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(3) Initials of the Referencer 28**MADRAS RECORD OFFICE.****Government of Madras.***Financial* **DEPARTMENT.**

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Not to be folded or roughly handled

*Proceedings of the Madras Government, Financial Department,
29th October 1862.*

Read again Endorsement of the Government of India, dated 7th August 1862, No. 120G, recorded in Proceedings of the 10th September last, No. 659.

No. 92. Read also the following letter from G. A. BUSHBY, Esq., Secretary to the Government of India; to C. TROWER, Esq., Civil Auditor, dated Council Chamber, the 3rd June 1840, No. 675.

Letter from Mr. Officiating Secretary Thomason and Enclosure dated 19th May. Reply from Secretary to the Government of India, Financial Department, 3rd June.

I am directed to transmit for your information, and in order that the practice in your Audit may conform to the construction their laid down, the annexed copy of correspondence with the Secretary to the Lieutenant Governor North Western Provinces.

From J. THOMASON, Esq., Officiating Secretary to the Government N. W. P. to G. A. BUSHBY, Esq., Secretary to the Government of India, General Department, Fort William, dated Agra, the 19th May 1840, No. 1,645.

General Department.

I am directed by the Honorable the Lieutenant Governor to transmit the annexed copy of a letter from the Civil Auditor, N. W. P., No. 203 dated the 9th instant, and to request that you will with the permission of the Right Honorable the Governor General of India in Council state, how the Rule quoted by Mr. Morland is constructed by His Lordship.

2nd. His Honor is disposed to concur in the view of the question taken by the Civil Auditor, and in the construction of the Rule proposed in para. 6 of his communication.

COPY.

From E. H. MORLAND, Esq., Civil Auditor, N. W. P.; to J. THOMASON, Esq., Officiating Secretary to the Government, N. W. P., dated Agra, the 9th May 1840, No. 206.

With reference to the Order of the Honorable the Lieutenant Governor of the 14th of April last, appointing Mr. S. Becher, Joint Magistrate and Deputy Collector at Mirzapore from the 25th March, but to continue to officiate as Collector and Magistrate at Futtehpore, I beg to be informed whether under Section XVII of the new Rules Mr. Becher is precluded from receiving the higher salary attached to his new appointment.

2nd. Mr. Becher was appointed Joint Magistrate and Deputy Collector at Futtehpore on the salary of the lower grade (700 Rupees per mensem,) according to the Resolution of Government, dated the 4th of June 1838.

3rd. It was determined in para. 18 of the Resolution of Government of the 31st August last, that Futtehpore should have no Joint Magistrate and Deputy Collector attached to it, and accordingly the appointment has now been absorbed.

4th. If the Section XVII above quoted is strictly interpreted, Mr. Becher cannot of course claim till he joins any increase to the fixed salary which he before received, but it appears to me that the Rule was never intended to apply to such cases. It is true that it says "He shall not draw the higher salary till he joins," but it immediately adds, "for the period occupied in travelling, &c." It appears to me therefore very clear that the object of the Rule is to encourage an Officer newly appointed to join his office with as little delay as possible, and to place in his own hands the power of sooner or later enjoying the increased allowances by preparing for and travelling to his station with the greatest alacrity.

5th. If however the period of joining is protracted, as in this case, under express Orders of Government, it appears rather hard that the Officer so situated should be deprived of the advantages of the higher allowances.

*Proceedings of the Madras Government, Financial Department,
29th October 1862.*

6th. To place Mr. Becher on an equality with others, who have the power of immediately joining their station, it would I think be fair to allow him to draw the full salary of his new office till relieved from his present Acting appointment, and from that date till he joins Mirzapore to grant him the amount of his previous situation.

7th. I have brought the case of Mr. Becher forward, but of course similar ones will so frequently occur that his reference will be applicable to many. Mr. D. Robertson at Benares is now in the same situation, viz., appointed to Delhi and ordered to remain Acting at Benares, and under Clause XVII therefore only entitled to a sum equal to 244-2-11, the subsistence allowance of a Merchant, plus 500 Acting allowance, which he was receiving previous to his appointment to Delhi.

(True Copy.)

(Signed) J. THOMASON,
Offg. Secy. to the Govt. N. W. P.

