

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No.	265	Press ~~Mis~~
Dated	10. 5.	1857

B. No. 14-15

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Not to be folded or roughly handled

[Handwritten signature/initials]

*Proceedings of the Madras Government, Financial Department,
from 4th to 10th May 1859.*

Read the following papers :—

No. 14. From Lieutenant GEORGE FINLAY, 12th Regiment N. I.; to the Military Secretary to the Government of Fort Saint George, dated Edinburgh, 17 Northumberland Street, 17th July 1858.

I take the liberty of addressing you, and hope that you will kindly lay my letter before His Lordship the Governor for his favorable consideration. I have received by last mail a copy of an Extract of Retrenchment "amounting to Rupees 1,802-9-4" made by the present Civil Auditor General on account of pay said to have been overdrawn by me when acting for Captain Russell as Assistant Commissioner at Kurnool from June 1853 to July 1854 and for two months in 1855. The reason given for this Retrenchment is that the consolidated pay and allowances of the appointment were only Rupees 500, and that Captain Russell was permitted to draw Rupees 200 extra as a special grant.

In or about the month of June 1853 I was appointed to act for Captain Russell who had obtained sick leave for twenty-one months. I was with my Regiment at the French Rocks at the time, and the expenses of taking my family from thence to Kurnool were about Rupees 400. Upon my arrival there the Commissioner informed me what pay I was to draw, and accordingly I sent in my abstracts monthly according to his instructions. I have not copies of the abstracts here and therefore cannot state the exact sums I drew and their dates, but I know that the amount varied according to circumstances although in the Retrenchment Bill I am stated always to have drawn the same amount of staff pay. The reason for the variation was that from the consolidated pay of the appointment, said to be Rupees 700 per month, Lieutenant Russell's Regimental pay was first deducted, and the remainder then divided between us. At first his Regiment was in a half batta station which made his Regimental pay Rupees 225, leaving Rupees 475 to be divided: afterwards his Regiment moved to a full batta station when his Regimental pay was counted at Rupees 256, leaving Rupees 30 less to be divided, and some time after, my Regiment was ordered from a full batta station to a half batta one, which made my Regimental pay Rupees 225, instead of Rupees 256 as formerly, to be added to my half of the Staff pay. Thus my abstracts were prepared with exactness under the eye, and by the instructions, of the Commissioner, and they were sanctioned by the then Civil Auditor General.

I believe Captain Russell had received an additional Rupees 200 per month because the original pay of the appointment was not considered sufficient, but whatever was the reason for the addition, I was then considered entitled to the half of what he actually received. This having been the arrangement approved of, at the time, by the Commissioner and Civil Auditor General it seems very hard to make any demand for repayment now. When it is taken into account that besides the travelling expenses of taking my family to Kurnool from the French Rocks and returning again to Bangalore, my expenses as Assistant Commissioner were much greater than if I had remained as a Subaltern with my Regiment, my case becomes still harder, and even with the pay I drew, I am sorry to say that on Captain Russell's return I was a poorer man than when I took up the appointment.

It is five years since the matter occurred and I never heard until now that I had drawn more than was proper, I am at present at home with my family on sick certificate and I find my Subaltern's Furlough Pay insufficient to meet the expenses here. For nearly ten years in India I kept from contracting debt, but I am sorry to say that in taking and giving up acting appointments I have since become involved, and now if this Retrenchment is insisted on, I know not where I shall obtain the money.

I therefore beg that His Lordship will kindly give my case his most favorable consideration and if he considers my grounds for appeal good that he will answer it in my favor for which I shall even feel grateful.

Forwarded for the early report of the Civil Auditor.

FORT SAINT GEORGE,
24th March 1859.

(Signed) T. PYCROFT,
Chief Secretary.

Consolidated

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from 4th to 10th May 1859.*

No. 15. From J. L. LUSHINGTON, Esq., Acting Civil Auditor; to T. PYCROFT, Esq.,
Chief Secretary to Government, Fort Saint George, dated 11th April 1859, No.

Contingent Department.

I have the honor to acknowledge the receipt of the order of Government dated 24th Ultimo, forwarding to me for report, a letter from Lieutenant G. C. Finlay, 12th Regiment Native Infantry, to the address of the Military Secretary to Government, dated Edinburgh, 17th July 1858, complaining of a retrenchment which has been directed against him by this Department for sums overdrawn by him on two occasions whilst Acting in the Office of assistant Agent at Kurnool during the absence on leave of Captain Russell the permanent incumbent.

