M.R.O. 11-166-1—27-10-21

MADRAS RECORD OFFICE.

Government of Madras

Revenue DEPARTMENT.

G.O. No. 1072 Press

250.251

Dated 16.6.1922

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 18th June 1863.

No. 290. Read the following letter from H. E. SULLIVAN, Esq., Acting Civil Judge of Bellary, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Bellary, 8th May 1863, No. 83:—

SIR,

1. I have the honor to submit for the consideration and orders of Government a correspondence between the Officiating Civil Paymaster and myself on the subject of fixed tentage claimed by me from the 1st to 9th March. It will be seen by the Officiating Civil Paymaster's letter that he considers my claim barred by the orders of Government, dated 13th September 1861, No. 1,818.

From Mr. Sullivan to Officiating Civil Paymaster, dated 27th April 1863, No. 352.
From Officiating Civil Paymaster, dated 1st May 1863, No. 382.

2. The facts of the case are briefly as follows:—

I was appointed to act as Civil and Session Judge of Bellary by the Gazette of the 10th February, but as the permanent incumbent did not wish to avail himself of his privilege leave until the 9th March, I did not join until that date. I claimed extra tentage up to the 8th March inclusive. The claim was passed up to the end of February, but disallowed for the eight days in March.

3. The orders of Government cited by the Officiating Civil Paymaster are perfectly clear with regard to cases of this nature. Paragraph 5, which for the convenience of reference, I quote in the margin, directs Revenue Officers Acting temporarily in Judicial appointments to look to their Deputation Allowance as compensation for the loss of their fixed tentage. It appears by this to have been the intention of Government that tentage should be drawn by an Officer so Acting until such time as he was in a position to draw the compensating Deputation Allowance. In this position I was not until the 9th March, on which date I took charge of this Court.

V. Whether Revenue Officers Acting in Judicial appointments should receive the allowance, if there is a prospect of their returning to their Revenue appointment within a reasonable time. Such Officers get an allowance for Acting, and must look to this as their compensation.

4. I am quite at a loss to understand on what grounds the Officiating Civil Paymaster disallows my claim for tentage for *eight days* only, of the month which elapsed between the date of my appointment as Acting Civil Judge and my taking charge of the Court, as the allowance was passed to me without question for the remaining portion of the time, *i.e.* from 10th to 23th of February. I am either not entitled to a fraction from the date of my Acting appointment appearing in the Gazette,* or I am entitled to it in full until such time as I became in receipt of the Deputation Allowance.

* 10th February 1863.

5. I regret extremely having to trouble the Government on, apparently, such a trifling matter; but if, as I fully believe the intentions of Government as conveyed in their Order on the subject, have been misapprehended by the Civil Paymaster, a majority of the service will be interested in a settlement of the point at issue, and this will, I trust, prove my excuse for making the reference.

No. 291. ORDER THEREON, 18th June 1863, No. 1,072.

Before passing orders on this case, the Government wish to know whether Mr. Sullivan ever joined his Revenue appointment; if so, on what date, and what Tents he had in the interval between his return to India and his appointment to the Judicial Department.

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

№ 352.

Civil Cons: Office
27th April 1863.

From. H.E. Sullivan Esquire,
Acting Civil Judge of Cuddapah,

To. The Right Honble Viscount Hardinge,
Offg. Chief Secretary to Government

Sir,

I have the honor to forward herewith a Petition addressed to Your Honor by Venkata Reddy, late Sheristadar of this Court, praying that he may be allowed to draw his pension from the 1st proximo, and to inform you that I have no objection to offer to the grant of the prayer of the petitioner.

2. The petitioner has been in the service of Government for upwards of 30 years, and has been employed in the Civil Courts of this District for the last 20 years. He has always borne a good character, and I have no reason to doubt that he is entitled to the pension he now asks for.

I have the honor to be,
Sir,
Your most obedient Servant,
H.E. Sullivan
Acting Civil Judge of Cuddapah

Dated 15th September 1863.
No 1818.

therefore

Rev=1831/53.

Enclosure No 1.

In a letter from the Asst Civil Secy to Belfry. dated 8th May 1863 No 83.

No. Rev 1165/63.

The Secretary to Government Fort St George

Sir

Copy of a letter from Mr Sullivan to Offg Civil Mast. Madras.

