

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No.	1627	Press Nis.
<i>258-61</i> Dated	25-10-1870.	

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Revenue Department,
25th October 1870.*

Read the following papers :—

No. 258. Read the following letter from the Acting Collector of Coimbatore, to the Acting Secretary to Government, Revenue Department, Fort Saint George, dated Coimbatore, 31st August 1870, No. 48.

WITH reference to the Proceedings of Government, under date 29th August 1870, No. 129, I have the honour to transmit a letter from Mr. Winscom, the Deputy-Collector in charge of the Treasury, requesting that his application for privilege leave may, for reasons therein stated, receive the further consideration of Government, and I trust that his claims to a brief relaxation from business may be favourably viewed. I may add that I shall be able to provide for Mr. Winscom's duties being conducted without any extra expense to the State.

ENCLOSURE No. 1.

From the Deputy-Collector in charge of Treasury, Coimbatore, to the Acting Collector of Coimbatore, dated 31st August 1870, No. 373.

I HAVE the honour to acknowledge the receipt of a copy of Government Proceedings, forwarding the remarks of the Examiner of Claims on my application for privilege leave, which was forwarded to you for my information.

2. I have no knowledge of the authority by which the Examiner of Claims excepts the post of Collector of Income-tax from the rules referring to other Government servants; the Act itself was not a temporary one, but like all others could only be repealed by the passing of another Act; and when the Government did me the honour of appointing me to administer the Act in Madras, there was no time specified for its termination, nor had I any reason to suppose that I was not entitled to the same privileges as others; and I find, on referring to the Circular Orders of the Board of Revenue, (Dalyell's Edition, page 409) Collectors of Income-tax specially mentioned among the servants entitled to pension.

3. Without, however, contesting the superior knowledge of the Examiner of Claims on the point, I beg to rest my application on the abstract justice of my case. I have been for three years and five months constantly at business, and during that time I have had the difficult task of carrying out three different and entirely new Acts—a work of far more than ordinary difficulty; and as the Supreme Government have notified that the object of privilege leave is to maintain the health and efficiency of their officers, to whom some interval of rest is occasionally an undoubted necessity, I think I may fairly ask the indulgence of the Government in the present case, even though my application may not come under the strict letter of the existing rules.

FORWARDED to the Accountant-General for report. Mr. Lushington is requested to quote any orders issued by the Government of India regarding service in connection with the License and Certificate taxes and the Income-tax.

OOTACAMUND,
2nd September 1870.

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

No. 259. From the Accountant-General, Madras, to the Acting Secretary to Government, Revenue Department, Fort Saint George, dated 7th September 1870, No. 1,076.

WITH reference to the endorsement of the Acting Secretary to Government, in the Revenue Department, dated 2nd instant, on the application of Mr. Winscom, Deputy-Collector of Coimbatore, for privilege leave, the undersigned has the honour

*Proceedings of the Madras Government, Revenue Department,
25th October 1870.*

to state that the appointment of Collector of Income-tax at Madras has always been considered by this department to be one of a temporary and not of a permanent nature, and it has been expressly declared both by the Government of India in its Resolution in the Financial Department, No. 3,807, dated 14th August 1863, and subsequently by the Secretary of State in his despatch, No. 70, dated 21st November 1866, published in the Proceedings of the Government of India of the 31st January 1867, that persons on temporary establishments are paid only for work done, and that they have no claim to benefit by the Absentee Rules, which are part of the conditions of permanent service. Unless, therefore, it be decided by Government that the appointment held by Mr. Winscom in the Income-tax Office was a permanent one, carrying with it a title both to pension and to the benefits of the Absentee Rules, the undersigned begs to submit that his present claim to privilege leave cannot be admitted.

(Signed) F. LUSHINGTON,
Accountant-General.

No. 260. From the Accountant-General, Madras, to the Acting Secretary to Government, Revenue Department, Fort Saint George, dated 15th September 1870, No. 1,104.

THE undersigned has the honour to report, with reference to the memorandum from the Acting Secretary to Government, dated the 12th instant, that no orders of the Government of India to the effect mentioned have been received in this Office, but that information has been obtained demi-officially that the opinion expressed in this Office report of the 7th instant, No. 1,076, is in accordance with the practice in Bengal.

(Signed) F. LUSHINGTON,
Accountant General.

No. 261. ORDER THEREON, 25th October 1870, No. 1,627.

Miscellaneous.

RESOLVED that Mr. Winscom be informed that his application to count as service for leave and pension the period during which he was employed in connection with the License, Certificate, and Income taxes has been referred to the Government of India.

(True Extract.)

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

To the Collector of Coimbatore.
„ the Board of Revenue.
„ the Accountant-General

Exd. F. R. Bartleman.

Pro 3 Jan'y/81 - 7-0
 - 22 Feb'y/81 - 158-57-3
 - 15 March/81 - 246-47-23
 - 25 Aug 81/80 - 129 Rho.
 - 17 Sept/89 - 27 Rho.
 - 26 Sept/80 - 36-39 Rho. 241.

Dec 1870 Departe
 Time A. 2 11/1 ③
 The Assistant G.
 to the Secretary to Govt
 Rev Dept

15-3 September
 No 1104

Reports with
 ref. to memo. of the
 1st Instant, that the
 opinion expressed in
 his report of the 7th Inst
 No 1076 was in accordance
 with the practice in
 Bengal & that he has
 obtained information
 to that effect from the
 15/11/87. 25 Oct 1870.

Colt. of 18703

REVENUE.

THE COLLECTOR OF COMBATORE

cc, cc, cc.

Dated October, 25th.

Recd.

Encl.

G. O., 25th October 1870, No. 1,627.

OCTOBER.

Nos. 258-261.

Mr. Wenscom, Deputy-Collector of Com-
 batore, informed that his application to count as
 service for leave and pension the period during
 which he was employed in connection with the
 Income, etc., taxes has been referred to the Govern-
 ment of India.

No 2653, 2742 & 2014.

No. 1627.

25th Oct 1970

Resolved that Mr.
Wiss can be informed
that his application
to count as service
for leave and pension
the period during which
he was employed in
connection with the
Licence, Certificate & Home
Dance has been refused
to the post of India

18th 1970 Coling Comblatona Dec 1970
14th 1970 Bo Rend V
6th 1970 A. K. S. S. S.

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