No. 21. Read the following Despatch from the Right Honorable the Secretary of State for India, to His Excellency the Honorable the Governor in Council, Fort Saint George, dated India Office, London, 9th March 1866, No. 22.

With reference to paragraph 4 of the Financial Despatch, dated the 31st January last, No. 9, I forward herewith, copies of a letter* and of its enclosure, which have been received from Mr. Walter Nisbet, appealing against the retrenchment which has, in accordance with your request, been made from his invalid pension, and I have to request that you will furnish me with a report thereon, with as little delay as may be practicable.

* Dated 19th February 1866.

2. Pending the receipt of a report from your Government, the sum of £23-10-6, retrenched from Mr. Nisbet, has been refunded.

From WALTER NISBET, Esq., late Madras Civil Service, to the Under Secretary of State for India; dated 10 Victoria Square, Clifton, 19th February 1866.

With reference to a letter from the Financial Secretary, dated 21st November 1865, informing me of a retrenchment claim of Rupees 235-4-1, the equivalent of which amount, viz., £23-10-6, was deducted from the pension paid me at the India Office on the 7th instant, I have the honor to submit the following circumstances for reference to the Madras Government.

2. On the 23rd December 1863, being then Head Assistant to the Collector of Trichinopoly, I left my District to take advantage of the Christmas Holidays granted in the Fort Saint George Gazette, and which lasted from December 24th to January 3rd, both days inclusive.

3. I left Trichinopoly with the full intention of returning before the conclusion of the Christmas Holidays; but whilst absent on the Nilgiri Hills, I became so unwell that the Medical Officer of Coonoor, Dr. Colvin Smith, would not allow me to return to Trichinopoly, but ordered me to proceed direct to Madras, to embark for England.

4. I therefore wrote, on the 1st January 1864, to the Acting Collector of Trichinopoly, Mr. Fraser, informing him of my inability to return at the expiration of the holidays, and stating that my brother, Mr. Josiah Nisbet, would hand over to him my Seals of office.

5. Whilst at Madras, preparatory to embarking, I saw the Chief Secretary to Government, the Honorable A. J. Arbuthnot, and in the course of conversation that gentleman informed me that, under the circumstances, the Government would allow me to draw my pay as Head Assistant up to the end of the Christmas Holidays.

6. Acting upon this information, I sent in my usual Pay Abstract for the whole of December 1863, which was passed.

7. Upon enquiring of the Civil Paymaster, Mr. Lodwick, as to what allowance I should be entitled whilst absent on sick certificate, that gentleman informed me that I should not be entitled to any allowance after leaving India, but that I should be entitled to the unemployed pay of my rank from the date of delivering over charge of my office to the date of embarkation.†

† Vide copy of Civil Paymaster's Official Memorandum, enclosed.

8. In my letter to the Civil Paymaster, dated 24th August 1865, I accordingly sent in a claim for the subsistence allowance and house rent of my rank from January 1st to 15th 1864. In reply, the Examiner of Claims stated that I was not entitled to such allowance.

9. As it is evident from the new Furlough Regulations contained in the Secretary of State's Despatch, dated November 7th 1864, that the Government have no wish to leave Civil Servants without allowances between the date of leaving their stations on Medical Certificate and that of embarkation, I trust that the Madras Government will take the above circumstances into favorable consideration, and withdraw the retrenchment claim of Rupees 235-4-1, and will further be pleased to allow me to draw subsistence allowance from January 1st to 15th 1864, agreeably to the Official Memorandum of the Civil Paymaster, dated January 13th 1864. Should the Madras Government, however, still consider that I was not entitled to draw my pay as Head Assistant

from December 23rd to 31st 1863, I respectfully request that they will at least allow me the unemployed allowances of my rank from December 23rd 1863 to January 15th 1864, agreeably to the Civil Paymaster's Official Memorandum.

10. I have the honor to request that the Right Honorable the Secretary of State for India will be pleased to order the re-issue to me of the sum retrenched, viz., £23-10-6 pending a reference to the Madras Government.

OFFICIAL MEMORANDUM.

Revenue Department.

Your demi-Official letter dated to-day states, that as reported to Government, Mr. Nisbet will be allowed no pay while absent from his duties, no sick leave being due to him, and his leave being therefore without allowances.

2. As regards the 2nd question just states, that inasmuch as Mr. Nisbet has received no leave which comes under the Absentee Rules, he would seem entitled to no allowances to date of embarkation from that of delivering over charge beyond the unemployed pay of his rank.

FORT SAINT GEORGE,
CIVIL PAYMASTER'S OFFICE,
13th January 1864.

(Signed) R. W. LODWICK,
Civil Paymaster.

To W. Nisbet, Esq., C. S.

No. 2. ORDER THEREON, 14th April 1866, No. 144.

Ordered that a copy of the foregoing Despatch, and its enclosure, be forwarded to the Examiner of Claims, with reference to paragraph 1 of the Proceedings of Government of the 19th ultimo, No. 102, and that he be requested to furnish, with as little delay as practicable, the Report required by the Secretary of State regarding the retrenchment standing against Mr. Nisbet.

(True Extract).

Chief Secretary.

To the Examiner of Claims.

Exd. R. H. Lee.

Financial Depts

Proceedings of the Madras Govt:

Read Despatch from the Rt Honble the Secy: of State for India

(Dated 9th Mar. '66 No 22)

Order — 14th April 1866 No 144

Ordered that a copy of the foregoing Despatch & its enclosure be forwarded to the Examiner of Claims with reference to para 1 of the Proc: of Govt: of the 19th Ultimo No 102, & that he be requested to furnish, with as little delay as practicable, the report required by the Secretary of State regarding the retrenchments standing against Mr Nisbet

To Examiner of Claims

List 74 April 6.

Final 1866. Department.

No. 174

PROCEEDINGS OF GOVERNMENT.

Dated 14th April 66

~~Press No. 2755, G. M.—14-11-65—500.~~

Regarding retrenchment made by the Examiner of Claims against Mr. Nisbet, Clerk of the Madras Civil Service.

21-22

22

M.R.O. 1—77,006—3-6-37.

(1) Number of pages _____

(2) Date of repair 18-8-89

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Finance **DEPARTMENT.**

G.O. No. 144 Press ~~Mis.~~

21-22.

Dated 14-4- 1866.

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21.22

Not to be folded or roughly handled