captain Stuart's Military allowances, should be disbursed by Government, as they are liable for the cost of the Police of the Zamíndári, in connection with which alone Captain Stuart's services were indispensable.

3. The Court do not consider that the same argument applies to Corporals Thorpe and Fuller who were engaged on the irrigation and road works of the Estate with which Government have no concern, and it is right that the cost of entertaining them should be borne by the Zamíndár.

(A true Copy and Extract,)

(Signed) W. HUDLESTON, *Secretary.*

No. 234.

ORDER THEREON, 26th September 1861, No. 1,864.

1. In the first of these papers, the Court of Wards bring to notice that the Accountant General, acting under the order of Government of 20th March 1861, No. 654, has thrown upon the Parlakimedi Estate in Ganjam the payment of the Regimental allowances of Captain Stuart, late in charge of the Sibundi Corps, and they recommend, for reasons stated, that the arrangement be set aside. From the second paper, the Government learn that the amount debited to the Estate on that account from 1st January to 16th June last, (the date on which Captain Stuart relinquished charge of the Estate) was Rupees 1,083-2-5.

2. The Order of 20th March, quoted by the Accountant General, referred to the employment of Military Officers in a Civil Department, and prescribed the proportion of the total pay of such Officers which ought fairly to be charged to the Military Department. In the present case, a Military Officer was employed in a private Estate burthened at the time with heavy charges for Police work, in consideration of which, a portion of that Officer's pay was contributed by the Government. The arrangement which obtained prior to the order of the Accountant General need not therefore be disturbed, and authority is granted for the amount mentioned in the preceding paragraph, viz., Rupees (1,083-2-5) one thousand and eighty-three, Annas two and Pice five, being disbursed from the public Treasury. The portion of this amount chargeable to this year's Budget, if not already provided in that document, should be included in the Supplemental Budget.

(Signed) C. G. MASTER,

Deputy Secretary to Government.

No. 1,453.

PROCEEDINGS OF THE COURT OF WARDS, dated 20th March 1861.

Read the following letter from G. S. FORBES, Esq., Collector of Ganjam, to J. D. SIM, Esq., Secretary to the Court of Wards, Fort Saint George, dated Chetterpore, 8th March 1861, No. 65:—

1. I have the honor to forward for the information of the Court of Wards and of Government copies of letters from the Accountant General and the Civil Auditor from which it will appear that these Officers have thrown upon the Kimedy Estate the payment of Captain Stuart's Regimental allowances in addition to his staff pay. Such an arrangement seems unjust towards the Estate, and I do not think it can be the intention of Government.

2. From the Accountant General's letter it appears that the back pay of Captain Stuart will also be claimed from the Estate, and I solicit early instructions in reference to the matter.

The Court of Wards request the Accountant General to inform them under what authority the instructions mentioned by the Collector were issued by him, and whether the subject has been before Government.

(A true Copy and Extract.)

(Signed) J. D. SIM,

Secretary.

To R. P. Harrison, Esq., Accountant General with 2 Enclosures (to be returned).

Copy to G. S. Forbes, Esq., Collector of Ganjam.

Exd. J. Wright.

IN CONS. 10TH APRIL 1861, No. 2,221.

From R. P. HARRISON, Esq., Accountant General,
dated Fort St. George, 10th April 1861, No. 2,983.

With reference to the Proceedings* of the Court of Wards, No. 1,453, dated the 20th ultimo, requesting me to inform them under what authority the Collector of Ganjam was directed to disburse the regimental allowances of Captain Stuart from the Purlah Kimedy estate, and whether the subject has been before Government, I have the honor to state that the charge was struck out of the Collector's accounts by this office as inadmissible in the Civil books, charges on account of the said estate not being debitable to Government. A reference to Government did not appear to me to be necessary.

* Two Enclosures returned.

2. If Captain Stuart was in regular Civil employ, his regimental allowances would, according to the rules, form a debit against the Civil Department, but, under the circumstances above stated, they cannot be so admitted.

3. I beg to refer the Court of Wards to the Proceedings* of Government of the 20th March 1861, No. 654, in which it is ruled that, in the case of officers employed in Civil departments, the pay proper of such officers only is to be charged to the Military Department, all other allowances being debited to the Civil Department. Unless, therefore, the Government are pleased to make an exception in Captain Stuart's case, his allowances must, in my opinion, be charged to the estate which is debited with the cost of the Sibbundy corps which he commands.

* Public Works Department.

Exd. J. Tulloch.

No. 2,893.

PROCEEDINGS OF THE COURT OF WARDS, dated 4th June 1861.

Read again letter, dated 8th March 1861, No. 65, from the Collector of Ganjam, regarding the Regimental allowances of Captain Stuart, the Officer in charge of the Sibbundy Corps in the Purla Kimedy Estate.

(In Cons. 20th March 1861, No. 1,727.)

Read also letter, dated 10th April 1861, No. 2,983, from the Accountant General, on the same subject.

(In Cons. 10th April 1861, No. 2,221.)

1. Resolved that the letters above recorded be submitted for the consideration and orders of the Honorable the Governor in Council.

2. The Collector brings to notice that the Accountant General and Civil Auditor have thrown upon the Kimedy Estate the payment of Captain Stuart's Regimental allowances, in addition to his Staff pay; and solicits instructions regarding the matter.

3. The Accountant General reports that if Captain Stuart was in regular Civil employ, his Regimental allowances would, according to the rules, be debited to the Civil Department; but as such is not the case, it cannot now be done, unless Government are pleased to make an exception to the rule laid down in their Order, dated 20th March 1861, No. 654.

