747

Proceedings of the Madras Government, Revenue Department,
19th July 1873.

No. 156. Read the following Proceedings of the Board of Revenue, dated 21st June 1873, No. 1,079 :—

Read the following letter from H. S. THOMAS, Esq., Collector of South Canara, to J. GROSE, Esq., Secretary to the Board of Revenue, dated Mangalore, 13th June 1873, No. 879 :—

I HAVE the honour to submit, for the information of the Board of Revenue, copy of an Objection Statement of the Deputy-Accountant-General, in which that officer has disallowed the salaries of the temporary establishment of two Clerks lately entertained for my Assistant Mr. Stokes under the authority conveyed in G. O. dated 15th January 1873, No. 52.

2. Mr. Lodwick objects to the charge on the ground that the Assistant Collector must have passed the second or higher standard of examination before he could be entitled to the above establishment under the above-quoted order of Government. I however entertained it under the impression that the words "passed Assistant," employed in the Government Order, were used simply to distinguish an *unpassed* from a *passed* Assistant, and that Government could not have possibly intended to deny the establishment to an Assistant Collector who, though he had not passed by the higher standard, was nevertheless qualified for the charge of a taluq under Board's Standing Order No. 371.

3. In their Proceedings of the 29th October 1872, No. 7,210, with reference to which the above order of Government was passed, the Board, moreover, had expressly stated their opinion that "two Clerks for each Assistant are absolutely necessary after they have obtained 1st (now 2nd) class magisterial powers;" and as the order of Government, sanctioning the above establishment, had originated particularly in a reference made by myself on behalf of Mr. Stokes, I took it for granted that I was at liberty to entertain the above establishment for Mr. Stokes, who, as the Board are aware, has passed* his examination by the lower standard, and has, with their permission, been placed in charge of a taluq (Kasargod) in this district. Had I entertained the slightest doubt in the matter, of course, I should not have entertained the establishment. Now that the Accountant-General has objected, I have discontinued it, but I entertain the hope that, even if the Government meant otherwise, their order will induce them to modify it, so as to allow the establishment to an officer of Mr. Stokes's position. The passing of the higher standard will only entitle Mr. Stokes to higher magisterial powers, which cannot materially increase the work of his establishment, while the revenue and general work that has to be performed is the same. I conceive, moreover, that the employment of a competent staff under an Assistant can only help these officers in more rapidly training themselves for higher functions.

* *Vide* G. O., 4th January 1873, No. 10, Public Department.

4. I beg to point out also that if Mr. Stokes be not allowed an office, he can do very little work, and the whole district will consequently have to be divided between myself and the Head Assistant, who will thus become the only real Assistant in the district.

5. I beg, therefore, to request that this reference may be submitted to Government for their orders, pending which I have, as above stated, discontinued the extra establishment.

ENCLOSURE No. 1.—Copy of Objection Statement.

SUBMITTED for the orders of Government, with the Board's recommendation that all Assistants who have passed the lower standard may be declared competent to entertain the establishment sanctioned in G. O. dated 15th January 1873, No. 52, and that the Accountant-General be authorized to pass the salaries of Clerks already employed by such passed Assistants.

2. The Deputy-Accountant-General refused to pass the salaries of the Clerks evidently with reference to the language used in the Board's Proceedings dated 29th October 1872, No. 7,210, recorded in G. O. dated 22nd November 1872, No. 1,605, in which it was stated that every Assistant, who has obtained 1st-class magisterial powers, should be allowed two Clerks. By "1st-class magisterial powers," however, the Board did not mean the 1st-class powers under the new Criminal Code, but those under the old, which correspond with the 2nd-class powers under the new Code, and which can be exercised by an Assistant who has passed the lower standard.

No. 157. ORDER THEREON, 19th July 1873, No. 747.

Miscellaneous.

THE Governor in Council sanctioned the employment of two Clerks, on salaries of Rs. 40 and Rs. 20, in all districts to which a passed Assistant Collector was attached, in the Proceedings of Government, under date 15th January 1873, No. 52. The Accountant-General has interpreted this order to refer only to Assistants who have passed by the Higher Standard; but as it was intended to include all passed Assistants, whether by the Higher or the Lower Standard, he will now be instructed to withdraw the retrenchment which has been made under a misapprehension of the scope of the order.

(True Extract.)

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

To the Board of Revenue.
,, the Accountant-General.

Exd. F. R. Bantleman.

Revenue Department.

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Proceedings of the Board of Revenue
Dated 21st June 1873
Read the following:

From

H. S. Thomas Esquire
Collector of South Canara

To

J. Grose Esquire
Secretary to the Board of Revenue
Madras.

Sir,

I have the honor to submit for the information of the Board of Revenue, copy of an objection Statement of the Deputy Accountant General, in which that officer has disallowed the salaries of the temporary Establishment of two Clerks lately entertained for my Assistant Mr. Stokes under the authority conveyed in G. O. dated 15th January 1873. No. 52.

