M.R.O. 14–5,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 624. Press ~~Mis.~~

283. 285

Dated 18 — 5 — 1867.

Not to be folded or roughly handled

1164

Read the following letters :—

No. 283. From the Accountant General, to the Chief Secretary to Government, Financial Department, dated Fort Saint George, 29th January 1867, No. 374.

1. I have the honour to acknowledge the receipt of the Order of Government, in the Revenue Department, dated the 15th instant, No. 123, and to state that, in obedience to the instructions contained therein (paragraph 6), all letters, memoranda, and other documents will, in future, be addressed by this Department to the Collector of the district, instead of to the Treasury Officer as heretofore.

2. At the same time I deem it only right to express my fears that the change of system, now ordered, will be the cause of much inconvenience and delay in the preparation of accounts, and in the enforcement of retrenchments, unless very stringent orders are simultaneously issued, through the Revenue Department, reminding Collectors that in all matters of accounts and audit they are subordinate to the Central Office of Account, and are required strictly to conform to all the instructions issued by it, and especially in the matter of retrenchments.

3. In proof that the orders which I now solicit are not uncalled for, I need only refer to the proceedings of the Collector of Kistna, in the very case which elicited the Order of Government under consideration. In that case a formal order of retrenchment against a subordinate Revenue Officer was issued in the usual course by the Audit Department of my Office, with instructions to the Treasury Officer to recover the amount in cash. These instructions were deliberately ignored by the Treasury Officer who, on being called to account, pleaded in excuse of his neglect that he had been required by his Collector to suspend the order of retrenchment, pending the result of a reference which was presently to be made to the Board of Revenue on the subject. Upon this the Deputy Accountant General, in charge of the Audit Department, wrote to the Collector, pointing out the pecuniary responsibility incurred by the Treasury Officer in not recovering the retrenchment as directed by him, and stating, at the same time, that Dharma Row, in his capacity of Treasury Officer, was a ministerial officer of the Account Department, and bound therefore to obey the injunctions issued by the Head Office.

4. In thus addressing the Collector Mr. Taylor may have erred, and it certainly is to be regretted that he did not rather, at that stage of the proceedings, refer the whole matter through me, for the consideration and orders of Government. But a far more serious error, I submit, was committed by the Collector, and to the irregularity of that Officer's procedure is entirely due that conflict of authority which the Government in the foregoing Proceedings so justly condemn. If the Collector had reasonable grounds for questioning the propriety of the retrenchments order, issued by the Deputy Accountant General, it was obviously his duty to address the Accountant General on the subject in the first instance, and, failing to obtain satisfaction from him, then to have sought redress for his subordinate from Government ; but in lieu of adopting this course, the Collector summarily issued instructions to the Treasury Officer, forbidding him to execute the retrenchment, and in acting as he did, I am decidedly of opinion that Mr. Thornhill exercised an autho-

rity which he did not rightfully possess, thus provoking a collision of authority between himself and this office.

5. The main point at issue, therefore, in this case, requiring the consideration of Government was, not whether a Treasury Officer is bound to carry out a retrenchment order, issued by the Audit Office in opposition to the views of his Collector, but whether it is competent to the latter officer summarily to set aside an order issued by the Accountant General in the discharge of the legitimate functions of the office. If this question be decided, as I submit it must be, in the negative, the possibility of any collision between the Collector and Treasury Officer in carrying out the instructions of this department will no longer exist.

6. Under the old system of pre-audit, the authority of this Office to enforce its retrenchments was never called in question, nor is there a single instance on record of a Collector having ever paid to one of his subordinates a sum once disallowed by this Office on audit. No greater hardship is inflicted on the retrenched officer by the temporary suspension of his pay under the present system than under the old, indeed not so much, for now an Officer has usually time between the date of retrenchment and the next issue of pay to make any explanation which he may have to offer in support of the validity of his claim, and, if such explanation be deemed satisfactory, the retrenchment is at once withdrawn.

7. The difficulties experienced under the present system of post-audit in the recovery of retrenchments, and in obtaining due punctuality and correctness in the preparation of the accounts, are already very great, and it has been only by dint of continually and forcibly impressing upon Treasury Officers their personal responsibility on these points, that I have been enabled to prevent the accumulation of heavy arrears. In the Kistna District especially have these difficulties been much enhanced by the unusual action taken by the Collector, as above noticed, and in a Statement of arrears now under preparation, which I have been called upon to furnish to the Supreme Government, I shall be compelled to shew as still outstanding, retrenchments made on the audit of the accounts of that district of very old date, and which were ordered to be recovered in the month following that on which the order of retrenchment was issued.

