M.R.O. 14—10,000—21-4-22.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2329 Press
~~Mis.~~

170-71

Dated 19-12-1861.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 19th December 1861.

No. 170. Read the following Proceedings of the Madras Government in the Judicial Department, dated 9th December 1861, No. 1,509:—

Confirming the construction of the Civil Auditor that the limit of one hundred Rupees up to which the Controlling Authorities in Civil Departments have power to sanction new Articles or Works, applies to the cost of each Article or Work, rather than the total sum of the Estimate or Bill.

(Vide Judicial Proceedings, 9th December 1861, Nos. 44, 45.)

No. 171. ORDER THEREON, 19th December 1861, No. 2,329.

Ordered to be communicated to the Board of Revenue and Chief Engineer, for information.

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

JUDICIAL DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers:—

From J. ROHDE, Esq., Inspector General of Jails; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated Ootacamund, 25th July 1861, No. 317.

I have the honor to request the sanction of Government to the expenditure of Rupees (420) four hundred and twenty, the cost of six carts for the Nellore Jail.

2. I have not hitherto deemed it necessary to apply to Government for sanction for such sums, where the charge was for distinct articles, the cost of each of which did not amount to Rupees 100, having been assured by Mr. Franklyn Lushington, then Civil Auditor, that this practice was in strict accordance with the rule, but the present Civil Auditor having declined to accept my several sanctions for the cost of each cart, I am now compelled to trouble the Government in the matter.

3. It seems to me that the delay and inconvenience consequent on a reference to Government for sanction for tools and implements required in Jails whenever the aggregate cost exceeds Rupees 100, will not be compensated by any advantage and that it can make little difference whether I sanction an expense of 420 Rupees for six carts once in perhaps six years, or whether I sanction the cost of each cart separately as it is made up, the articles must be provided if Prisoners' labor outside the walls and reference to Government will be a mere form.

———

Referred to the Civil Auditor.

Signed) J. D. SIM,

Secretary to Government.

30th July 1861.

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From W. J. RAYNOR, Esq., Officiating Civil Paymaster; to J. D. SIM, Esq., Secretary to Government, Fort Saint George, dated 27th August 1861, No. 764.

Judicial Department.

In returning the accompanying letter* from the Inspector General of Jails, referred to me for report, I have the honor to state that, the charge of Rupees 420 therein alluded to, for six carts for the Nellore Jail, was disallowed by my predecessor for want of Government sanction, as it did not appear to him to fall within the Inspector General's competency under the Order of Government, dated 26th January 1858, No. 46.

2. That Order, it will be seen, vests certain controlling authorities with power to sanction estimates for charges of the class requiring to be estimated for, not exceeding in amount Rupees 100, the sanction is not for each article. Two or more articles of the same kind required to be made up at once, though estimated for distinctly, would form but a single charge, and be treated accordingly, *i.e.*, if within the limit of 100 Rupees the sanction of the controlling authority would be accepted as sufficient, otherwise the sanction of Government would be necessary. I see no reason to differ from Mr. Waterfield's construction of the Order in question, which is in accordance with the rule in such cases, although the practice of this Office appears heretofore to have been different.

* *No. 317, dated 25th ultimo.*

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ORDER THEREON, 16th September 1861, No. 1,163.

The Officiating Civil Paymaster states that the charge of Rupees 420, for six carts for the Nellore Jail, was disallowed by his predecessor for want of Government sanction, as it did not appear to him to fall within the Inspector General's competency under the Order of Government, dated 26th January 1858, No. 46.

2. The Government observe that the "*purchase and repair of gaol-carts*" is enumerated, in paragraph 311, chapter VII of the Civil Auditor's Manual, among the items incurred in the Jail Department as 'usual contingent and extra charges' admissible in audit without special sanction. They desire the Civil Auditor to explain whether the cost of the six carts for the Nellore Jail cannot be dealt with as such, and passed under the countersignature of the Inspector General of Jails.

3. The Order of the 26th January 1858, No. 46, to which the Civil Paymaster has refe
vested in the several controlling authorities of the Civil Departments, power to sanction
articles, or work, not exceeding Rupees 100 in amount. It was passed on the sugge

Extract Minutes Consultation, 16th October 1857, No. 1,355.

of Mr. Lushington then Civil Auditor, n
at the request of the Government, for
purpose of relieving them from application
sanction to petty charges, similar to the one then before them, viz., for 10 Rupees for a pa
to a Moofty Sudder Ameen's Court. The construction placed on the Order by Mr. Waterf
from which Mr. Raynor sees no reason to differ, viz., that the total cost of the new article
work, in the bill, should be within the limit of Rupees 100, will restrict the practice of the A
Office in this respect—the limit fixed having been heretofore regarded as the limit of the v
of each new article, or work sanctioned.