2. Mr. Lodwick objects to the charge on the ground that the Assistant Collector must have passed the second or higher Standard of Examination before

Govt. of Madras.

REVENUE.

To

THE BOARD OF REVENUE.

&c., &c., &c.

Dated July 1873.

Read.

G. O., 19th July 1873, No. 747.

JULY.

Nos. 156-157.

Clerks temporarily entertained for the Assistant Collector of South Canara.—Intimating to the Accountant-General that the G. O. of 15th January 1873, No. 52, sanctioning the employment of Clerks in all districts to which a passed Assistant is attached was intended to include all passed Assistants, whether by the Higher or Lower Standard, and requesting him to withdraw the reirenchment against the —.

he could be entitled to the above Establish-
-ment under the above quoted Order of Govern-
-ment. I, however, entertained it under the
impression that the words "passed Assistant"
employed in the Government Order were used
simply to distinguish an unpassed from
a passed Assistant, and that Government
could not have possibly intended to deny
the Establishment to an Assistant Collector
who, though he had not passed by the higher
Standard, was nevertheless qualified for the
charge of a Taluq under Boards' Standing
Order No. 371.

In this Proceedings of the 29th
October 1872 No. 7210, with reference to which
the above order of Government was passed,
the Board moreover, had expressly stated
their opinion that "two clerks for each
Assistant are absolutely necessary after
they have obtained 1st (now 2nd) class ma-
-gisterial powers," and as the Order of
Government sanctioning the above Establish-
-ment had originated particularly in a
reference made by myself on behalf
of Mr Stokes, I took it for granted that
I was at liberty to entertain the above
Establishment for Mr Stokes who, as
the

†Vide G O, 4th January 1873 No. 10. Public Department.

the Board are aware, has passed his
examination by the
Lower Standard
and has, with their
permission, been placed in charge of a
Taluq (Kasargod) in this District. Had
I entertained the slightest doubt in the
matter, of course I should not have enter
-tained the Establishment. Now that the
Accountant General has objected, I
have discontinued it, but I entertain
the hope that even if the Government
meant otherwise, their order will indu
them to modify it so as to allow the
Establishment to an officer of Mr
Stokes' position. The passing of the
higher Standard will only entitle Mr
Stokes to higher Magisterial powers,
which cannot materially increase the
work of his Establishment, while the
Revenue and general work that has
to be performed is the same. I conceive
moreover, that the employment of a com-
-petent Staff under an Assistant can
only help these officers in more rapidly
training themselves for higher functions.

I beg to point out also,
that

that if Mr. Stokes be not allowed an office, he can do very little work, and the whole District will consequently have to be divided between myself and the Head Assistant who will thus become the only passed Assistant in the District.

5 I beg therefore to request that this reference may be submitted to Government for their orders, pending which, I have as above stated, discontinued the Extra Establishment.

I have &c.

South Canara Collector's Office Mangalore 13th June 1873

(Signed) H. L. Thomas
Collector

Submitted for the orders of Government with the Board's recommendation that all Assistants who have passed the lower Standard may be declared competent to entertain the Establishment sanctioned in Government Order dated 15th January 1873 No. 52 and that the Accountant General be authorized to pass the salaries of clerks already employed by such passed Assistants.

The Deputy Accountant General refused

refused to pass the Salaries of the Clerks evidently with reference to the language used in the Board's Proceedings dated 29th October 1872 No. 7210, recorded in Government Order dated 22nd November 1872 No. 1605 in which it was stated that every Assistant who has obtained 1st Class Magisterial powers should be allowed two Clerks. By 1st Class Magisterial powers however the Board did not mean the 1st Class powers under the new criminal code, but those under the old, which corresponds with the Second Class powers under the new Code, and which can be exercised by an Assistant who has passed the Lower Standard.

True Copy Rest

Secretary

To

The Actg. Secretary to Government
Revenue Department

with one original Enclosure below returned.

No 747. 19 July 73

The Govr. in Council sanctioned the employment of two clerks, on salaries of Rs 40 & Rs 20, in all Districts to which a passed Asst Collr. was attached, in the Procgs of Govt under date 15 Jany 1873 No 52. The Acct General has interpreted this order to ~~mean~~ refer only to Assts who have passed, by the higher Standard, but as it was intended to include all passed Assts, whether by the higher or the lower standard, he will now be instructed to withdraw the retrenchment which has been made under a misapprehension of the scope of the order

Revenue 1873 Dept
R. No. 1835
Proceedings of the Board of Revenue

Dated 21st
Despd 21st
Recd 25th } June 1873

Subject

Submitting to Government letter from the Collector of South Canara, forwarding copy of the Dy. Accountant Genl's objection [illegible] the salaries of two clerks temporarily entertained for the [illegible] the Asst Collr of the District, [illegible] the orders of Government [illegible]

G.O. 4 January/73 No 778
15th January/73 No 106-107
22nd November/72 No 107
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