M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 245	Press ~~Mis.~~
163—164	
Dated 9—2— ~~19~~ 1864	

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 9th February 1864.

No. 163. Read the following letter from J. W. B. DYKES, Esq., Collector of Nellore, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Udayagiri, 25th January 1864, No. 3:—

SIR,

1. I have the honor to submit for the consideration of Government, copy of a letter addressed by me to the Officiating Civil Paymaster, Fort Saint George, under date the 17th ultimo, No. 27, and of the reply* thereto, dated 22nd idem, made by the Chief Assistant in charge of Civil Paymaster's Office.

* Revenue Department, No. 1,646.

2. In August last, Mr. T. Bartholomew, 4th English Clerk of this Cutcherry, having applied for fifteen days' privilege leave under Sections XVI, XVII, and Clause 5, Section XX of the revised Uncovenanted Service Absentee Rules, the leave was accorded by me, and Mr. Bartholomew availed himself of the same. Subsequently, in the Pay Abstract† of this Collectorate for August, the Officiating Civil Paymaster disallowed Mr. Bartholomew's full pay for the whole period of his absence on the ground that eleven months not having expired from the date of his return to duty from sick leave in September 1862, Mr. Bartholomew was not entitled to privilege leave.

† Memorandum No. 19, dated 11th September 1863 (copy enclosed).

3. I thereon applied, under date the 17th ultimo, to know whether the rules as regards privilege leave by instalments could not be held to apply in Mr. Bartholomew's case, and if no relaxation could be made in this instance, as had Mr. Bartholomew taken his leave from the 25th instead of the 5th August his pay was admissible under the rules, and the leave should have been refused in this Office when applied for. And the Officiating Civil Paymaster having intimated that he has no authority to make any relaxation of the rules, I do myself the honor to submit the case for the orders of Government.

4. Mr. Bartholomew's pay is 35 Rupees a month. To be deprived of fifteen days' pay, or more than 17 Rupees out of 35 for an oversight, which was no fault of his, is unquestionably a hardship. And I have the honor, therefore, to request that under the foregoing explanation, the Government will be pleased to permit a relaxation of the rules in this case, and allow Mr. Bartholomew's pay to be passed to him for the period he was absent on leave in August 1863.

No. 164. ORDER THEREON, 9th February 1864, No. 245.

The Government regret that they are unable to comply with the request made in this letter.

(True Extract.)

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

To the Collector of Nellore,
„ Civil Paymaster.

Exd. S. T. Augustin.

No 3.

Station, Collectors Office,
Ordnance
25th January 1844.

Sir,

I have the honor to submit for the consideration of Government, Copy of a letter addressed by me to the Officiating Civil Pay Master, Fort Saint George, under date the 17th Ultimo, No. 27, and of the reply thereto dated 22d Idem, made by the Chief Assistant in charge of Civil Pay Master's Office.

× Rev. Dept. No. 1646.

I have &c.

P. W. B. Ogilvie Esquire
Collector of Station.

To

The Honorable A. J. Arbuthnott,
Chief Secretary to Government,
Fort Saint George.

2.— In August last, Mr. J. Barthalomew, Jr. English Clerk of this Kachery, having applied for 15 days privilege leave under Sections XVI, XVII, & Clause 5 Section XX of the revised Uncovenanted Service Absentee Rules, the leave was accorded by me and Mr. Barthalomew availed himself of the same.— Subsequently in the Pay Abstract of this Collectorate for August, the Officiating Civil Pay Master drew Mr. Barthalomew's full pay for the whole period of his absence on the ground that 11 Months and having expired from the date of his return to duty from Sick

leave

leave in September 1862, Mr. Barthalomew was not entitled to

3

privilege leave.—

3.— I therefore applied under date the 17th Ultimo, to know whether the Rules as regards privilege leave by instalments could not be held to apply in Mr. Barthalomew's Case, and if so relaxation could be made in this instance, as had Mr. Barthalomew taken his leave from the 25th July instead of the 5th August his pay was admissible under the Rules, and the leave should have been refused in this Office when applied for. And the Officiating Civil Pay

Master

Master having intimated that he has no authority to make any relaxation of the Rules, I do myself the honor to submit the Case for the orders of Government.—

Mr. Barthalameu's pay is 35 Rupees a Month.— He has deprived of 15 days pay, or more than 17 Rupees out of 35 for an error, which was no fault of his, is unquestionably a hardship.— And I have the honor to request that under the foregoing explanation, the Government will be pleased to permit a relaxation of the Rules in this Case, and allow Mr. Barthalameu's pay to be paid to him for the period he was absent.