From G. A. BUSHBY, Esq., Secretary to the Government of India; to J. THOMASON, Esq., Secretary to the Honorable Lieutenant Governor in the N. W. P., dated Fort William, the 3rd June 1840, No. 674.

Financial Department.

I am directed to acknowledge the receipt of your letter, dated the 19th ultimo with its enclosure, and in reply to inform you that the Governor General of India in Council concurs with the Honorable the Lieutenant Governor in the N. W. P., in the view taken by the Civil Auditor of those Provinces respecting the construction of Section XVII of the Rules of the 29th January last, according to which Mr. Becher is deemed entitled to draw the full salary of his new office from the date of appointment till relieved from his Acting situation, and from that time till his joining the Mirzapore appointment to receive the amount of the salary attached to his previous fixed situation, he having been detained in the Acting situation by the Order of the Government for the convenience of the Public Service.

2nd. Deputation allowance in all cases of this kind will cease according to established practice, or be continued only in part where the salary of the new appointment is less than the salary and deputation allowance previously drawn in order to make the total receipt equal to the salary and deputation allowance so drawn, but in ordinary deputations no Officer can draw more than the amount of the fixed salary of the appointment in which he is doing duty. The Rule here referred to and the exception will be found in Section XX of the Regulations of this Department, dated 29th January 1840.

Copies forwarded to the Officiating Civil Paymaster, Fort Saint George, with reference to his No. 424, dated 3rd instant.

FORT WILLIAM,
CIVIL PAYMASTER'S OFFICE,
the 19th September 1862.
(Signed) HUGH SANDEMAN,
Civil Paymaster.
No. 489.

True copy forwarded to the Chief Secretary to Government with reference to letter No. 439 dated 11th September 1862.

CIVIL PAYMASTER'S OFFICE,
FORT SAINT GEORGE,
21st October 1862.
(Signed) W. J. RAYNOR,
Officiating Civil Paymaster.

No. 93. ORDER THEREON, 29th October 1862, No. 763.

Ordered that copies of the foregoing papers be forwarded to the several Departments for information and guidance.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. F. Cartledge.

Repts

30

*C. Brower Esq.
Civil Auditor*

Fin^d Report

Sir,

*Letter from Mr. off^r
Secy. Thomson and
Enclosure dated 19th May.
Reply from Secy. to the
Govt. of India Fin^d Dept.
3 June.*

*I am directed to transmit for
your information and in order that the practice
in your Audit may conform to the construction
there laid down the annexed Copy of Corres-
pondence with the Secretary to the Lieut^g
Governor North Western Provinces.*

*General Chamber
The 3rd June 1840.*

*Have you
Signed G. A. Bushby.
Secy. to the Govt. of India
N^o 1645*

St.

*G. A. Bushby Esq.
Secretary to the Government of India
General Department
Fort William*

Govt. Dept.

Sir,

*I am directed by the Honorable
the Lieut^g Governor to transmit the annexed
Copy.*

copy of a letter from the Civil Auditor N. W. P.
N^o 206 dated the 9th Instant, and to request
that you will with the permission of the Right
Honorable the Governor General of India in Council
State, how the Rule quoted by Mr. Morland
is interpreted by His Lordship.

Sec. XVIII of the
Rules of 29th Jan^y 1840.

2^d His Honor is disposed to Concur in
the view of the question taken by the Civil
Auditor, and in the Construction of the Rule
proposed in para 6 of his Communication.

I have &c

Agra
19th May 1840
(Signed) J. Thomason
off^o Sec^y to the Gov^t N. W. P.

(Copy)
N^o 206

To,

J. Thomason Esq^r
off^o Sec^y to the Gov^t N. W. P.
Agra

Sir

With reference to the order of the
Honorable the Lieut^g Governor of the 14th of
April last, Appointing Mr. J. Becher
Joint

Joint Magistrate and Deputy Collector at Mirza-
pore from the 25th March, but to continue to officiate
as Collector and Magistrate at Futtchpore. I beg
to be informed whether under Section XVIII of the
new Rules Mr. Becher is precluded from
receiving the higher Salary attached to his new
Appointment.

