

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	643	Press Mis.
48-49. Dated 5-5-1870 19		

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
5th May 1870.*

No. 48. Read the following letter from the Accountant-General, Madras, to the Secretary to Government, Revenue Department, dated Fort Saint George, 24th February 1870, No. 367 :—

I HAVE the honour to submit, for the consideration and orders of Government, a letter, dated the 19th instant, from Mr. Reade, the Collector of South Arcot, appealing from a retrenchment directed against his salary by the Audit Department on account of his having overstayed his leave from 25th December to 2nd January last.

2. On the 16th November Mr. Reade obtained one month's privilege leave, and having availed himself thereof on the 25th idem, he should have rejoined his appointment on the 25th December. No officer was appointed to act for Mr. Reade, but Mr. Roberts, the Sub-Collector, being the senior officer, took charge of the district, and was permitted by this Office to draw the usual deputation allowance under G. O., No. 1,835, dated 6th October 1864. Deputation allowance was also passed to Mr. Lister, the next senior officer, who was in charge of the sub-division.

3. On the 18th December I received the following telegram from Mr. Reade :—
" Roberts foregoes deputation. Lister acting for Roberts refuses. Does this refusal compel my rejoining immediately." As Mr. Lister's deputation allowance formed an extra charge against the State, I was of opinion that, under the spirit of the letter from the Financial Secretary to the Government of India, dated 7th January 1869, Mr. Reade could not take advantage of the Christmas Holidays, and that he ought to rejoin on the expiration of his leave, notwithstanding no acting officer or substitute had been formally appointed. I accordingly telegraphed to him that he must rejoin immediately.

4. Two or three days subsequently Mr. Reade again addressed me privately, either by a telegram or a note I cannot now remember which, informing me that Mr. Lister had also consented to waive his claim to the deputation allowance, and repeating his inquiry whether, under these circumstances, he ought to rejoin immediately. To this inquiry I replied in the note, copy of which is annexed, for although it is a private letter, it is necessary that it should be laid before Government in justice to Mr. Reade, who states that it was on the strength of the opinion expressed by me in that letter, that he was induced to remain on the Hills until the expiration of the Christmas Holidays.

5. On the 3rd of January Mr. Reade resumed charge of his district, and on his Salary Bill for that month being submitted for audit, a retrenchment was directed by the Deputy Accountant-General to be made against Mr. Reade's salary from 25th December to 2nd January, and instructions were simultaneously issued to Messrs. Roberts and Lister, informing them that they were at liberty to draw the deputation allowance for that period. Mr. Reade was further informed, that as he had overstayed his leave by more than one week, he had forfeited his appointment under the Rules, and would require to be re-nominated thereto. The letter from Mr. Reade now submitted is his reply to the Retrenchment Order.

6. I beg to state that I still adhere to the opinion which I expressed in my letter to Mr. Reade on this subject. It appears to me that, in the Order of 7th January 1869, the Government of India, when limiting the indulgence therein conferred to those officers, for whom no substitute or acting officer was appointed,

*Proceedings of the Madras Government, Revenue Department,
5th May 1870.*

could have had no other object in view beyond that of protecting the Government from any additional expense in consequence of that concession. I consider also that as Messrs. Roberts and Lister were not formally appointed by Government to officiate, it was quite competent to them to forego their claim to the deputation allowance; and that having done so, they removed the only bar which had previously existed against Mr. Reade's availing himself of the indulgence conceded in the Government of India Order above referred to.

7. The case is, however, altogether a peculiar one, for the decision of which there is no precedent to guide us; and as there is a difference of opinion between the Deputy Accountant-General and myself on the subject, I have thought it right to submit it for the consideration of Government.

8. I beg, in conclusion, to remark that I should not have ventured to offer an opinion, and especially in a private note, on so doubtful a point without a previous reference to Government, had the time admitted of my making one. But the Christmas Holidays had then commenced, and as Mr. Reade's leave was on the point of expiring, no time was to be lost. In offering my opinion, however, it will be observed that I expressly informed Mr. Reade that the case was one open to doubt, and might have to be referred to Government for orders. Mr. Reade having notwithstanding decided to act on that opinion, must now be prepared to accept the consequences should the Government pronounce it to be erroneous.

No. 49.

ORDER THEREON, 5th May 1870, No. 643. -

Miscellaneous.

THE Right Honourable the
Governor in Council concurs with the
Accountant-General in considering that

as no extra expense will be entailed on the State owing to Messrs. Roberts and Lister having voluntarily waived their right to deputation allowances, Mr. Reade may be allowed the benefit of the privilege conceded in the Resolution of the Government of India, under date 7th of January 1869, of rejoining his appointment on the forenoon of the first working day after the expiration of the Christmas Holidays.

2. The Government, however, must remark that the arrangement entered into by Mr. Reade with his subordinate officers, under which they forfeited their acting allowances in order to enable him to add the Christmas Holidays to his leave, was unusual, and is open to obvious objection.

(True Extract.)

(Signed) R. A. DALYELL,
Acting Secretary to Government.

To the Accountant-General.
„ the Board of Revenue.
„ C. W. Reade, Esq.

Exd. F. R. Bantleman.

Proceedings of the Madras Government
Under date the 10th

Read the following letter
from the Acct General
(H.B. 24 Feb 1870, 1867)

The M Amble the
Gov in Council
concurs with the
Acct General in
considering that [in
as much as no Officer
was formally appoint-
ed to officiate for
Mr. Reade, during his
absence on his private
leave, he was entitled,
under the Resolution
of the Govt of India
under date 7th of

I should not say
this - I would put
it plainly thus -
"That as no extra
expense will be
entailed on the
State owing to the
Baker & Co. ten being
voluntarily waived
their right to the extra
allowances, Mr. Reade
may be allowed the
benefit of the privilege
conceded in the Resolution
he has so formally

Subt. of 1870 341015.

REVENUE.

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THE ACCOUNTANT-GENERAL,

Secy, Secy, Secy

Dated May, 5th.

Recd.

G. O., 5th May 1870, No. 643.

MAY.

Nos. 48-49.

Mr. Reade, Collector of South Arcot.
Passing orders on the subject of his overruling
his privilege leave.

Plante has been
expending his time
after the expiration
of his leave -

Ch.

Revenue Department
No. 643

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 5th May 1870

Read the following letter from the
Accountant General
(H.E. 24 Febry 1870, No 367)

The Right Honble the
Governor in Council concurs
with the Accountant General
in considering that, as no
extra expense will be entailed
on the State owing to Messrs.
Roberts and Lister having
voluntarily waived their
right to deputation allowance,
Mr. Reade may be allowed
the benefit of the privilege
conceded

N
M.M.C
B.D.
L.D.

conceded in the Resolution
of the Govt of India under
date 7th of January 1869, ^{of} ~~in~~
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the forenoon of the first
working day after the
expiration of the Christ-
mas holidays.

2. The Govt, however (re- must remark
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Reade) that the arrangement
entered into by him with
his subordinate officers under
which they forfeited their
acting allowances in order
to enable him to add the
Christmas holidays to his leave,
was

Mr Reade

and ~~decidedly~~ objectionable and
should not be repeated.

6 To the Secy. to the Govt. of India
11 To the Secy. to the Govt. of India
14 To the Secy. to the Govt. of India

4th
4

W. H. Ball

From the Rock & Sand
May 1840 Chas. 1340

Mr. P. R. R. R.
P. R. R. R. R. R.
P. R. R. R. R. R.
P. R. R. R. R. R.
P. R. R. R. R. R.

Chas. 1340