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MADRAS RECORD OFFICE.

Government of Madras.

Finance DEPARTMENT.

G.O. No. 455 Press / ~~Mis.~~

71-72.

Dated 25-9- 1865.

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71-72

Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department, 25th September 1865.

No. 71. Read the following letter from R. TAYLOR, Esq., Acting Deputy Accountant General, Madras, to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George; dated 13th September 1865, No. 94.

Post Audit Department.

A reference for instructions from a District Office compels me to trouble you; for while either the custom of this Province, or that which has hitherto guided me, would enable me to dispose of the case without reference, the two customs are unfortunately irreconcilable, and I believe mine to be in accordance with rule.

2. The rules order that when an establishment is arranged in classes, sub-divided into grades, a man acting for one in a higher grade of the same class shall draw an extra allowance, and also that the acting allowance of an outsider, shall be calculated on the average pay of the grades. A Deputy Collector of 3rd Class in North-West Provinces acting for a Deputy Collector of the 1st Class would draw no extra allowance; a person not a Deputy Collector acting would draw half the average pay of Deputy Collectors, only this amount must not, with any other half pay he may be able to claim, amount to more than the pay of the lowest grade. Here Deputy Collectors hold a precisely similar position both with regard to the conditions of their own service and the distribution of their superiors; here as there, they are graded officers; here as there their covenanted superiors are not graded officers; but the plan under which they draw acting allowance is precisely the reverse;—a man of the lower grade draws extra allowance, but an outsider draws—not half the average pay of a Deputy Collector, but—half the pay of the grade in which he may act. I submit that the same rules cannot admit such opposite courses.

3. In the decision of this question is concerned another which I have for some time wished to refer: under the new Uncovenanted rules, can a substitute claim the whole amount available from an absentee's salary? Under the old rules, he certainly could, and if this hold now, a case might occur, in which one man might act for 15 months on half pay, while another appointed afterwards would at once draw ¾ salary. This seems an anomaly, and I should rather think either that more than half pay can never be drawn, or that the case should be ruled by the analogy from the Military rules. Anyhow it is hard to fit in a plan of giving the whole sum available from the pay of an absentee with a system which gives half averages, and limits the acting servant's gross receipts to the salary of the lowest grade of a class.

4. The latter point is a general one, which it may be thought I should submit directly to the Financial Department. But the orders may affect local usage, and the question is intimately connected with the former, wherein local is at variance with general usage, and I believe with general rules. I submit, therefore, that if reference to higher authority be necessary, it should rather be made by Government than by a subordinate, and be accompanied with a statement of His Excellency's views.

No. 72. ORDER THEREON, 25th September 1865, No. 455.

The Government do not find that any rule exists precluding an officer of a lower grade when acting for an officer of a higher grade of the same class from drawing *any* increased allowance, although it would seem that the practice in the North-West Provinces, in regard to Deputy Commissioners, is to give no such increase.

2. The Government consider that the practice in this Presidency in regard to Deputy Collectors, under which a man of a lower grade (or as it is here called "class"), when appointed to act in a vacancy in a higher grade, draws an increased allowance, is quite reasonable, and in accordance with established rule in this Presidency, and that any prohibition of the practice would be most impolitic, where so few openings exist to which an Uncovenanted officer may look for promotion beyond the class of Deputy Collectors; while the class itself is small and the number in the higher grades is still smaller. The temporary promotion, with the advantage of slightly increased pay, is a valuable means of rewarding good conduct, which the Government desire by all means to retain.

Proceedings of the Madras Government, Financial Department,
25th September 1865.

3. As regards a person *not* of the class or series of classes or grades, in which he is appointed to act, being restricted to deputation allowance calculated—not on the pay of the grade in which he is appointed to act, but—on the average of all the grades, the Government are not aware of any rule to this effect being in existence, but they observe that its application is certainly undesirable here, where it would produce anomalies and much inconvenience.

