1414

Proceedings of the Madras Government, Revenue Department,

11th October 1872.

No. 95. From the Officiating Under-Secretary to the Government of India, Financial Department, to the Chief Secretary to the Government of Madras, dated Simla, 30th September 1872, No. 3,219.

With reference to the orders of the Government of Madras No. 1,026, dated 2nd July 1872, I am directed to request that, with the permission of His Excellency the Governor in Council, you will be good enough to explain more fully the reasons for holding that Chapter VII. of the Civil Pension Code does not apply to the case of Mr. Lee-Warner, the officer in charge of the Ramnad Zemindari, from whose pay the Accountant-General, Madras, proposed to make the prescribed recovery on the ground that the estate was "attached."

(True Copy.)

(Signed) W. HUDLESTON,
Secretary to Government.

Exd. F. R. Bantleman.

REVENUE DEPARTMENT,
OOTACAMUND,
11*th October* 1872.

No. 1,414.

No. 96.
To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
FINANCIAL DEPARTMENT.

Miscellaneous.

SIR,—In reply to your Officiating Under-Secretary's letter of 30th September 1872, I am directed to state that Chapter 7 of the Civil Pension Code can, in no way, apply to Mr. Lee-Warner's employment in the management of the Ramnad Estate attached for arrears of revenue and managed under the provisions of Madras Act II. of 1864 for the recovery of such arrears, inasmuch as such employment is essentially under Government for State purposes, and is not capable of being termed service transferred to a private employer, or for private interests.

2. The sole object and end of the attachment and management is the recovery of the State dues, and that object being attained, the attachment will be withdrawn, the management relinquished, and the establishment employed by Government for its special purpose will be transferred to other public duties.

3. The Government are liable to account for all the funds realized under attachment, and it would be impossible to justify a charge on account of the reversionary claims to pension of the establishment employed by Government for State purposes.

I have the honour to be,
Sir,
Your most obedient servant,

(Signed) W. HUDLESTON,
Secretary to Government.

Ed. F. R. Bantleman.

№3219

To,
The Chief Secretary to the Government
of Madras —

Financial Deptt. Sir,

With reference to the orders of the Govern-
-ment of Madras №1026, dated 2d July 1872,
I am directed to request that, with the permission
of His Excellency the Governor in Council, you
will be good enough to explain more fully
the reasons for holding that Chapter VII of
the Civil Pension Code does not apply to
the case of Mr. Lee-Warner, the Officer in
charge of the Ramnad Zemindari from whose
pay the Accountant General, Madras, proposes
to make the prescribed recovery on the
ground that the estate was "attached".

I have the honor to be
Sir
Your Most Obedient Servant

Simla
The 30 September
1872

J Peterson

Off. Under Secy to the Govt of India

30/9

Revenue Department
11 Oct. 72.

1414.

Secretary to the Govt of India
Financial Department.

Sir

In reply to your Office
Under Secretary's letter of
30 September 1872, I am
directed to state that Chapter
of the Civil Pension Code can
in no way apply to Mr Lee
Warner's employment in the
management of the Ramna
Estate attached for arrears
of revenue and managed
under the provisions of Bengal
Act 2 of 1864 for the recovery
of such arrears - his remun
eration for such employment is
essentially under Govt for
state purposes - and is
not capable of being termi
service transferred to a
private employer, or for
private

Revenue 1872 Oct 11
No 3205.

From
The Govt of India
Financial Dept

To
The Govt of Bengal
Revl & Agrl Dept

Letter dated 30 Sept
Revl & Agrl No 3219.

Sir - No 1414 - 11 Oct 72.

In reply to your communication as
to the reasons for refusing that
Chapter VII of the Civil Pension Code
does not apply to the case of
Mr Lee Warner, who was engaged
in the management of the
Ramna Estate, I am
Sir
Your Obedient Servant

private interests.

2 The sole object and end of the attachment and management is the recovery of the State dues - and that object being attained, the attachment will be withdrawn - the management relinquished - and the Establishment employed by Govt for its special purpose will be ~~employed on~~ other public duties.

3. The Govt are liable to account for all the funds raised under attachment ~~&c~~ It would be impossible to justify a charge on account of the unreasonable claims to pension of the Establishment employed by Govt for state purposes.

L.B.

25/3

Despd in M.S.
11 Oct. 72.

To
(4 Spol of Thread
Jack Dolph

for Lee Harness Supplying
in the management of the
Ramond Estate

Council

No 95.—96