M.R.O. 14—18,000—27-6-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2712 Press ~~Mis.~~

183.184

Dated 8 — 10 — 1866.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 8th October 1866.

No. 183. Read the following letter from the Accountant General, Madras, to the Secretary to Government, Revenue Department, dated Fort Saint George, 11th September 1866, No. 201 :—

1. In submitting an appeal from Mr. Hughesdon, Assistant Collector in South Arcot, it is necessary to lay down the issues a little more plainly than he has done: A. is transferred from M. District to N. District permanently, and without promotion; but after the above order, and before he has yet joined N. he is nominated to act in N. for a superior officer; is he entitled to draw acting allowance from the date of taking charge of the said superior office (1) if the said superior office be vacant when the Order to officiate is published, (2) if it only become vacant at a later date? Mr. Hughesdon maintains that an officer is transferred to act if he be appointed to act before actually joining, and therefore is entitled to acting allowance from the first; I maintain that his transfer is complete from the publication of the Order of transfer, and that therefore he must serve a month without drawing acting allowances.

2. Mr. Hughesdon, Assistant Collector, was, under Orders of 18th of May, transferred in the same capacity to South Arcot, was due at his new station on 10th June, and really arrived there on 4th June; but leave being granted, under Orders 1st June, to Mr. Whiteside, Mr. Hughesdon was at the same time, *i. e.*, on 1st June, appointed to act for Mr. Irvine, Mr. Whiteside's substitute, and took charge of the higher office on 13th June. From the date of his making over charge at Salem, his pay was charged to his new District, and he was borne on its establishment. I therefore maintain that all new orders contemplate him as a member of the District Establishment, that therefore the allowances claimable under them are regulated as though he had already joined, and therefore require a service of a month before any acting allowance is claimable. And I further contend, in such a case as Mr. Hughesdon's, that the order to act takes effect only from the date on which the appointment is available, *i. e.*, from the time of Mr. Whiteside's taking leave, not from the date of its being granted.

3. I have said that Mr. Hughesdon came on the establishment of his new District from the date of his making over charge; to prevent any misapprehension, I may note that he actually did leave his Salem duties on 30th May, but of course he should have given over charge on receipt of the transfer order, and from that date his legal joining time should be calculated. This question is not, however, raised in the present instance, for Mr. Hughesdon was actually, as well as legally, not employed at Salem when the order to act was issued.

4. The Collector's letter and enclosures are forwarded in original.

No. 184. ORDER THEREON, 8th October 1866, No. 2,712.

Miscellaneous.

The Governor in Council is of opinion that Mr. Hughesdon became Assistant and Acting Head Assistant Collector of South Arcot on the dates on which he actually assumed charge of those offices, and his allowances should be regulated accordingly. He must serve one month from the date on which he assumed charge of the Head Assistant's Office before he can draw the acting allowance.

(True Extract.)

(Signed) J. D. SIM,

Secretary to Government.

To the Accountant General.
,, the Board of Revenue.

Lnd. S. T. Augustin.

No. 201.

Fort Saint George,
Accountant General's Office,
11th September 1836.

FROM

THE ~~DEPUTY~~ ACCOUNTANT GENERAL, MADRAS.

To

THE Secretary to Government Revenue Department
Madras.

SIR,

~~With reference to your~~ No. ~~dated~~

In submitting an appeal from Mr. Hughesdon Assistant Collector in South Arcot, it is necessary to lay down the issues a little more plainly than he has done: A is transferred from M. district to N district permanently, and without promotion, but after the above order, and before he has yet joined N, he is nominated to act in N for a superior officer; is he entitled to draw acting allowance from the date of taking charge of the said superior office (1) if the said superior office be vacant when the order is published, (2) if it only become vacant at a future date? Mr. Hughesdon maintains that an officer is transferred to act if he be appointed to act before actually joining, and therefore is entitled to acting allowance from the first. I maintain that his transfer is complete from the publication of the order of transfer, that therefore he must serve a month without drawing acting allowances.

Mr. Hughesdon Assistant Collector was under orders of 18th of may transferred in the same capacity to South Arcot, due at his new station on 10th June, & really arrived there on 4th June; but leave being granted, under orders 1st June, to Mr. Whiteside, Mr. Hughesdon was at the same time on 1st June appointed to act for Mr. Traine, Mr. Whiteside subsisting and took charge of the office on 13th June. From the date of his making over charge at salem, his pay was charged to his new district and he was borne on its establishment. I therefore maintain that all new orders contemplate him as a member of the district establishment, that therefore the allowances claimable under them are regulated as though he had already joined, and therefore require a service of a month before any acting allowance is claimable. And I further contend, in such a case as Mr. Hughesdon's, that the order to act takes effect

Rev. Department.
Proc. of Govt. for October
ACCOUNTANT GENERAL'S OFFICE, MADRAS

No. 207.

From — Nr. 3094.

ACTING DEPUTY ACCOUNTANT GENERAL

To

The Secy. to Govt.
Revenue Dept.

Dated. 11th } September 1866.
Recd. 13th }
Ansd. } (No. of answer.)

81 Do

(Subject.)

Nr. 2712. 8th Octr.

Submits on appeal from Mr Hugheson Asst. Collr. of South Arcot on his claim to Detention allowance while acting as Head Asst. Collr of that District and his remarks thereon.—

It will be for the Govt to decide whether Mr Hugheson should be allowed acting allowance from the date on which the appointment is an improvement from the time of Mr. Whitehead's taking leave, not from the date of his relieving Mr Swaney, note that he actually did leave his station on 30th May, but of course he should have given over charge on receipt of the transfer order, and from that date his legal joining time should be calculated. This question is not however raised in the present instance for Mr Hugheson was actually as well as legally, not employed at Salem when the order to act was issued.

The Collector's letter and enclosures are forwarded in original.—

Nr. 2712.

The question is whether Mr Hugheson became Asst. Collr and acting Head Asst. Collr of S. Arcot on the dates on which he actually assumed charge of those offices & his allowances should be regulated accordingly — He must serve out his time from the date on which he assumed charge of that district I presume

8th Oct. 66.

Extd.
Accountant Genl.

Examined & Recorded in Govt Order No 1823 & 1824 Dated 25th Oct 1866