2. In reply, I beg to state that, I have examined all the abstracts upon which Lieutenant Finlay's allowances have been drawn, and find that the retrenchment referred to, a copy of which is herewith annexed, has been correctly made.

3. The retrenchment arises out of the circumstance of Lieutenant Finlay having drawn while Acting for Capt. Russell, a moiety of the net Civil Salary, Rupees 700 per mensem, received by Captain Russell, which, included a personal allowance of Rupees 200 per mensem, instead of a moiety of the net Civil Salary of the Office of Assistant Agent at Kurnool—which was Rupees 500 per mensem only.

4. The retrenchment was further augmented from Lieutenant Finlay having erroneously deducted only Captain Russell's pay and ordinary Regimental allowances (Rupees 225-12-0) instead of pay and full Regimental allowances (256-10-0) from the consolidated salary.

5. By this calculation the sum of Rupees 237-2-0 was monthly received by Lieutenant Finlay as a moiety of the net Civil Salary, whilst the permanent incumbent, Captain Russell, drew only Rupees 221-11-0 as such moiety inclusive of a moiety of his personal allowance.

Consolidated salary of the Office Rs. 500 0 0 Deduct pay and full Regimental allowances of Lieutenant of Infantry... .. 256 10 0 Net Civil salary... .. 243 6 0 A Moiety of do. 121 11 0	6. The correct amount of moiety of Civil salary to which Lieutenant Finlay was entitled, calculated on the salary of the Office viz., Rupees 500, is Rupees 121-11-0 as shewn in the margin.
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7. It does not appear from the records of the Office that the abstracts on which Lieutenant Finlay drew Rupees 237-2-0 were sanctioned as he believes, by the then Civil Auditor, on the contrary in a letter to the address of the Agent, Mr. Daniell, dated 19th June 1855, that Officer was informed as follows:—"Lieutenant Finlay under the new Military Furlough Regulations is entitled to the full consolidated salary of the Office," which was Rupees 500. It will be observed however, that the periods to which the retrenchment under notice refers are both anterior to the date of the above mentioned letter.

8. The Regimental allowances drawn by Lieutenant Finlay in the Civil Department during the periods to which the retrenchment refers, are I find correct: that is, full Regimental allowances whilst his Regiment was at a full batta station and Ordinary Regimental allowances whilst at a half batta station.

9. The permanent incumbent Captain Russell however drew full Regimental allowances from the Military Department for the whole two periods of his absence without reference to the locality of his Regiment, such full Regimental allowances having been deducted from his consolidated salary in the Civil Department but this being in accordance with the existing rules will not affect Lieutenant Finlay, as he supposes, in the present retrenchment; since, Captain Russell was entitled to full Regimental allowances under the Regulations and received them from the Military Department.

10. There appears to me however to be an anomaly in the method at present observed of dividing the consolidated salary between the permanent and Acting incumbents in the item of the Regimental allowances: for instance, full Regimental allowances are invariably deducted for the full period from the consolidated salary of the absentee, to ascertain the net portion of Civil Salary payable to the Acting incumbent, as was done in the present case; whilst the

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from 4th to 10th May 1859.*

Regimental allowances drawn by the Acting incumbent depend upon his Regiment being at a half or full batta station: if his Regiment be at a half batta station the difference Rupees 30-14-0 per Mensem is credited to Government. The full Regimental allowances being invariably deducted from the Civil Salary of the absentee, it seems but equitable that full Regimental allowances should be allowed to the Acting incumbent.

11. Should this be permitted, by an alteration of the rule, in Lieutenant Finlay's case, it would give him the benefit of receiving the difference between half and full batta, or Rupees 30-14-0 per Mensem, for a period of nearly 8½ months, and would in that case, reduce the amount of the retrenchment against Lieutenant Finlay by a sum of about Rupees 260.

MEMO.

Extract of a retrenchment from the Audit of the Kurnool accounts.

No. 113. Moiety of net Civil Salary drawn by Lieutenant G. C. Finlay, Acting Assistant Commissioner from 17th June 1853, to 14th July 1854, at Rupees 237-2-0 per mensem, Rupees.....	3063 3 11
Admitted at Rupees 121-11-0 per mensem, Rupees.....	1574 6 8

Difference Rs. 1,488 13 3

No. 115. Moiety of net Civil allowance drawn by Lieutenant G. C. Finlay, Officiating Assistant Commissioner from 14th April to 15th June 1855 at Rupees 221-11-0 per mensem Rupees...	565 3 10
Admitted at Rupees 121-11-0 per mensem, Rupees...	251 7 9

Difference „ 313 12 1

Total amount to be recovered from Lieutenant G. C. Finlay... Rupees... 1,802 9 4

(Signed) J. L. LUSHINGTON,
Acting Civil Auditor.

