

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1701	Press Mis.
242.243	
Dated	16-9-1864.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
16th September 1864.*

No. 212. Read the following Proceedings of the Board of Revenue, dated 6th September 1864, No. 5,804.

Read again Board's Proceedings, dated 3rd and 25th May 1864, Nos. 2,670 and 3,199.

Read also the following letter from SHAMA ROW, Deputy Collector of Cuddapah, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated — August 1864:—

1. With profound respect and humble submission, I most respectfully beg to bring the following to your kind notice, and request your orders upon them, at the same time begging to be excused for the intrusion I give on your valuable hours.

2. In your Proceedings of the 3d May 1864, No. 2,670, upon the letter of the Collector of Nellore, dated 18th March 1864, No. 63, forwarding the correspondence ensued between him and me, it is stated, "The Board, although they see no reason to disbelieve Shama Row's alleged reason for requiring leave, are unable to interfere on his behalf, as the Collector's sanction was necessary to enable him to quit the portion of the District placed under his charge."

3. In my letter of the 24th December 1863, to the Collector, I have plainly expressed that I am going in the Christmas holidays to Madras, where my son was severely sick, and that I shall be back at Naidupett before the holidays expire. Upon which the Collector, instead of informing me that he has refused to give me leave to proceed to Madras (if he thought so), has questioned me to explain whom I referred as my son in my letter, as I have no natural son. And then I thinking that my request for leave would have been complied with and it being the Christmas holidays, I proceeded to Madras and returned to Naidupett on the 1st January 1864, when I was actually on my public duty, and also have answered the Collector's letter, No. 771 of the 28th December 1863, explaining that owing to a want of male issue, I have adopted my daughter's son, whom I have been accustomed to call as my son.

4. And even in his letter of the 8th January last, No. 21, the Collector has not mentioned the least that my leave has been refused, but wanted me to report the dates on which I left and joined my station. Accordingly I have reported that I quitted the District on the 24th December, and joined my station on the 1st January 1864.

5. The Collector has informed me in his letter, No. 27 of the 1st February 1864, in the Registrarial Department, that he, considering me absent without leave from the 24th December 1863 to 1st January 1864, has reported the same to the Civil Paymaster.

6. I went to Madras on the general holidays informing the Collector, the cause of my going, and returned to Naidupett on the 1st January. I had not the slightest intention of disdaining the Collector's power, but I went on my journey on account of an emergency, trusting that leave would have been granted.

7. Had the Collector refused to grant me leave on the receipt of my letter of the 24th December, I would have returned to my station on the very moment, but he did not inform me that up to 1st February, consequently I thought up to that period that my application for leave has been approved of by the Collector. There is no reason to doubt it.

8. Moreover my pay was withheld for the period from the 24th December to the 1st January 1864, both days inclusive, while I was actually on duty on the 1st January, for which the letter I wrote to the Collector, No. 30, on the very date, is an apparent proof.

9. As I have not thought to disdain the Collector's power, and have been obedient to his orders, I humbly request that the Honorable Members of the Board will be pleased to peruse the whole correspondence already submitted, and to allow me to draw my pay from the 24th December to the 1st January 1864, as I went in the general holidays, trusting that my request for leave was accepted.

10. If I be not so fortunate as to succeed as above requested, I humbly beg of your generosity to submit the whole correspondence for the consideration and orders of the Government.

Proceedings of the Madras Government, Revenue Department,
16th September 1864.

Ordered that the above papers be submitted for the consideration of Government. The Board do not think the case is one for their interference, but they have no reason to doubt the truth of the Deputy Collector's statement.

No. 243. ORDER THEREON, 16th September 1864, No. 1,701.

Miscellaneous.

1. The Deputy Collector should not have left his Division without the Collector's permission, and must therefore be treated as absent without leave.

2. The Board should intimate to all Revenue and Magisterial Officers that they cannot quit their Districts during the vacations without the permission of the Collector and Magistrate.
(True Extract.)

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

To the Board of Revenue.

the General Magistrate

Exd. S. T. Augustin.

No. 2,670.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 3rd May 1864.

