M.R.O. 1—89,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2332 Press Mis.—

83-84
Dated 7 — 9 — 19 1868

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 7th September 1868.

No. 83. Read the following Proceedings of the Board of Revenue, dated 27th August 1868 :—

Read the following Memorandum from the Examiner of Claims, to the Acting Secretary to the Board of Revenue, dated 22nd August 1868, No. 109.

Bill returned as no salary is, under the rules, admissible to Mr. Kelly for the period during which he was suspended, consequent upon his applying for the benefit of the Act. It is observed that the Order of Government, dated 18th August 1868, No. 2,204, quoted in support of the claim merely allows Mr. Kelly to resume his duties in the Board's Office.

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1. Submitted to Government with the request that they will delegate to the Board, under the terms of Rule II. of the rules of Government of India, Financial Department, 26th September 1865, No. 2,528, the authority to decide as to the allowance to be drawn for the period during which Mr. Kelly was under suspension.

2. No additional expense is involved.

No. 84. ORDER THEREON, 7th September 1868, No. 2,332.

Miscellaneous.

1. The rules of the Government of India of 26th September 1865, No. 2,528, quoted by the Board of Revenue, apply only to cases of suspension where it has been necessary to investigate the personal conduct of the Officer suspended, and whom the authorities have ultimately to acquit fully, or partially, or to censure or admonish.

2. In the case of Mr. Kelly, referred to by the Board, the inquiry was as respects the amount and character of his private debts. This inquiry was quite irrespective of any order issuing from Mr. Kelly's official superiors, having been conducted in a Civil Court, and was wholly beyond any control which the Government might desire to exercise.

3. To such a case it does not appear to the Government, therefore, that the rules of 26th September 1865 are applicable; and they regret that they do not feel themselves at liberty to delegate the power solicited by the Board.

(True Extract.)

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

To the Board of Revenue.
,, the Accountant General.
,, the Examiner of Claims.
,, the Financial Department.

Exd. F. R. Bantleman.

REVENUE DEPARTMENT.

No. 2798

~~From~~ Proceedings of the Board of Revenue

Dated 27th August 1868.

FOR ORDERS.

According to my reading of the Rules framed by the Supreme Govt on 26 Febry 1865, No 2528, they have application only to cases of suspension where there has been necessary to investigate the conduct of the officer suspended, & whom the authorities have ultimately to acquit fully, or partially, or censure or admonish. —

In the case of Mr Kelly now under notice the Enquiry was as respects the amount & character of Mr Kelly's private debts. The Enquiry was quite irrespective of any order issuing from Mr. Kelly's official superiors, having been conducted as a Court Court by the Justices Butterworth, Lisbally, beyond any control of the Govt might deem advisable. —

In such a case it does not appear to me that the Rule quoted by the R. Board is applicable and I would express the regret of Govt that they should feel themselves at liberty to delegate the power solicited.

29 aug 68

Js

Rev.e Depart.t

No 2332

Proceedings of the Madras Government
Under date the 7th September 1868.
Read the following Rep.
of the Board of Revenue

Requesting Govt to delegate to Bd authority to decide as to the allowance to be drawn for the period during which Kelly was under suspension	H. Co. 27th Aug.t 1868

The Rules of the Govt of India of 26 Sept. 1865 No 2520 quoted by the Board of Revenue, apply only to cases of suspension where it has been necessary to investigate the personal conduct of the Officer suspended, and when the Authorities have ultimately to acquit fully, or partially, or to censure or admonish.

2 In the case
of Mr Kelly referred to
by the Board, the enquiry
was as respects the
amount and character
of his private debts.
This enquiry was quite
irrespective of any
order issuing from Mr
Kelly's official superiors,
having been conducted
in a Civil Court, and
was wholly beyond any
control which the Govt
might desire to exercise

3. In such a case
it does not appear to the
Govt that the Rules of
26 Sept 1865 are ap-
plicable, and they
regret that they do not
feel themselves at liberty
to delegate the power solicited
by the Board.

16 Chas Forbes Esq Revenue Dept
6 — Audit Genl
3 — Examiner of Claims
5 — Finl Dept

4/6

Revenue 1868 Deptt
Pro of Govt for Septr

No 2332

Pro of the Madras Govt
D/7 September 1868

Forwd By/Rec 21 October/68
No 3352.

No 83184

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