M.R.O. 14–5,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1802 Press ~~Mis.~~

87-89

Dated 6 — 8 — 1867.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
6th August 1867.

Read the following papers :—

No. 87. From the Collector of South Arcot, to the Secretary to Government, Revenue Department, Fort Saint George, dated Cuddalore, 25th May 1867, No. 30.

I have the honor to submit, for the orders of Government, copy of a letter to my address from Stree Baliah, at present Tahsildar of Villapooram, appealing from a retrenchment by the Accountant General for the period he was lately absent on privilege leave, when Acting Treasury Deputy Collector in the Kistna District.

From C. STREE BALIAH, Tahsildar of Villapooram, South Arcot District, to the Collector of South Arcot, dated Vicravundy, 24th May 1867.

1. I beg respectfully to enclose an original final adjustment order of the Accountant General, dated 21st instant, objecting to Rupees 250, being moiety of my pay as Acting Deputy Collector, Kistna, for February and March 1867.

2. Two months' privilege leave was granted to me in the "Fort Saint George Gazette" of the 1st February 1867, the Examiner of Claims having certified that I was entitled to the same, and I availed myself of it on the 5th idem.

3. As you may have observed in the Government Order, dated 19th March last, I got the unexpired portion of my leave cancelled, and joined the Villapooram talook on the 1st April last. Agreeably to your order of the 3rd idem, I entered on my duties on the 5th following.

4. Deducting out of the two months' leave the period required for my joining the South Arcot District, viz., five days in February 1867 and nineteen days towards the end of March, making in all twenty-four days, you will be pleased to find that I was actually on leave only one month and eight days, *i. e.*, twenty-three days in February, and twelve days in March 1867.

5. I beg also to submit that moiety of my pay (Rupees 125) as Acting Deputy Collector of Kistna was available to me, and not drawn by any one, as Mr. Marjoribanks, Salt Deputy Collector, was put in charge of the treasury. I therefore beg you will be pleased to obtain, if necessary, the sanction of Government for passing the Rupees 250 objected to, and also my pay as Acting Deputy Collector for four days in April (Rupees 16-10-8), as there is reason to believe that the Accountant General will raise similar objections to that item when the bill comes before him for audit.

6. You will thus be pleased to observe that, on the whole, I have not drawn more than my substantial pay as Tahsildar, and I beg to add further, for your information, that when I expressed* to Mr. Secretary Hudleston my anticipations that the Accountant General might object to pass my full pay during leave, I was given to understand that it would be passed in that case and paid out of savings.

* On the 5th February 1867.

Referred to the Examiner of Claims for report.

(Signed) W. HUDLESTON,
Secretary to Government.

27th May 1867.

1. Transferred to the Deputy Accountant General.
2. This is an appeal against a retrenchment issued by him.

(Signed) W. DONALD.
Examiner of Claims.

No. 88. Official Memorandum from the Acting Accountant General, to the Secretary to Government, Revenue Department, dated Fort Saint George, 24th July 1867, No. 135.

1. The undersigned has the honor to report that Stree Baliah cannot draw any portion of his acting allowance during absence on privilege leave, nor can he for that period be allowed the full salary of his permanent appointment, as the man

who acted for him drew a moiety of the same, and Government cannot be put to any extra expense on account of the absence on privilege leave of an Uncovenanted Servant. Accordingly, from 1st February to 19th March 1867, (date of the cancelment of his privilege leave,) Stree Baliah is entitled to only Rupees 125 a month, a moiety of the pay of his permanent post.

2. From the 20th March he is entitled to joining time, not from Nellore, but from Madras, (where it is understood he was when he received the G. O. dated 19th March 1867, No. 658, Revenue Department,) to Villapooram. This, according to distance, amounts to fifteen days, or till 4th April, forenoon, and for that period, as it was time spent on duty, Stree Baliah is entitled to the full salary of his permanent appointment (which he has drawn) notwithstanding that for the same period his substitute drew a moiety of his pay. Stree Baliah, however, did not join till 5th April, forenoon, so that he is not entitled to any pay whatever for the 4th idem.

3. Even though Stree Baliah had been entitled to joining time from Nellore, the result would have been merely to relieve him from the loss of the one day's pay. He considers that he could be allowed to take (as he actually did) a portion of his joining time (which he erroneously estimates at twenty-four days,) before his privilege leave, and the remainder thereafter, and to reckon the latter portion backwards to its full extent from date of joining, the effect of which would be to convert a portion of his availed of privilege leave into joining time. This idea is entirely erroneous, as, in the opinion of the undersigned, an Officer cannot divide his joining time (far less his seven days preparation, as Stree Baliah has done,) into two parts, one before his privilege leave, and the other at its expiry. This point, however, can arise only in a case like the present, when a portion of privilege leave is cancelled, because when an officer avails himself of all the leave granted, and joins within that period, *plus* his joining time, no question could be asked. The view held by this Office is that the Officer must take either his privilege leave or his joining time to the full before he takes the other, and must report accordingly to this Office. It is, therefore, held that Stree Baliah was on privilege leave from 1st February to 19th March, date of cancelment by Government of the remainder of his leave, and on joining time from 20th idem, as this saves him from four days additional loss of pay. His allowance will be adjusted in terms of this opinion.

(Signed) W. J. RAYNOR,
Acting Accountant General.

No. 89. ORDER THEREON, 6th August 1867, No. 1,802.

Miscellaneous.

Ordered that the report of the Acting Accountant General be communicated to the Collector of South Arcot.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Collector of South Arcot.
,, the Accountant General.

Exd. S. T. Augustin.

Ord. 1802.

Ordered that the Report of the Acting Accountant General be communicated to the Collr. of S. Arcot

6th Augt. 1867.

1 Copy to the Collr. of South Arcot Dispatch 7th
6 Copies — Acct. Genl.

50

Pro. 19: March/67 No 315-8

Rev: Department 1867
Proof Court: Nov. Acct.
No. 1980.
From
The Ag Acctt. General
To
The Secretary to Govt.
Revenue Deptt.

Dated 24th July 1867
Rec'd 25th July 1867
Subject:- Favourable recommendation of Collector
No of Accts.

Reporting upon the case of Shew Balak late Ag. by Collector in reference to the retrenchment ifamed against him by the Audit Department.
No 1802-6 Acct

No 87 & 89