2^d Mr. Becher was Appointed Joint
Magistrate and Deputy Collector at Futtchpore
on the Salary of the Lower grade (\$700 R^s P^{rs}
monthly) according to the Resolution of Govern-
ment dated the 4th of June 1838.

3^d It was determined in pursuance of the
Resolution of Government of the 31st August
last, that Futtchpore should have no Joint
Magistrate and Deputy Collector attached to
it, and accordingly the Appointment has
now been absorbed.

4th If the Section XVIII above quoted is
strictly interpreted Mr. Becher cannot of
course claim till he joins any increase to the
fixed Salary which he before received, but
it appears to me that the Rule was never
intended to apply to such cases. It is true
that

that it says "He shall not draw the higher salary till he joins" but it immediately adds, "For the period occupied in travelling &c." It appears to me therefore very clear that the object of the Rule is to encourage an officer newly appointed to join his office with as little delay as possible, and to place in his own hands the power of sooner or later enjoying the increased allowances by preparing for and travelling to his station with the greatest alacrity.

5th If however the period of joining is protracted, as in this case, under Sir's orders of Government, it appears rather hard that the officer so situated should be deprived of the advantages of the higher allowance.

6th To place Mr. Beecher on an equality with others, who have the power of immediately joining their station, it would I think be fair to allow him to draw the full salary of his new office till relieved from his present Acting Appointment, and from that date till he joins Mirzapore to grant him the amount of his previous situation.

7th I have brought the case of Mr. Beecher forward, but of course similar ones will

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so frequently occur that his reference will be applicable to many. Mr. D. Robertson at Benares is now in the same situation, viz^t appointed to Delhi and ordered to remain Acting at Benares and under Clause XVII. therefore only entitled to a sum equal to 244-2-11 the subsistence allowance of a merchant, plus 500 Acting allowance, which he was receiving previous to his Appointment to Delhi.

Civil Auditor's Office
N. W. P. Agra
The 9th May 1840.

Have &c

Signed E. H. Morland
Civil Auditor N. W. P.

Free Copy
Signed J. Thomason
Off^o Sec^y to the Gov^t N. W. P.

Sir

N^o 674

J. Thomason Esq^r
Secretary to the Honorable
Lieut Governor in the
N. W. Provinces.

Fin^l Dep^t Sir,

I am directed to acknowledge the receipt

receipt of your letter dated the 19th ultimo with its enclosure, and in reply to inform you that the Governor General of India in Council concurs with the Honorable the Lieut. Governor in the N. W. Provinces in the view taken by the Civil Auditor of those Provinces respecting the Construction of Section XVII of the Rules of the 29th January last, according to which Mr. Beecher is deemed entitled to draw the full salary of his new office from the date of Appointment till relieved from his Acting situation and from that time till his joining the Singapore Appointment to receive the amount of the salary attached to his previous fixed situation, he having been detained in the Acting situation by the order of the Government for the convenience of the Public Service.

2^d Deputation allowance in all cases of this kind will cease according to established practice, or be continued only in part where the salary of the new Appointment is less than the salary and Deputation Allowance previously drawn in order to make the total receipt equal to the salary and Deputation Allowance so drawn, but in ordinary deputations no officer can draw

draw more than the amount of the fixed salary of the Appointment in which he is doing duty. The Rule here referred to and the exception will be found in Section XX of the Regulations of this Department dated 29th January 1840.

Shave &c

Fort William }
The 3rd June 1840

Signed G. A. Bushby
Secy to the Govt of India

Copies forwarded to the Off^{ce} Civil Paymaster
Fort St. George with reference to his N^o 424
dated 3rd Instant.

Fort William }
Civil P. M^{rs} Office
The 17th Sep. 1862

Signed Hugh Sandeman
Civil Paymaster

N^o 489.

True Copy forwarded to the Chief Secretary
to Government with reference to letter N^o 439 dated
11th September 1862

Civil Paymaster's office
Fort St. George
21st October 1862.

Signed
Off^{ce} Civil Paymaster

O. F. M.

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To the Revenue Department
 " Judicial do
 " Public Works do
 " Public do
 " Ecclesiastical do
 " Marine do
 " Educational do
 " Political do
 " Railway do
 " Military do

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Decr. 30th