4. Looking to the circumstance that the power conferred by the Order of the 26th Jan
1858, is confined to the controlling author
in the Civil Department, as recited in
margin, to which may be added the Inspe
General of Police, the Government are re
tant to confirm the view taken by the (
Paymaster. The power has been exercise
some years by these Officers in respect to
expenditure of the Departments subordinat
them, and Mr. Raynor does not state that any evil has resulted from the practice. On the
trary, there must have been a great diminution of correspondence of the character alluded t
the end of Mr. Rohde's letter.

Departments.	*Controlling authority.*
Judicial.	Sudder Court.
Revenue.	Board of Revenue.
Marine..	Superintendent of Marine.
Civil Medical. ..	Principal Inspector General.
Mint and Assay. ..	Mint Master.
Public Works.. ..	Chief Engineer.
Educational. ..	Director of Public Instruction.
Jail.	Inspector General.
Police.	Inspector General.

5. The Government resolve to request the Civil Paymaster to state whether there is
objection, other than the new construction of the Order, against maintaining the practice e
blished by former Civil Auditors—the expenditure of officers not controlling departments co
nuing to be regulated by the rule that purch
of new small articles, of which no one ar
exceeds Rupees 5 in value, are not admiss
without sanction.

Manual, Chapter V, paragraph 21.

(True Extract.)

Secretary to Governme

To the Inspector General of Jails.
„ Civil Paymaster.
„ Accountant General.

Exd. F. Cartledge.

JUDICIAL DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following letter from W. J. RAYNOR, Esq., Officiating Civil Paymaster; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 18th November 1861, No. 1,138.

Judicial Department.

With reference to the Proceedings of Government, No. 1,163, dated 16th September, relative to the powers of Controlling Authorities to sanction Estimates under G.O. of 26th January 1858, No. 46, I have the honor to state that I do not find that any evil has resulted from the practice adverted to by Mr. Rohde of allowing such sanction to extend to *each* new Article or Work, (within the limit of 100 Rupees) without respect to *the total cost of* Articles or Works so sanctioned at each time. The restriction complained of was doubtless intended to check expenditure and prevent the exercise of power beyond what the Order of 26th January 1858 may have contemplated; but if the Government consider it expedient, for the reasons assigned in their Proceedings under reply, that the former practice should not be disturbed, there can be no further objection on the part of this Office to its continuance.

ORDER THEREON, 9th December 1861, No. 1,509.

Under the opinion expressed by the Officiating Civil Paymaster, the Government resolve to confirm the construction heretofore placed on the Order of the 26th January 1858, No. 46, Financial Department, viz., that the limit of one hundred Rupees, up to which the Controlling Authorities in the Civil Departments, have power to sanction new Articles or Works, applies to the cost of each Article or Work, rather than to the total sum of the Estimate or Bill.

(True Extract.)

Chief Secretary.

To the Civil Paymaster.
„ Inspector General of Jails.
„ Inspector General of Police,
„ Sudder Court,
„ Superintendent of Marine,
„ Revenue Department,
„ Public Department,
„ Financial Department,
„ Accountant General.

} With No. 1,163 of 1861.

Exd. T. O'Connor.

N-12 1/2 Jul/58 Rs 18-19.

Revenue 1861 Sept.
Pro: of Govt for December
No. 2908

Post of Govt in the
Judicial Department.

Sanctioned 9th December 1861
Passed 10th ——do—— }

No. 1509

(Rev.)

No. 2329. 19th Dec.
Pro. of Govt for C. No. 2053

Confirming the Comm=
=Struction of the Civil
Auditor that the limit
of one hundred rupees up=
which the Controlling au=
=thorities in Civil Depts
have power to sanction new
articles or works, applies
to the cost of each arti=
=cle or work rather than
the total sum of the
estimate or Bill.

With an order

No. 170 + 71.

No. 2329

Ordered to be commu=
=nicated to the Board of Revenue
and Chief Engineer for in=
=formation.

Fort St George
19th Dec 1861

I. D. S.

To Copies to Mil. Dept. & Board of Revenue with Pro. J. Dept. No. 1509 & 1163 Desp. 20

To Chief Engr. with Do. do