No. 19.

Civil Pay Master's Office,
Fort St. George,
11th September 1863.—

Memo.

Mr. J. Barthalameu 4th English Clerk is not entitled to Privilege Leave under Section XVI, XVII and XX Clause 5 in consequence of not having given 11 Months at duty since return from Sick Leave in September 1862. Three years his pay was disallowed from 5th to 19th August 1863.—

(Sd.) W. J. Rayner
Officiating Civil Pay Master

Compd CD

No 27.

Nellore,
Collector's Office,
17th December 1863.

From,

G. W. V. Dykes Esquire,
Collector of Nellore.

To

N. J. Napier Esquire,
Officiating Civil Pay Master
Fort St George.

Sir,

Adverting to your Memo. No 19 dated 11th September last appended to the Salary Bill of this Collectorate for the Month of August 1863, which I signed by an oversight was not rectified by me at the time, I have the honor to request that you will be good enough to inform me whether the Salary of Mr Bartholomew, Asst

English

English Clerk of this Kacheri, cannot consider any circumstances, be pleaded by him.—

2.— The leave when applied for ought to have been refused in this Office, but having been applied for by Mr. Barthalomew and accorded by myself under the full impression that he was fully entitled to the leave, perhaps places the Case in an exceptional light.—

3. Mr. Barthalomew's pay is small, and the disallowment of pay for 15 days out of 35 Rupees a Month is a serious hardship.— And under these circumstances, I beg you will be good enough to take the matter into your Consideration and inform me further whether the orders of the Government of India of the 20th June 1856, No. 2941 as regards privilege leave by instalments, could not be held to apply in this Case.—

4.— There was but 20 days to pass over before the 11 months from date of Mr. Barthalomew's return to duty in September 1862 from sick leave would have elapsed,— in other words, had he taken his privilege leave from the 25th instead of the 5th August 1863, he would have been entitled to it and his salary allowed.— The leave in 1862 was moreover sick leave with

with forfeiture of half pay.—

I have &c.

(Sigd) J. W. B. Clyster

Collector

Revenue Dept.

No. 1646.

Port Louis 20.

Civil Paymaster's Office.

22d December 1843.

Official Memorandum.

Your letter dated 17th Inst. No. 99.

Mr. Bartholomew's salary cannot be passed to him.— Before Pension can be claimed for less than a Month or obtained, 11 Months service after return from last Leave must be Completed.— This Officer has no discretionary powers in such cases.

Rules.—

(Sigd) W. Donald

Chief Assistant in charge of

Civil Paymaster's Office.—

No.

J. W. B. Clyster Esquire,

Collector of Nelson.—

(True Copies)

J. Vaughan

Collector

me Leave in August 1763.—

I have the honour to be
Sir,

Your most Obedient Servt

[illegible]
Collector

Rec. a Letter from the Collector of
Antigua & the Light Vessel
Pennsylvania - Forwarded
with Copies of January 1764 Nos. 3.

Rec'd 29th Feb.

Copies of Correspondence
Passing between Lt. Bullkeley
an English Officer in the Illustrious Ship
Fort Royal Bay

1763-1764

Rev: 1864 - Jan^y to Febr^y, 1864
Prov: of Gov^t Nº 296.

From, The Collector of Kellore
To, The Chief Secretary to Government Fort St George

Dated 25th January
Dupp 28th Do } 1864.
Recd 1st Feby.

No 2
(One: one)

~~No~~ Nº 245 9th Feby

Forwarding certain correspondence in connexion with the pay of Mr Bartholomew, an English Clerk in the Collector's Office, for August last & requesting that under the circumstances stated Mr Bartholomew's pay may be passed to him for the period he was absent on leave in the said month.

Nº 163 & 164.

245 Nº 245

The Govt regret that they are unable to comply with the request made in this letter.

Fort St George
9th Feby 1864

To The Collector of Kellore, Dupp 9 Feby.
1 copy
3 — Civil Payment Letter, Dupp 11 Feby