M.R.O. 1—77,006—8-6-31.

(1) Number of pages 6

(2) Date of repair 8-7-34

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 65 Press ~~Mis.~~

86-87

Dated 30-1- 1863.

86-87 4/5

Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department, 30th January 1863.

No. 86. Read the following Extract from the Proceedings of the Government of India, in the Financial Department, dated 18th December 1862, No. 1,168*a*.

Read also letter from M. J. SHAW STEWART, Esq., Acting Secretary to Government, Bombay; to Colonel H. M. DURAND, C. B., Secretary to the Government of India in the Foreign Department, Fort William, No. 187, dated 2nd October 1862.

Political Department—Financial.

I am directed to state, for the information of the Government of India, that in consequence of an urgent representation from Captain G. F. Hayward (the officer temporarily employed,* under the Agent Governor General for the States of Rajpootana, to settle boundary disputes between the Rewakanta and Mewar States) that he has been without pay for the last eleven months, and that his Abstracts for arrears of salary are under audit by the Civil Paymaster at Allahabad, this Government has, at the request of Major Buckle, the Political Agent in the Rewakanta, authorized an advance of Rupees five hundred being made to him from the Rewakanta Treasury.

* Vide Mr. Under Secretary Aitchison's letter, No. 2,258, dated the 4th May 1861.

2. I am at the same time desired to draw the attention of the Government of India to the delay on the part of the Audit Office at Allahabad in adjusting Captain Hayward's salary bills.

No. 2,041, FOREIGN DEPARTMENT (GENERAL), FORT WILLIAM, THE 28TH OCTOBER 1862.

Forwarded to the Financial Department, for consideration and orders, with reference to this office No. 1,916, dated 3rd instant.

FINANCIAL DEPARTMENT, FORT WILLIAM, THE 18TH DECEMBER 1862.

Resolution.—His Excellency the Governor General in Council directs that copy of the foregoing letter be sent to the Civil Paymaster and Deputy Auditor and Accountant General, North-Western Provinces, and the Military Finance Department, in continuation of the orders of this Department, dated the 16th October 1862, for information and guidance.

His Excellency in Council assumes that the representation of the Government of Bombay that Captain Hayward "has been without pay for the last eleven months, and that his abstracts for arrears of salary are under audit by the Civil Paymaster at Allahabad," refers to his Regimental allowance only at Rupees 293-10-0 per mensem, not to his deputation allowance at Rupees 10 per diem, and his net Military pay, Rupees 121-12-0, which constitute the remaining items of his total emoluments, viz, Rupees 715-6-0 per mensem. For as the Officiating Civil Paymaster, North-Western Provinces, in his letter of 27th August 1862, raised no question about the deputation allowance of Rupees 10 per diem, authorized in the orders of 4th May 1861, which were communicated to him in that month, that allowance doubtless was passed monthly as it became due. And from the further statement of the Civil Paymaster, that Captain Hayward had submitted a bill for his Regimental allowances at the request of the Military authorities, as also from the Civil Paymaster's inquiry, whether these allowances might be debited to the Civil Department, "leaving his net pay to be adjusted in the Military Department," it seems clear that the net Military pay of Captain Hayward was not in arrears. The inconvenience to Captain Hayward, therefore, has been caused solely by the Military and Civil Departments not being able to agree as to which Department should pay his Regimental allowances, and by the Military Department summarily discontinuing those allowances before the uncertainty on this point was removed. Captain Hayward's Regimental pay and allowances amount to Rupees 415-6-0, of which Rupees 121-12-0 is net Military pay, and Rupees 293-10-0 consists of Regimental allowances. The Military Department could not decline to pass the net pay of Rupees 121-12-0, and it must have been patent to both the Military Audit Department and the Civil Paymaster, that the deputation allowance of Rupees 10 a day or about Rupees 300 a month was not inclusive of Captain Hayward's Regimental allowances amounting to Rupees 293-10-0 a month. Neither of those Officers could have had any doubt that Captain Hayward was entitled to Rupees 415-6-0 plus deputation allowance at 10 Rupees a day, and, therefore, no

nment, Financial Department,
ry 1863.