Read the following letter from the Collector of Nellore, dated Krishnapatnam, 18th March 1864, No. 63:—

1. I have the honor to forward a letter from Shama Row, Deputy Magistrate of Nayudupet, requesting the Board to consider certain correspondence with myself and relieve him from the charge of having been absent from the District without leave.

2. On the 24th December, Shama Row wrote to tell me he had just heard of a relative's sickness, and was therefore off to Madras without waiting for my leave. In his letter to the Board, I having refused him leave, he urges that leave was not necessary, it being the Christmas holidays for which he absented himself; and, therefore, though I withheld my sanction, he could not be considered as absent without leave, or liable to be retrenched by the Civil Paymaster.

3. The words used by Shama Row in his letter to me of the 24th were, "As time does not permit me to give any previous intimation and obtain sanction," and whether these words purported what he then considered necessary, or all along he considered sanction unnecessary, it is unnecessary to consider. I regret I do not in the slightest degree believe in the alleged excuse, the sickness that so conveniently occurred like headache on the Derby day. And this being the case, I see no use in considering how much truth there may be in the subsequent statements, whether it is the Board or myself that was put in possession of Shama Row's real sentiments.

4. Shama Row has however raised one point of importance, and that is who, up-country, in the Revenue Department may be considered entitled to leave their station during holidays without the sanction of the Collector.

5. In this instance the District was left, as stated in my letter of the 1st February to Shama Row, without my sanction, although on the very last occasion application was made, a visit

to Madras had been refused because leave had been given for that purpose to another in his range, and it was not considered advisable both should be away at the same time. The time before that Shama Row had had leave; this time it was another's turn. And, for anything Shama Row might have known to the contrary, his absence might have been most inconvenient. It might again have been only fair for others he should stay. He solved the difficulty by a letter that opportunely arrived the day before the holidays began. And anticipating this solution might be readily apprehended by others, I withheld my sanction when applied for, on the grounds set forth in detail in my letter of the 1st February, and reported the Deputy Magistrate absent without leave with a view to his pay being stopped.

6. My anticipations have not proved without foundation as regards the force of example. A young Sub-Magistrate, his competitor for leave, in fact, on the former occasion, having business to transact in Madras, the other day had a sister sick, and like the Deputy found himself "necessitated to go" without waiting for my sanction.

7. And should the Board agree with Shama Row in his views as expressed to themselves, I beg a clearly defined limit may be drawn.

The Collector will inform his Deputy that the Board, although they see no reason to disbelieve Shama Row's alleged reason for requiring leave, are unable to interfere on his behalf, as the Collector's sanction was necessary to enable him to quit the portion of the District placed under his charge.

(A true Copy and Extract.)

(Signed) R. A. DALYELL,
Sub-Secretary.

To J. W. B. Dykes, Esq., Collector of Nellore.

Exd. J. Wright.

No. 3,199.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 25th May 1864.

Read the following letter from the Deputy Collector of Naidupet, Nellore District, dated 20th February 1864, No. 8 :—

