M.R.O. 1—39,000—16-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2332 Press ~~Mis.~~

83-86
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 Supr. Govt on 26 Febry 1865, No 2528, they have application only to cases of suspension where it has been necessary to investigate the conduct of the officer suspended, & whose 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 & heads 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 Mr Justice Bullen Smith, & totally beyond any control of the Govt except decree to dismissal. —

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

29 aug 68

Jno E

Rev.e Depositions

W. 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 Krs Kelly was under suspension. } M. Co. 27th Aug 1/68

The Rules of the Govt of India of 25 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 Offcrs suspended, and when the Authorities have ultimately to acquit fully, or partially, or 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 applicable; and they regret that they do not feel themselves at liberty to delegate the power solicited by the Board.

11 Copies to the Ch Rev Dept
6 — Chief Guard
3 — Examiners of Claims
5 — Final Dept

45/6

Sent

To the

to be communi

the other Depts of

Treasury Board

710

Revenue 1868 Deptt
Proc of Govt for Septr

N: 2332

Proc of the Madras Govt
D/7 September 1868

Tomn Bx/Nun 21 October/68
Cx No 3352.

Rc: 83484