have been incurred by the Military authorities, that is, it is presumed, by the Pay Examiners guided by the Controller of Military Finance, continuing to pass Captain Hayward's Regimental allowances, subject to future adjustment in account between the Civil and the Military Departments. Instead of this course, which would have been judicious and considerate, without entailing any risk, Captain Hayward was kept out of his just dues till the Military and Civil Departments could settle a mere technicality in account. The Controller and the Pay Examiner would have evinced a proper discretion, such as Officers in their position are expected to exercise, if by remitting or not issuing the retrenchments against Captain Hayward pending a decision, which they might have applied for, as to the debit of his Regimental allowances, they had duly conformed to technical rules without causing distress to that Officer.

The Governor General in Council observes that regarding appointments provided for by established rule or practice, there can be no difficulty or doubt, but for other cases, His Excellency directs that it be observed as a rule in the Military and Civil Finance Departments that when doubt is entertained as to the debit of any part of an Officer's allowances, while his personal title thereto is unquestioned, each Department shall continue to pass the portion of his aggregate emoluments, which it may have been passing, subject to re-adjustment in the accounts between the two Departments on the final decision as to the debit, which decision should be applied for without delay.

Copy to the several Departments, Governments, and Administrations, to the Auditor General of India, Accountant General, Government of India, the Military Finance Department, and the several Deputy Auditors and Accountants General, and Civil Paymasters.

(A true Extract,)

(Signed) E. DRUMMOND,
Secretary to the Government of India.

No. 87.

ORDER THEREON, 30th January 1863, No. 65.

Communicated to the Military Department.

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

Exd. T. McMootry.

T 2

No. 1168a

EXTRACT from the Proceedings of the Government of India, in the Financial Department, d. 18th December 1862.

From M. J. SHAW STEWART, ESQ., Acting Secretary to Government, Bombay, to Colonel H. M. DURAND, C. B., Secretary to the Government of India, in the Foreign Department, Fort William, No. 187, d. 2nd October 1862.

Political Department—Financial. I AM directed to state, for the information of the Government of India, that in consequence of an urgent representation from Captain G. F. Hayward (the officer temporarily employed,* under the Agent Governor General for the States of Rajpootana, to settle boundary disputes between tha Rewakanta and Meywar States) that he has been without pay for the last eleven months, and that his Abstracts for arrears of salary are under audit by the Civil Pay Master at Allahabad, this Government has, at the request of Major Buckle, the Political Agent in the Rewakanta, authorized an advance of Rupees five hundred being made to him from the Rewakanta Treasury.

* Vide Mr. Under Secretary Aitchison's letter, No. 2258, dated the 4th May 1861.

2. I am at the same time desired to draw the attention of the Government of India to the delay on the part of the Audit Office at Allahabad in adjusting Captain Hayward's salary bills.

No. 2041, FOREIGN DEPARTMENT (GENERAL), FORT WILLIAM, THE 28TH OCTOBER 1862.

FORWARDED to the Financial Department, for considerations and orders, with reference to this office No. 1916, dated 3rd instant.

FINANCIAL DEPARTMENT, FORT WILLIAM, THE 18TH DECEMBER 1862.

Resolution.

HIS Excellency the Governor General in Council directs that copy of the foregoing letter be sent to the Civil Pay Master and Deputy Auditor and Accountant General, North-Western Provinces, and the Military Finance Department, in continuation of the orders of this Department, dated the 16th October 1862, for information and guidance.

