

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2212	Press Mis.
248.249	
Dated 25-11-1861.	

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
25th November 1861.*

No. 248.

Read the following :—

The humble Petition of Mr. A. M. JONES, a Deputy Surveyor, No. 4, Survey Party, lately employed on the Shevaroy Hills, Salem District, to His Excellency Sir W. DENISON, K.C.B., Governor of the Madras Presidency, dated Salem, 3rd October 1861.

RESPECTFULLY SHEWEETH,

1. That your Petitioner finding his health very much impaired from the effects of fever contracted in the Wainád, during the period of his service there in connection with the Survey Department in the months of January, February, March and April of the present year, and being desirous of obtaining some other occupation and employment in which he would be able to recover his health and to earn his livelihood, did respectfully write to Captain Hessey, Deputy Superintendent, Revenue Survey, No. 1 Party, under date the 13th August last, (as per letter appended marked A) begging that after the usual time he might be permitted to leave.

2. That after a period of one month's suspense during which your Petitioner considered that arrangements were being made to comply with his request, the reply (as per copy also appended marked B) was received, against the decision in which your Petitioner humbly claims the interference of Government on his behalf.

3. That with reference to the ground on which Captain Priestley has refused to accept your Petitioner's resignation, as given in Captain Priestley's Memorandum, your Petitioner feels called upon to explain that before he took service in the first instance in the Survey Department, he was a Candidate for employment in the Police; that, at this time he was offered an appointment in the Survey Department by Captain Searle, late Deputy Superintendent, Revenue Survey, No. 4 Party, and that, before accepting this offer he acquainted Captain Searle with the fact that, he was already a Candidate for employment in another Department, and that, in the event of that application resulting favorably, he would be obliged to leave, when he hoped no objections would be raised to his going away; and that, accordingly after the lapse of a short time he was permitted to leave; that, after joining the Police Department through some mistake your Petitioner was thrown out of employment in the Police, and that, having no means of support, he offered himself for re-employment in the Survey Department, and was taken on the Establishment again without reference to his former character or service, but had to commence his career afresh in common with some others on less than half the salary which he had received in the Department before, and without any stipulations in regard to the time he should serve.

4. That, accordingly, your Petitioner after serving for a period of one year in the Survey Department to the satisfaction of his superiors, has, he believes a right to quit the service if he wishes to do so, and has a just claim on his superiors that they will permit him to leave without any imputation on his character; he therefore prays with all deference your Excellency's interference and support against the effects of an order which he feels to be unjust, and quite contrary to the usual mode in which public servants are treated in other Departments. He prays that his resignation may be accepted, and that Captain Priestley may be directed to furnish your Petitioner with a certificate showing that it is by his own wish that he has given up his employment.

5. That your Petitioner since he received Captain Priestley's order refusing to accept his resignation, again* applied to Captain Hessey, expressing his continued wish to leave the Department, and begging that he might be relieved on a fixed date; that in reply, he has received an order† from Captain Hessey, taking no notice of his request, but directing him to proceed to Coimbatore; that your Petitioner is now about to obey this order, but is doing so against his will, and only in order to avoid any future imputation against his character. He therefore prays that your Excellency will be pleased to pass an early order on the subject to save his being taken further to stations against his will, in connection with a Department in which he is unwilling any longer to serve.

For which act of kindness your Petitioner shall as in duty bound ever pray.

(Signed) ALBERT M. JONES,
Deputy Surveyor, No. 4, Survey Party.

*Proceedings of the Madras Government, Revenue Department,
25th November 1861.*

From Mr. ALBERT M. JONES, Deputy Surveyor, to Captain W. H. HESSEY, Deputy Superintendent, Revenue Survey, dated Yerkád, 13th August 1861, (A) :—

SIR,

I respectfully beg to inform you that I wish to resign my present appointment, and trust you will allow me to go after the *usual* time allowed, or after the work on the Hills has been closed.

Memorandum from Captain F. J. B. PRIESTLEY, Superintendent of Revenue Survey, dated Revenue Survey Office, dated 12th September 1861, No. 818, (B.)

1. The Superintendent desires Mr. Jones to be informed that considering he has been already permitted on a former occasion to resign his appointment in the Survey Department, the Superintendent does not deem it desirable to accept the resignation enclosed in Captain Hessey's letter of the 19th August 1861, No. 33.
2. He leaves Captain Hessey, however, discretionary power regarding the locality in which Mr. Jones is to be employed.

Memorandum from Captain W. H. HESSEY, Deputy Superintendent, Revenue Survey, to Mr. A. JONES, Deputy Surveyor, Revenue Survey, dated Salem, 17th September 1861, No. 94.