4. For instance, the pay of the 1st Class Tahsildar is Rupees 250 monthly, and that of the 4th Class Deputy Collector is the same. It appears to the Government perfectly reasonable and expedient that if either a 1st Class Tahsildar or a 4th Class Deputy Collector be appointed to act as 3rd Class Deputy Collector, the acting allowance should be calculated on the pay of the 3rd Class Deputy Collector.

5. It would seem that, according to what the Deputy Accountant General considers the rule, the 4th Class Deputy Collector would in this case be entitled to no acting allowances, while acting in a higher grade of the class of officers to which he himself belongs, and the 1st Class Tahsildar would draw acting allowances calculated on the average pay of all the grades of Deputy Collector, and not on the pay of the 3rd Class, with the proviso that the aggregate of his substantive and acting allowances shall not be more than the pay of the lowest grade of Deputy Collector, which is equivalent to giving him also no acting allowance whatever.

6. As to the second question raised, the Government are decidedly of opinion that the whole amount stopped from an absentee's pay is available to remunerate the acting incumbent under the Uncovenanted Service rules, and that the anomaly noticed by the Deputy Accountant General is inseparable from a system where many different classes of officers exist, out of whom the best available must be selected to fill vacancies, without reference to class.

7. It is not likely that a change of incumbent, with change in the available amount of acting allowance, would often occur; but to adopt the proposed rule might often produce the still more objectionable result of being unable to secure a competent man to fill a temporary vacancy, or to reward him adequately for his services, even to the extent of the saving effected from the pay of the absentee.

(True Extract).

Acting Secretary to Government.

To the Accountant General.
" Revenue Department.

Exd. J. H. Burns.

Post Audit

~~Book and Adjustment~~ Department.

No. 94

Fort Saint George,
Depy. Audr. and Acct. Genl.'s Office,
13th September 1865.

From Ag.
The Deputy ~~Auditor and~~ Accountant General,
Madras.

To
The Chief Secretary to Government
Madras

Sir,

A reference for instructions from a district Officer compels me to trouble you, for while, either the Custom of this province or that which has hitherto guided me, would enable me to dispose of the case instant reference, the two Customs are unfortunately irreconcilable, and I believe mine to be inaccordance with rule.

The rules order that where an Establishment is arranged in classes, subdivided into grades, a person acting for one in a higher grade of the same class shall draw no extra allowance, and also that the acting allowance of an outsider, shall be calculated on the average pay of the grades. A Dy Collector of 3rd Class in North West Provinces acting for a Dy Collector of the 1st Class would draw no extra allowance; a person not a Dy Collector acting would draw half the average pay of Dy Collectors, ~~only~~ the amount must not, with any other pay he may be able to claim, amount to more than the pay of the lowest grade. Here Deputy Collectors hold a precisely similar position both with regard to the Conditions of their own service and the distribution of their superiors, here as there, they are graded Officers; here as there their Covenanted Superiors are not graded Officers; but the plan under which, they draw acting allowance is precisely the reverse; a man of the lower grade draws extra allowance, but an outsider draws not half the average pay of a Dy: Collector, but half the pay of the grade in

in which the words "Subject that the same rules cannot admit of such effects Correct"

In the account of the pensions to Clerks, another article shall be framed to refer under the same Heads for some time included claim the whole Annual Receivable from the Establishment salary / Under the old rules, the Entitled Clerks, and if the old were, a case might occur, in which one might not for 18 months be half pay, while Another appointed afterwards would draw 3/4 salary - This Error can annually and should rather than either that were How half pay Can never be drawn or that the Case should be ruled by the Treasury from the military Rule. But how it should be if one of giving the whole State available from the pay of an Absentee with a System which gives half one and knows the acting Emoluments from which it is to the Salary of the lower Grade of a Class.

The latter point appears unsuitable in many to thought Should subject directly to the Treasury Rule the orders may effect local wages and the Establishment Connected with the former, wherein Each is at variance, with general rule. Subject therefore that if appears to be the Authority to necessary, it should rather be made by Government How by a subordinate and the recommend with a Statement of this Explanation

I have the honor to be
Sir
Your most obedient Servant
P. Taylor

Sept 24 - 39 Accountant General

Govt. deem Expedient means to retain.