His Excellency in Council assumes that the representation of the Government of Bombay that Captain Hayward "has been without pay for the last eleven months, and that his abstracts for arrears of salary are under audit by the Civil Pay Master at Allahabad," refers to his Regimental allowance only at Rupees 293-10-0 per mensem, not to his deputation allowance at Rupees 10 per diem, and his net Military pay, Rs. 121-12-0, which constitute the remaining items of his total emoluments, viz., Rs. 715-6-0 per mensem. For as the Officiating Civil Pay Master, North-Western Provinces, in his letter, of 27th August 1862, raised no question about the deputation allowance of Rs. 10 per diem, authorized in the orders of 4th May 1861, which were communicated

to him in that month, that allowance doubtless was passed monthly as it became due. And from the further statement of the Civil Pay Master, that Captain Hayward had submitted a bill for his Regimental allowances at the request of the Military authorities, as also from the Civil Pay Master's enquiry, whether these allowances might be debited to the Civil Department, "leaving his net pay to be adjusted in the Military Department", it seems clear that the net Military pay of Captain Hayward was not in arrears. The inconvenience to Captain Hayward, therefore, has been caused solely by the Military and Civil Departments not being able to agree as to which Department should pay his Regimental allowances, and by the Military Department summarily discontinuing those allowances before the uncertainty on this point was removed. Captain Hayward's Regimental pay and allowances amount to Rs. 415-6-0, of which Rs. 121-12-0 is net Military pay, and Rs. 293-10-0 consists of Regimental allowances. The Military Department could not decline to pass the net pay of Rs. 121-12-0, and it must have been patent to both the Military Audit Department and the Civil Pay Master, that the deputation allowance of Rs. 10 a day or about Rs, 300 a month was not inclusive of Captain Hayward's Regimental allowances amounting to Rs. 293-10-0 a month. Neither of those Officers could have had any doubt that Captain Hayward was entitled to Rs. 415-6-0 plus deputation allowance at 10 Rs. a day, and, therefore, no risk of an over-payment or of an undue charge to either Civil or Military Departments could have been incurred by the Military authorities, that is, it is presumed, by the Pay Examiners guided by the Controller of Military Finance, continuing to pass Captain Hayward's Regimental allowances, subject to future adjustment in account between the Civil and the Military Departments. Instead of this course, which would have been judicious and considerate, without entailing any risk, Captain Hayward was kept out of his just dues till the Military and Civil Departments could settle a mere technicality in account. The Controller and the Pay Examiner would have evinced a proper discretion, such as Officers in their position are expected to exercise, if by remitting or not issuing the retrenchments against Captain Hayward pending a decision, which they might have applied for, as to the debit of his Regimental allowances, they had duly conformed to technical rules without causing distress to that Officer.

The Governor General in Council observes that regarding appointments provided for by established rule or practice, there can be no difficulty or doubt, but for other cases, His Excellency directs that it be observed as a rule in the Military and Civil Finance Departments that when doubt is entertained as to the debit of any part of an Officer's allowances, while his personal title thereto is unquestioned, each Department shall continue to pass the portion of his aggregate emoluments, which it may have been passing, subject to re-adjustment in the accounts between the two Departments on the final decision as to the debit, which decision should be applied for without delay.

Copy to the several Departments, Governments, and Administrations, to the Auditor General of India, Accountant General, Government of India, the Military Finance Department, and the several Deputy Auditors and Accountants General, and Civil Pay Masters.

(A true Extract)

Finl. 1863 Deptt. /

(10)

From

The Secy to the Govt
of India. Fl. D.- 1168/62.

No. 65 — 30th January 1863.
Communicated to the
Military Department.

D/ 18th Dec.
R/ 12th Jany/63.

2 Sp: Copies

No. 42

Copy the Resolution of that Govt
directing that it be observed as
a Rule in the Civil & Civil Fine
Deptt that when Doubt is entertained
as to the Debit of any part of an Officer's
allowances while his personal title
thereto is unquestioned each Dept shall
continue to pass the portion of his ag-
gregate Emoluments which it may
have been passing subject to re-
adjustment in the accounts between
the 2 Depts on the final decision as to the
Debit.

To the Military Deptt. dup 30

Written an Order

C17 Jany 85/87
P23