With reference to the above, Captain Hessey desires that Mr. Jones will continue to do duty on the Shevaroy Hills.

From Mr. ALBERT M. JONES, Deputy Surveyor, to Captain W. H. HESSEY, Deputy Superintendent, Revenue Survey, dated Shevaroy Hills, 20th September 1861, (C.)

SIR,

1. In reply to your Memorandum, No. 94 of the 17th instant, at the foot of a copy of a Memorandum from Captain Priestley, Superintendent Revenue Survey, No. 818, dated the 12th instant, passing orders on my resignation forwarded to you upwards of a month ago, I respectfully beg to state that I am still unwilling to remain in the Department, and trust that arrangement will be made to relieve me of my work on the 1st proximo, or at your earliest convenience. I need hardly point out that the rule in the Survey Department, as I am given to understand, being, that subordinates wishing to leave should give a month's previous notice of their intention to entitle them to do so, that that period will have been exceeded in my case by the 1st proximo by 18 days.

Awaiting your favorable orders.

Memorandum from Captain W. H. HESSEY, Deputy Superintendent, Revenue Survey, to Mr. JONES, Deputy Surveyor, Revenue Survey, dated Camp Coimbatore, 25th September 1861, (D.)

Mr. Jones is directed to proceed to Coimbatore and to report himself to the Officer in charge of No. 4 Survey Party, without delay. On his reporting himself ready to march, the Assistant in charge of the Survey Office at Salem will advance to him pay for September 1861.

(True Copies.)

(Signed) ALBERT M. JONES,
Deputy Surveyor.

*Proceedings of the Madras Government, Revenue Department,
25th November 1861.*

No. 249. ORDER THEREON, 25th November 1861, No. 2,212.

The Order of the Government of India, dated 31st December 1856, No. 58, protects Heads of Offices from the inconvenience which would certainly result if one Department could at will withdraw the employés of another, but under the operation of that order a Subordinate cannot be retained indefinitely in a Department which he wishes to quit. The Head of an Office must either make special agreements with his Subordinates or be satisfied with reasonable notice from them ; and as Mr. Jones has given this, his resignation should be accepted.

(Signed) C. G. MASTER,
Deputy Secretary to Government.

It appears to me that Capt. Priestley
cannot retain a man in his service against
his will unless under the condition of
some special agreement. The man must
therefore either have made such an agreement
be allowed to resign. and as he appears
to have conducted himself properly and
in the present instance with a good deal of judgment
I think he ought not to be prevented from
obtaining service in another Dep^t - I must
however observe that the practice of allowing
men from one Dep^t to another is a subversion
of all order in the service of the Gov^t and
heads of Dep^{ts} should be warned that the
Gov^t will not sanction such procedure

MD

W. H. C.

3rd Oct. 1861

the close of the working
season in Wyman some
time in March next

with your yours truly

Richard M. Westley
Supt. New Survey

To J. W. Breckinridge
P. S.

very respectfully
yours truly

the P^{er}mission
on looking over
the following remarks of
been necessary
Notice given 13th August would
the date about
what orders would be received
to return to Wyman.
The more the suspension was in-
evitably caused by the delay
in getting letters when on a
tour of inspection in the Northern
districts.
The reason Mr. Jones was ordered
to Cincinnati is that the New-
bury Hill Survey was handed
over to No. 1 party in order that

those of No. 4 temporarily employed
there might all be available
on the re-commencement of
work in Wyand.

I trust this letter being informal
may be excused as I have not
all my records here & am in
a small tent & the weather
very rainy. but I thought
an early answer desirable
under all circumstances.

over to the 1st of April is only that
 money will be paid for the 1st of
 the 1st of April is that the 1st
 of the 1st of April was when

1861 1789-90

Revenue 1861 ~~1789~~
No. of Govt. ~~1789~~ 2700

From Deputy Surveyor

No. 4. Survey Party

Dated 3rd October 1861
Received 13th Jan 1861

No. 212. 25. November

With reference
Requests that

the negotiation of
his appointment in

the Survey Dept. be ac-
cepted, and that Captain

Smith be directed to

forward him with a

Certificate showing that he
has given up the situation
in his second.

No 2485249.

1861 1789-90

No. 2212

The order of the Board of

India dated 3rd Dec 1861 is hereby
repealed from the income

tax which would contain result
of one department could not with

standing the subject of another
but under the operation of that order

a subordinate cannot be retained
indefinitely in a department which he

wishes to quit. The Board of in-
come must either make official

agreements with the subordinate
or be satisfied with seasonal

notice from them, and as the Govt.
has given this designation
should be accepted.

First Secretary
25th Nov 61
Secy. to Govt. of India
C. W. A. Secy. to Govt. of India
C. W. A. Secy. to Govt. of India