1. I beg respectfully to submit for the consideration and orders of the Honorable Members of the Board of Revenue copies of the correspondence, as per margin, between myself and the Collector of this District on the subject of the Collector having withheld sanction for the period I was absent during the last Christmas holidays, and obtained sanction from the Civil Paymaster to retrench my salary for the period of absence from the next month's pay abstract.
 1. From Deputy Collector to Collector, dated 24th December 1863.
 1. From Collector to Deputy Collector, dated 28th December 1863, No. 771.
 1. From Deputy Collector to Collector, dated 1st January 1864, No. 30.
 1. From Collector to Deputy Collector, dated 8th January 1864, No. 21.
 1. From Deputy Collector to Collector, dated 15th January 1864, No. 3.
 1. From Collector to Deputy Collector, dated 1st February 1864, No. 27.
 1. From Collector to Deputy Collector, copy of Civil Paymaster's Memorandum.
2. During the late Christmas holidays, I left, as shown in the correspondence, the District on the 24th December, reporting the same to the Collector, and returned to my station on the 1st ultimo, on which I actually entered on my duties. Mr. Dykes, in his letter dated the 1st instant, No. 27, states that he has withheld his sanction for the time I was absent for the reasons stated in the letter; and I therefore respectfully beg to submit for the Board's consideration the fact that the officials at the Presidency generally avail themselves of the holidays for the purpose of going into the interior or elsewhere, and that this privilege is obtaining even in the Mofussil to a very great extent.
3. The Notification in the Government Gazette granting the holidays has not, I understand, laid down any restriction on the practice so universally obtaining, and I consider that the requisition therein contained of Heads of Departments to make provision for discharge of emergent business is intended for the Heads of Departments to make such arrangements as to convenience their own absence without detriment to the interests of Government; but not to impose restrictions over other officials like me whose absence or remaining in the district would matter little for the convenience of the absence of such head officers. Under the Notification in question, I think that every officer having a separate charge is at liberty to avail of the leave without orders of controlling authorities; and if my understanding of the spirit of the orders is incorrect, it would tend to operate with great hardship in respect of all officials. The universal practice adverted to as obtaining everywhere, I took as correct interpretation of the orders; and as in this District I never have had any business calling my urgent interference or immediate presence, being permitted to do only magisterial duties as Sub-Magistrate of the 1st Class, while almost all cases are generally taken up by Sub-Magistrates of 2nd Class in their respective ranges, I had to make no provision for my absence, and should there have been complaint of inconvenience to the public duties of my office owing to the want on my part of making arrangements, such neglect would have deserved a reprimand. Besides, I beg to observe that no rule has ever been passed on the subject of absence during the holidays.
4. The Civil Paymaster having now directed to retrench my salary for the days I absented from the next month's abstract, I trust that the Honorable Members of the Board of Revenue will be pleased to consider the correspondence and relieve me from the charge of having been absent without leave. Trusting to be pardoned for my having assumed to submit this appeal.

ENCLOSURE No. 1.

ABSTRACT.—Letter and copies of correspondence received from the Deputy Magistrate of Naidupet, requesting the Board to relieve him from the charge of having been absent from the District without leave.

Recorded, with reference to Board's Proceedings dated 3rd May 1864, No. 2,670.

(A true Copy and Extract.)

(Signed) R. A. DALYELL,
Sub-Secretary.

Exd. J. Wright.

Enclosure No. 1 of the 3rd of June to the day before the 20th of February 1864.

1864. Department.

Recd. 24/11/64

No.

PROCEEDINGS OF THE BOARD OF REVENUE

Dated 3rd May 1864.

No. 2,670.

Declining to interfere on behalf of Deputy Collector Shama Row, and observing that the Collector's sanction was necessary to enable him to quit the portion of the District placed under his charge.

13/11/64
cc 1761
13/11/64

No. 5,804.

PROCEEDINGS OF THE BOARD OF REVENUE, dated 6th September 1864.

Read again Board's Proceedings dated 3rd and 25th May 1864, Nos. 2,670 and 3,199.

Read also the following letter from SHAMA ROW, Deputy Collector of Cuddapah, to W. HUDLESTON, Esq., Secretary to the Board of Revenue, dated — August 1864:—

1. With profound respect and humble submission, I most respectfully beg to bring the following to your kind notice, and request your orders upon them, at the same time begging to be excused for the intrusion I give on your valuable hours.

2. In your Proceedings of the 3rd May 1864, No. 2,670, upon the letter of the Collector of Nellore, dated 18th March 1864, No. 63, forwarding the correspondence ensued between him and me, it is stated, "The Board, although they see no reason to disbelieve Shama Row's alleged reason for requiring leave, are unable to interfere on his behalf, as the Collector's sanction was necessary to enable him to quit the portion of the District placed under his charge."

3. In my letter of the 24th December 1863 to the Collector, I have plainly expressed that I am going in the Christmas holidays to Madras, where my son was severely sick, and that I shall be back at Naidupett before the holidays expire. Upon which the Collector, instead of informing me that he has refused to give me leave to proceed to Madras (if he thought so), has questioned me to explain whom I referred as my son in my letter, as I have no natural son. And then I thinking that my request for leave would have been complied with, and it being the Christmas holidays, I proceeded to Madras and returned to Naidupett on the 1st January 1864, when I was actually on my public duty, and also have answered the Collector's letter, No. 771 of the 23rd December 1863, explaining that owing to a want of male issue, I have adopted my daughter's son, whom I have been accustomed to call as my son.