As regards promotion of the class or series of classes or grades - in Dr. he is appt. Exact. being entitled to deputy allowce calculated not on the pay of the grade in Dr. he is appt. Exact - but on the average of all the grades - the Govt. are not aware of any rule at this appointing in existence that they observe that it applies is entirely undesirable here - Even it would produce anomalies & much inconvenience.

For instance the pay of the 1st Class Sub. is £. 250 - months & that of the 4th Class Dy Collr. is the same - It appears to the Govt. highly reasonable & expedient that if either a 1st Class Sub. or a 4th Class Dy Collr. be appointed to act as 3rd Class Dy Collr. the acting allowce should be calculated on the pay of the 3rd Class Dy Collr.

It will seem that according to Rule the Dy Auditor considers the rule - the 4th Cl. Dy Collr. of in this case be entitled to no acting allowce. Such acting is a higher grade of the class of Officers he is himself belongs - & the 1st Cl. Sub. of draw acting allowce calculated on the average pay of the grades of Dy Collr. not on the pay of the 3rd Class. ~~to report being that it would be unjust~~ ~~to change~~

be it therefore that the aggregate of his salary & allowances shall not be less than the pay of the lowest grade of Dy Collr. & equivalent & giving him also an acting allowce of

As to the second question raised the Govt. are decidedly of opinion that the Rule as to stoppages from an absentee's pay is available & remunerate the acting incumbent under the General Service rules. & that the anomaly noticed by the Accountant General is inseparable from a system where many different classes of officers exist. out of which the best available must be selected & fill vacancies without regard to classes.

It is not likely that a change of incumbency in the change in the available amt. of acting allowce of the arrest. but to adopt the proposed rule might often produce the most serious objectionable result of being made known a competent man to fill a temporary vacancy, or to reward him adequately for his services would to the extent of the saving effected from the pay of the absentee.

To the Acct General
" Revenue Depts

Pro: 12th Act 64 - 35-36
4th of any 64 - 4-8

Gazette 28th June 63 - Supplemt

Fort St George
25 September 1865

To
The Chief Secretary
to Government
Fort St George

Sir

I have the honor to forward herewith a letter from the Deputy Accountant General, dated 11th instant, No 642, noticing the difference between the grade in this Presidency & the rules in regard to Deputation allowance of officers acting as Dy Collector & suggesting that the orders of the G. of I. as the subject be obtained by the Local Government.

2. In reply I have the honor to state that the Government consider that the practice in this Presidency in regard to officers under Rule 2 a man of a lower grade (or as it is here called 'class') officiating for a vacancy in a higher grade, draws an increase allowance, is quite reasonable & in accordance with established rule in this Presidency & that any prohibition of the practice would be most prejudicial to the interests of the public service, as it would open a great door for an inferior officer may look for promotion beyond the class of officers which he class itself is small & the number in the higher grades is still smaller. The temporary promotion with the advantage of slightly increased pay is a valuable means of rewarding good conduct & the

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The Govt. have not found that any rule exists precluding an officer of a lower grade than acting for an officer of a higher grade of the same class from drawing any increase allowance - altho it would seem that the practice in the N.W.P. in regard to Dy Collectors is to give an increase -

The Govt. consider that the practice in this Presidency in regard to officers under Rule 2 a man of a lower grade (or as it is here called 'class') officiating for a vacancy in a higher grade, draws an increase allowance, is quite reasonable & in accordance with established rule in this Presidency & that any prohibition of the practice would be most prejudicial to the interests of the public service, as it would open a great door for an inferior officer may look for promotion beyond the class of officers which he class itself is small & the number in the higher grades is still smaller. The temporary promotion with the advantage of slightly increased pay is a valuable means of rewarding good conduct & the

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