8. I cannot, therefore, but view with considerable apprehension the present requisition of Government, which will have the effect of completely deranging the existing arrangements, so far as this Office is concerned, and without securing any corresponding benefit, as I believe, either to Government or the Collectors themselves. The mere fact that the Head of the Account Department should be forbidden to communicate directly with the Officers immediately entrusted with the duty of preparing and submitting accounts to his Office, is in itself a manifest anomaly, and one which will naturally lead to serious complication and obstruction of business.

9. I earnestly hope, therefore, that if the Government see no cause for a re-consideration of their order in question, they will at least see the necessity of issuing with it the instructions I have now solicited, in order that my authority as Head of the Account Offices in this Presidency may be upheld.

N. 284. From the Accountant General to the Government of Madras, to the Chief Secretary to Government, dated Fort Saint George, 13th April 1867, No. 22.

Adverting to my letter to your address of the 29th January last, No. 374, I have the honour to submit, for the consideration and orders of Government, six letters* addressed to me by the Collectors of Bellary, North Arcot, Cuddapah, Tanjore, Salem, and Ganjam, complaining of the inconvenience caused by addressing Letters of Credit, Advices, and other documents, requiring immediate attention, to the Collector of the district, instead of to the Treasury Officer as heretofore. Every endeavour has been made by this Office to carry out the instructions of Government with as little inconvenience as possible, and with this object in view, all letter covers despatched from it, containing letters of credit, advices, &c., shew distinctly on the envelope their contents; whether it is advisable in all cases to make known the contents of the envelope, appears to me somewhat doubtful, but in no other way that I am aware of could the wishes of Government be obeyed.

Seven letters.
* To be returned.

No. 285. ORDER THEREON, 18th May 1867, No. 1,124.

Miscellaneous.

1. In their Order of 15th January 1867, No. 123, Revenue Department, paragraph 6, the Government directed that in future "all communications from the Accountant General to the Collectors' Offices should be addressed to the Collectors, who will make such arrangements as are necessary to ensure prompt attention to them." The letters were to be superscribed "Treasury," "Accounts," "Immediate," "Urgent," &c., according to circumstances.

2. In the first letter above recorded, the Accountant General, while stating that the order would be carried out thoroughly, expressed his fears that it would lead to great delay in the preparation of accounts and enforcing of retrenchments, unless stringent orders were issued by Government that in all matters of accounts and audit the Collectors should strictly conform to all instructions issued by the Accountant General, and especially in the matter of retrenchments.

3. Orders on this letter were postponed in anticipation of the submission of some actual instances of inconvenience resulting from the rule laid down by Government, for it was not evident how the fact of letters, being addressed to Collectors rather than their Deputies, should lead to disregard of the instructions contained in them, and the Government are glad to find from the enclosures to Mr. Lushington's second letter, that the only objection raised in them is one which in no way affects the principle for which the Government contend. The letters all complain of the delay involved in addressing to the Collector, who may be at a distance from the Treasury, covers containing advices of Supply Bills, Letters of Credit, and generally instructions to pay money to individuals or departments, and the Government readily relax the rule in regard to such documents, which the Accountant General will in future forward as hitherto direct to the officer in charge of the Treasury.

4. He is at liberty to bring to the notice of Government any other description of written correspondence, which he considers may be so addressed without violating the principle of the Government rule, viz., that wherever there is room for any difference of opinion or exercise of discretion, the decision which is to guide action in the district shall be that of the Collector, and not that of his subordinate, who is not responsible for the Treasury in the sense in which the Collector is so.

5. On the Accountant General's first letter, the Government must, however, remark that the point raised by the Accountant General, as to the attention due to his instruction, is altogether beside the question as to the person to whom those instructions shall be addressed.

6. The Government fully recognise the necessity of upholding the Accountant General's authority to its full legitimate extent, and they are confident that Mr. Lushington will not unduly strain it. They consider that in the instance which he has specially noticed, the Collector was to blame, and set an unfortunate example of disregard of superior authority which is not likely to be without imitators, and they desire that the Board will issue instructions calculated to prevent the recurrence of such unseemly conflict of authority. But at the same time they are unable to see that matters would have been made worse had the Accountant General's instructions been addressed to the Collector.