4. And even in his letter of the 8th January last, No. 21, the Collector has not mentioned the least that my leave has been refused, but wanted me to report the dates on which I left and joined my station. Accordingly I have reported that I quitted the District on the 24th December, and joined my station on the 1st January 1864.

5. The Collector has informed me in his letter, No. 27 of the 1st February 1864, in the Magisterial Department, that he, considering me absent without leave from the 24th December 1863 to 1st January 1864, has reported the same to the Civil Paymaster.

6. I went to Madras on the general holidays informing the Collector, the cause of my going, and returned to Naidupett on the 1st January. I had not the slightest intention of disdaining the Collector's power, but I went on my journey on account of an emergency, trusting that leave would have been granted.

7. Had the Collector refused to grant me leave on the receipt of my letter of the 24th December, I would have returned to my station on the very moment, but he did not inform me that up to 1st February, consequently I thought up to that period that my application for leave has been approved of by the Collector. There is no reason to doubt it.

8. Moreover my pay was withheld for the period from the 24th December to the 1st January 1864, both days inclusive, while I was actually on duty on the 1st January, for which the letter I wrote to the Collector, No. 30, on the very date, is an apparent proof.

9. As I have not thought to disdain the Collector's power, and have been obedient to his orders, I humbly request that the Honorable Members of the Board will be pleased to peruse the whole correspondence already submitted, and to allow me to draw my pay from the 24th December to the 1st January 1864, as I went in the general holidays, trusting that my request for leave was accepted.

10. If I be not so fortunate as to succeed as above requested, I humbly beg of your generosity to submit the whole correspondence for the consideration and orders of the Government.

Copy of the letter from the Deputy Collector of Nellore to the Secretary to the Board of Revenue, dated 6th September 1864.

1864. Department

Rev. 21st/64.

No.

PROCEEDINGS OF THE BOARD OF REVENUE.

Dated 25th May 1864.

No. 3,199.

Recording letter from the Deputy Collector of Naidupett in Nellore District appealing against the Collector having withheld sanction for the period the Deputy Collector absented during the holidays and obtained sanction from the Civil Paymaster to retrench his salary for the same from the next month's Abstract.

Ordered that the above papers be submitted for the consideration of Government. The Board do not think the case is one for their interference, but they have no reason to doubt the truth of the Deputy Collector's statement.

(A true Copy and Extract.)

M. K. S. S. S.
Secretary.

To J. D. Sim, Esq., Secretary to Government, R. D.,
with copy of Board's Proceedings, dated 3rd and 25th May 1864,
Nos. 2,670 and 3,199.

Copy to J. W. B. Dykes, Esq., Collector of Nellore.
to Shama Row. Deputy Collector of Cuddapah.

Exd. J. Wright.

16-2-1864

Submitting for consideration letter from
Deputy Collector Shama Row of Cuddapah ex-
plaining the circumstances under which he had
been absent from his station from 24th Decem-
ber 1863, to 1st January 1864, and requesting to
be allowed to draw his salary for that period.

No. 5,804

Dated 6th September 1864

25/10/64
22/12/64
2-8-80 p. 8. 12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. 24. 25. 26. 27. 28. 29. 30. 31. 32. 33. 34. 35. 36. 37. 38. 39. 40. 41. 42. 43. 44. 45. 46. 47. 48. 49. 50. 51. 52. 53. 54. 55. 56. 57. 58. 59. 60. 61. 62. 63. 64. 65. 66. 67. 68. 69. 70. 71. 72. 73. 74. 75. 76. 77. 78. 79. 80. 81. 82. 83. 84. 85. 86. 87. 88. 89. 90. 91. 92. 93. 94. 95. 96. 97. 98. 99. 100.

PROCEEDINGS OF THE BOARD OF REVENUE.

No. 2411.

1864
Department
for the year

16-2-1864

97-1701-

The Deputy Collector
should not have left his
division without the Collr's
permission, and must there-
fore be treated as absent
without leave.

W

The Board should
intimate to all Revenue and
Magisterial officers that they
cannot quit their districts
during the vacations with-
out the permission of the
Collector and Magistrate.

For Mr. George
16-2-1864
14 copies to the Board of Revenue
3 to the (1) General Reg. Director 22/10/64