Revenue Dispatch

No 582.

From;

W. H. Raynor, Esqre
Offg Civil Paymaster.

To

H. E. Sullivan, Esqre
Belfry Civil Judge
Bellary.

Sir,

1. With reference to your letter of 27th Ultimo, I have the honor to state that I concur with my Predecessor in considering your claim to Fixed Jentage up to the Head Quarters established by the Order of Government of 15th September 1861, already quoted.

2. As that Order the Government revoked as former decisions whereby Jentage was denied to an Officer proceeding from one Revenue Appointment to another. The Allowance being a Traveling one for ascertain equipment, they decided that if the equipment is maintained and accompanies the Officer he may be permitted to draw the Allowance for the period of transit. The Officer acting in the Judicial Department is not required to carry his tents with him, and cannot therefore claim the Allowance on account of tents

3 I think from the Order conveys sufficient authority for the grant of the Allowance to an Officer in your Situation for the

the period of Transit. The Government had before it
the question whether any Officer in the Commissariat
was entitled to Tonnage while acting under this Office
had reference to such possibility. A careful consideration
of Section 9 of the Ordinance for regulating which it
is for the remaining, and that no grades, such
Officers also as forms his Establishment.

Colonial Secretary's Office
Port Saint George,
1st May 1865.

I have the honor
Sir,
Your most obedient
A. B. Clarke
Officiating Secretary.

1863 April.

From, Rec'd 1831/63.

The Offg. Civil Engineer

To, The Offg. Civil Judge.
Ballarat.

Dated 10th May.

Rec'd 7/1863.

No. 582

No.
Under the circumstances mentioned in the letter, that the claimants formerly entered upon No 9 Prospecting area, allowed to lapse and which is now claimed by Mr. Ol. of 13th ult. 1863.

New Westminster
1864 Dec 5

Enclosure 8. pr 2

In a letter from the Acting Civil Judge of Bellary dated 8th May 1863. No 4.

To,
The Secretary
to Government
Fort St George

Original letter
from the Offg.
Civil Paymaster

Dated 16th Sept 1863

In this position I was not entitled to my Mess, nor wheels due to Stockholders of this Court.

4. I am quite aware to under what rule or which grounds the Offg. acting Civil Pay master disallowed my claim for tentage for eight days only, of the month which elapsed between the date of my appointment as Acting Civil Judge and my taking charge of the Court, as the allowance was passed to me without question for the remaining portion of the time, i.e from 10th to 28th of January. I am rather sorry to be obliged to appeal from the date of my entering upon duty appearing in the Gazette, as I am entitled to it in full until such time as I became in receipt of the Deputation allowance.

5. I regret extremely having to trouble the Government with any trifling matter, but as I fully believe the intentions of Government as conveyed in their order on the subject, have been misapprehended by the Civil Paymaster, a majority of the Service will be interested in a

Settlement

Rec'd 1863 (Oct 27)
Reg: of Letters &c. Items.
No. 1106.

The Rt. Hon. Viscount Bury
&c &c &c

&c &c
The Secretary to Government
of India
Military Dept.

Dated Camp
Received 13th Oct. 1863.

Enclosures 2.

Submitting for consideration and orders of Government a correspondence between the Superintending Civil Power and Brigadier Hammond on the subject of forage allowance claimed by him from the 1st to 9th Brigade.

Rec'd 13th Oct. 1863 No. 1142-1143.

From the Chief Secretary to Govt. of Punjab
Judges Dept. dated Lahore the 6th 1863. No. 1290 to 1291.

Before further
-ing orders
on the Case
I shall be
glad to know what
the Brigadier
can furnish his
Rissalah with
Punkah-pullers
on what date
and what
sum he had
in the interval
between his return
to Sealkote & his
assuming Command
of the 2nd Brigade
10th June
1863. J. A. L.

Lahore 10th June 1863.

Sir,

I have the honor to inform you that I have this day assumed command of the 2nd Brigade of Cavalry.

I have the honor to be
Sir
Your most obedient Servant
(Signed) [illegible]
Brigadier Commanding
2nd Brigade of Cavalry

To
Major [illegible]
Deputy Assistant Adjutant General
Lahore Division