7. The particular kind of case is, however, one of those which perhaps may, with advantage, be conducted as heretofore, by direct communication with the Treasury Officer, as in fact there is no discretion left in the matter to the officer addressed. The rule must be strictly observed that retrenchments ordered by the Chief Office of Account and Audit must be carried out, unless withdrawn within the interval before the next issue of pay, and Collectors must understand that they have no discretion in the matter.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

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

Exd. S. T. Augustin.

Revenue Department.

No. 1127

Proceedings of the Madras Government under date the 18th May 1867.

Read the following letters from the Accountant General

States that unless very stringent orders are issued to Collectors that in all matters of accounts and audit they are subordinate to the Office of account and are required strictly to conform to all instructions issued by this Office, the change of system now ordered will cause much inconvenience and delay in preparation of accounts &c.

(Here enter 29th Jany/67 No 374)

Begun brings to notice the inconvenience arising from letters of Credit &c being addressed to Collectors instead of to Treasury Officers.—

(Here enter 13th Apl/67 No 22)

In their order of 15th January 1867 No 123, R. D., para 6 the Government directed that in future all communications from the Accountant General to the Collectors' offices should be addressed to the Collectors who will make such arrangements as are necessary to ensure prompt attention

attention to them." The letters were to be superscribed "Treasury", "accounts", "Immediate", "Urgent" &c according to circumstances -

In the first letter above recorded, the Accountant Genl, while stating that the order would be carried out thoroughly, expressed his fears that it would lead to great delay in the preparation of accounts - and enforcing of retrenchments unless stringent orders were issued by Govt that in all matters of accounts and audit the Coll[rs] should strictly conform to all instructions issued by the Govt General and especially in the matter of retrenchments

Orders on this letter were postponed in anticipation of the submission of some actual instances of inconvenience resulting from the rule laid down

Govt for it was not evident how the fact of letters, being addressed to Collectors rather than their Deputies, should lead to disregard of the instructions contained in them and the Govt are glad to find from the enclosures to Mr Cushington's second letter that the only objection raised in them is one which in no way affects the principle for which the Govt contend - The letters all complain of the delay involved in addressing to the Collector who may be at a distance from the Treasury, covers containing advices of Supply bills - Letters of Credit and generally instructions to pay money to individuals or departments - and the Govt readily relax the rule in regard to such documents which

which the Accountant Genl will in future forward as hitherto, direct to the Officer in charge of the Treasury.

He is at liberty to bring to the notice of Govt any other description of written correspondence which he considers may be so addressed without violating the principle of the Govt rule viz: that wherever there is room for any difference of opinion or exercise of discretion - the decision which is to guide action in the district shall be that of the Collr and not that of his subordinate who is not responsible for the Treasury in the sense in which the Collector is so.

On the Accountant General's first letter, the Govt must however remark that the

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the point raised by the Accountant General as to the attention due to his instruction is altogether beside the question as to the person to whom those instructions shall be addressed.

The Govt fully recognise the necessity of upholding the Accountant General's authority to its full legitimate extent. and they are confident that Mr Cushington will not unduly strain it. They consider that in the instances which he has specially noticed, the Collector were to blame and set an unfortunate example of disregard of superior authority which is not likely to be without imitators. and they desire that the Board will issue

instructions

instructions calculated to prevent the recurrence of such unseemly conflict of authority - But at the same time they are unable to see that matters would have been made worse had the Accountant General's instructions been addressed to the Collr.

The particular kind of case is however one of those which perhaps may with advantage be conducted as heretofore by direct communication with the Treasury officer. as in fact there is no discretion left in the matter to the officer addressed. The rule must be strictly observed that retrenchments ordered by the Chief office of account and audit must be carried out - unless with drawn within the interval before the next issue of pay- and Collectors must understand that they have no discretion in the matters.

GB.

6 Copies To Mr Accountt Genl & Secy HW 20th
14 Copies to the Board of Revenue. V

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Sir Thos Munro

Revenue 1867 Septr
Pro of Govt for May.

No 1124.

Pro of the Madras Govt
& 18th May 1867.

Passing orders on
a letter from the
Accountant General
on the subject of
his addressing Collrs
on matters relating
to Treasuries -

Pro No. 246-250
15-1-67
245 & 246
15-11-65

No 283 @ 287.