No. 16. ORDER THEREON, 10th May 1859, No. 265.

1. The salary of the Military Assistant to the Agent at Kurnool, it is observed, was fixed at Rupees 500 per mensem, consolidated. Lieutenant, now Captain Russell, after he had been Assistant for some years had his salary raised to Rupees 700 on account of his merits and services, but the Extra 200 Rupees was declared to be a personal allowance and should not have been drawn by Captain Russell's locum tenens during his absence, nor will it be drawn by his successor on his vacating the appointment.

In 1853 Captain Russell left Kurnool on Sick Certificate, and Lieutenant Finlay was appointed to act for him. Lieutenant Finlay on joining drew his share of what he found to be Captain Russell's pay that is, he drew a moiety of Rupees 700, less Captain Russell's Military pay and allowances, whereas he ought to have drawn a moiety of Rupees 500 after the same deductions. He states that, until he received the present retrenchment in July 1858, he had no idea that he had received more than he was entitled to. He drew his pay without objection on the part of the Agent or of the Civil Auditor. It seems indeed that in June 1855, or after all the amount now retrenched had been drawn, the Civil Auditor informed the Agent that Lieutenant Finlay was entitled to the full consolidated salary of the Office, but it is not clear whether it was explained even then what that salary was.

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3. Now five years afterwards when he is at home a Subaltern with a family on Sick Certificate, he is called on for the refund of this heavy retrenchment of Rupees 1,802-9-4.
4. Taking all the circumstances of the case into consideration, the Honorable the Governor in Council resolves to authorise the Acting Civil Auditor to withdraw the above retrenchment against Lieutenant Finlay.

(Signed) T. PYCROFT,
Chief Secretary.

in a letter to the address of the Agent Mr. Daniell, dated 19th June 1855, that Officer was informed as follows:-

"Lieut. Finlay under the new Military Furlough Regulations is entitled to the full consolidated salary of the Office", which was Rs 500-0-0. It will be observed however, that the periods to which the retrenchment under notice refers are both anterior to the date of the above mentioned letter,

8. The Regimental allowances drawn by Lieut. Finlay in the Civil Department during the periods to which the retrenchment refers, are I find correct: that is, full Regimental allowances whilst his Regiment was at a full batta Station & ordinary Regimental allowances whilst at a half batta Station,

9. The permanent incumbent Captain Russell however drew full Regimental allowances from the Military Dept. for the whole two periods of his absence without reference to the locality of his Regiment, such full Regimental allowances having been deducted from his consolidated salary in the Civil Dept.: but this being in accordance with the existing rules will not affect Lieut. Finlay as he supposes, in the present retrenchment; since, Captain Russell was entitled to full Regimental allowances under the Regulations and received them from the Military Department.

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Consolidated

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11. Should this be permitted, by an alteration of the rule, in Lieut. Finlay's Case, it would give him the benefit of receiving the difference between half and full batta, or Rs. 30-14-6 per mensem, for a period of nearly 8½ months, and would in that case, reduce the amount of the retrenchment against Lieut. Finlay by a sum of about Rs. 260.

Civil Auditor's Office
Fort Saint George
11th April 1859

I have the honor to be
Sir,
Your most Obedt. Servt.

J. A. D. S. S. S.
Acting Civil Auditor

Financial Department

N^o 265.

Extract from the Minutes of Consultation.
Under date 10th May 1859.

Read again letter
from Lieut. J. C. Finlay,
10th Regt. N. I., dated 17th July
1858 and recorded in Genl.
of the March 1859.

Read the following
letter from the Acting
Civil Auditor.

(Dated 11th April 1859 N^o 163)

1 The salary of the
Military Assistant to the
Agent at Kurnool, it is
observed, was fixed at
Rupees 500 per mensem,
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of Rs. 500 after the same deductions. He states that, until he received the present retrenchment in July 1858, he had no idea that he had received more than he was entitled to. He drew his pay, without objection on the part of the Agent or of the Civil Auditor. - It seems indeed that in June 1855, or after all the amount now retrenched had been drawn, the Civil Auditor informed the Agent that Lieutenant Finlay was entitled to the full consolidated salary of the Office - but it is not clear whether it was explained even then what that salary was.

3 Now five years after -wards

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Rev. of Government

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