In Cons. 21st March 1861, No. 1,809.

4. The amount of Civil salary drawn by Captain Stuart is 300 Rupees per mensem with a fixed tent allowance of 42 Rupees, and the greater part of his duties is in connection with the Sibbundy Corps, of which he is Commandant, in which capacity alone the services of a Commissioned Officer can be said to be indispensable to the Estate.

Salary... ...	300
Fixed tent allowance.	42
Total...	342

5. In their Proceedings, dated 6th October 1860, No. 4,573, the Court represented to Government that the Police of the Kimedy Zemindary ought properly to be as much a charge on the State as is that of other parts of the country, and recommended that a fixed portion* of the charge for the Police which is now borne by the Estate be hereafter disbursed from the Government Treasury, as a public charge. The Government deferred the consideration of the matter till the Inspector General of Police was able to visit the District of Ganjam and make arrangements for the introduction of the new Police into that Province.

* 5,000 Rupees.

O. G. No. 1,467, 10th, in Cons. 19th November 1860, No. 5,988.

6. Under these circumstances, the Court feel convinced that as a mere question of equity, the Government will not desire to increase the burden of the Police charge already borne by the Estate; and they therefore recommend that the order passed by the Civil Auditor for debiting the Regimental allowances of Captain Stuart to the Estate be set aside.

(A true Extract.)

F. Brookes

Secretary.

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

Copy to G. S. Forbes, Esq., Collector of Ganjam.
„ to R. P. Harrison, Esq., Accountant General.

Exd. J. Wright.

Revenue Departt.

No 1864

Proceedings of the Madras Government
Under date the 28th September 1861
Read the following

Papers

Proceedings of the Court of Wards - Submitting with recommendation a letter from the Collector of Ganjam, regarding the Regimental allowances of Captain Stuart, the Officer in charge of the Sibbundy Corps in the Parla Kimedy Estate.

(Here enter 4th June 1861 No 2893)

Proceedings of the Bd of Revenue - Submitting with remarks a letter from the Collector of Ganjam reporting on the regimental allowances of Captain Stuart and those of Corporals Sadler and Hoole employed on the Estate

(Here enter 4th Septr 1861 No 4778)

In the first of these papers, the Court of Wards bring to notice that the Accountant General, acting under the Order of Govt of 20th March 1861 No 654 has thrown upon the Parla Kimedy Estate in Ganjam the payment of the Regimental allowances of Capt Stuart late in charge of the Sibbundy Corps; and they recommend, for reasons stated, that the arrangement be set aside from the second January, the

Govt

R-24-Promotion for Rs 463 } 464 }

R-20-March-61 — 342-372.

Revenue 1861 Department

20 March For Govt for Sanction

No. 1482.

PROCEEDINGS of the BOARD of REVENUE.

Dated 4th June 1861.

Despatched. 24 Jun

Received. 22 Jun

Entd

No. 2,893.

Rs 1864. 28 Sept

Submitting with recommendation, a letter from the Collector of Ganjam, regarding the Regimental allowances of Captain Stuart, the Officer in charge of the Subbundy Corps in the Purla Kimedy Estate.

Pc 232.

Copy

Govt

The order quoted by the Accts Genl is irrelevant - It related to Civil Regts and has very little bearing on the Military Officers in charge of Estates - Under the Rules of the Service Military Officers are allowed to draw their Regimental allowances for Police Purposes and for Kitmutgars and Khidmutgars - The Rules for the Sibbundy Corps in Ganjam are similar to those for the Police Corps in the Ceded Districts - The Sibbundy Corps is a Police Force and the Officer in charge of it is entitled to draw his Regimental allowances - The Order of Govt of 20th March 1861 No 654 was passed in error and should be set aside from the 2nd January 1861 the date of the Arrangement to which it refers

Nothing - v pros 19 Jan 1861

Gov.t learn that the amount debited to the Estate on that account from 1st January to 16 June last (the Date on which Captain Stuart relinquished chge of the Estate) was Rs 1,083. 2. 5.

2. The Order of 20 March quoted by the Accountant General ~~[illegible]~~ referred to the employment of Military Officers in a Civil Dept.t, and prescribed the proportion of the total pay of such Officers which ~~ought to be~~ shall be charged to the Milty. Dept. In the present case, a Military Officer was employed in a private Estate burthened at the time with heavy charges for Police upon which ~~in consideration of which~~ a portion of that Officer's pay was ~~[illegible]~~ contributed by the Govt. The arrangement which obtained prior to the Order of the Accountant General need not therefore be

disturbed; and authority is granted for the amount mentioned in the preceding para, viz Rs (1,083. 2. 5) One thousand and eighty three rupees two and five pice for being disbursed from the Public Treasury. The portion of this amount chargeable to this year's Budget, if not already provided in that Document, should be included in the Supplemental Budget, ~~and the~~ ~~[illegible]~~ ~~to be adjusted hereafter.~~

14 Copies

To, the Court of Wards— Civil Dept. S. D. S.
3 " Accountant General—
3 " Civil Paymaster—
4 " Judicial Department—

40
10

Captain Stuart's Regt. allowances
Mr. Ld. to Petitd. to draw Pay &c.
Estate.

Revenue 1861 Departt.
Pro: of Govt for Septr.

No 1864.

Pro: of the Madras Govt.
Dd 26th Septr/61.

Authorizing the
Regimental allowances
of Captain Stuart and
others for the time they
had charge of Parla-
kimedi estate to be
disbursed from the
Public Treasury.

No 232 at 234