M.R.O. 1—77,005—8-6-37.

(1) Number of pages 16

(2) Date of repair

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 205	Press Mis.
28-29	
Dated 8-5- 18 67	

8/8

28-29

Not to be folded or roughly handled

No. 28. Read the following letter from J. W. REID, Esq., Madras Civil Service, on furlough, to the Chief Secretary to Government, Fort Saint George; dated Stapleton, near Bristol, England, 7th February 1867.

In accordance with permission granted me in the *Fort Saint George Gazette*, in the beginning of March (No. and date I cannot enter, not having access to it here), and with the special sanction of Government, in an Order* passed on Proceedings of the Board of Revenue, No. 2843, dated 23rd April 1866, I took 21 days' leave, preparatory to furlough, beginning on the 4th of April last, and was, therefore, entitled to half my Sub-Collector's pay during those 21 days, making my salary from the 1st to 24th April, both days inclusive, as shown below :—

* No. 1027, dated 1st May 1866.

	Rs.	A.	P.
Amount of full salary as Sub-Collector of Kistna District and Acting Sub-Collector of Bellary, from 1st to 3rd April inclusive, at Rupees 1166-10-8 per mensem.....	116	10	6
Amount of half salary, at above rate, as Sub-Collector of Kistna District, during preparatory leave from 4th to 24th April inclusive	408	4	9
Total...	524	15	3
Deduct Civil Fund at (4+2¼) 6¼ per cent	33	0	0
	491	15	3
Add fixed Tentage as Acting Sub-Collector of Bellary, from 1st to 3rd April inclusive, at 87-8-0 per mensem ...	8	12	0
	500	11	3

I left instructions with my Agents in Madras (Messrs. Binny & Co.) to receive the above, and left for England by the mail of the 28th April 1866.

2. The Examiner of Claims having paid over to Messrs. Binny, & Co. the sum of Rupees 358-12-0, instead of the above amount, I, on the 22nd October, requested that Officer to inform me wherein my claim was wrong, and received a reply from him, No. 631, dated 18th December 1866, copy of which I have the honor to enclose, in which he states that, "although at the time of my "proceeding on leave to Europe, I stood appointed permanently to the Sub-Collectorate of Kistna, "I am not entitled to a Sub-Collector's salary, but only to that of Head Assistant, from date of my "relief at Bellary, because I never joined my appointment at Kistna, nor any permanent Sub-Col-"lectorate, and that I drew the higher pay while at Bellary in consequence of being detained "on duty."

3. I believe it to be an understood thing that when an Officer is posted to some permanent appointment, and directed in the same Gazette, or after such appointment, to act in a post of equal rank and pay elsewhere, that the first appointment is intended to give him promotion, and that, to enjoy all the privileges of that promotion, it has never been considered necessary actually to join the very District to which one is permanently posted.

4. I have, therefore, the honor to submit my claim, and the difference of opinion between the Examiner of Claims and myself, for the decision of Government, and to request that, should Government coincide with me in opinion, they will be pleased to direct the payment to me of Rupees 141-15-3 balance, after deducting from Rupees 500-11-3 the amount already paid to me.

From W. DONALD, Esq., Examiner of Claims, Fort Saint George, to J. W. REID, Esq., Madras Civil Service, Stapleton; dated Fort Saint George, 18th December 1866, No. 631.

I have the honor, with reference to your letter No. —, dated 22nd October last, to state that, although, at the time of your proceeding on leave to Europe, you stood appointed permanently to the Sub-Collectorate of Kistna, you are not entitled to a Sub-Collector's salary (but only to that

of Head Assistant) from date of relief at Bellary, because you never joined your appointment at Kistna, nor any permanent Sub-Collectorate. You drew the higher pay while at Bellary, in consequence of being detained on duty.

2. The smaller allowance would have been passed to you during joining time had you left Bellary to join your permanent appointment.

3. Agreeably to the above, your salary, during your leave preparatory to furlough, was calculated at the rate of a moiety of that of a Head Assistant Collector.

No. 29. ORDER THEREON, 8th May 1867, No. 205.

In the foregoing letter Mr. Reid appeals against an objection made by the Examiner of Claims against passing to him the half salary of a Sub-Collector from the 4th to the 24th April 1866, during which period Mr. Reid was on leave preparatory to his embarkation for Europe on furlough. Mr. Reid claims full salary from 1st to 3rd April 1866 as Sub-Collector of the Kistna District and Acting Sub-Collector of Bellary, and half salary, as Sub-Collector of the former District, from the 4th to the 24th April.

2. Mr. Reid at the time stood appointed Sub-Collector of the Kistna District, but had not joined that appointment, having been retained as Acting Sub-Collector of Bellary up to his departure on furlough. Up to the date of Mr. Reid's obtaining preparatory leave, he drew the full salary of a Sub-Collector, but for the period of his leave the Examiner of Claims considers him entitled only to the half salary of a Head Assistant, that being the last permanent appointment the duties of which had been performed by him. Mr. Donald observes that, if Mr. Reid had proceeded to join his permanent appointment in the Kistna District, he would have been entittled only to the pay of Head Assistant for the time occupied by him in joining.

3. It appears that the Examiner of Claims took exception to Mr. Reid drawing full salary as Acting Sub-Collector of Bellary from the 29th March to the 3rd April 1866, in consequence of his not having returned to the District after the Easter Holidays, and that the Government, in their Orders in the Revenue Department, dated 1st May 1866, No. 1027, sanctioned, "as a special case", the payment of Mr. Reid's salary for the period in question, allowing him to reckon his preparatory leave from the 4th April 1866.

4. An Officer appointed to a higher situation than the one which he holds is debarred, by Section 23 of the Civil Service Rules, from drawing the higher salary until he joins, unless he be detained by Government in another appointment, and, in that case, when he eventually proceeds to join his permanent appointment, he falls back on the salary attached to his last permanent appointment during the time occupied in joining. The same rule is applicable to the case of an Officer so circumstanced proceeding on leave.

5. The Government concur in the view of M. Reid's case which has been taken by the Examiner of Claims.

(True Extract).

Chief Secretary.

To J. W. Reid, Esq.
To the Examiner of Claims.
,, Revenue Department.

Exd. J. H. Burns.

No 631 Office of Examiner of Claims
Fort Saint George
18 December 1866

From The Examiner of Claims
Fort St George

To J. W. Reid Esqre
M.C.S. Resident at Ottapse Stapleton
near Bristol

Sir

I have the honor with reference to your letter No — dated 22nd October last to state that although on the ~~receipt of your~~ proceeding on Leave to Europe, you stood appointed permanently to the Sub Collectorate of Kistna you are not entitled to a Sub. Collector's Salary, but only to that of Head Assistant, from date of relief at Bellary, because you never joined your appointment at Kistna, or any permanent Sub. Collectorate — You drew the higher pay while at Bellary, in consequence of being detained on duty

The Smaller allowance would have been passed to you during your time had you left Bellary to join your permanent appointment —

at Rs. 166-10-8 per mensem Rs. 1,996-2-6
Amount of half salary at same above rate as Sub Collector of Kistna District during preparatory leave from 6th April to 24th April inclusive 40 Rs. 4-9
Do Do 15-3
Deduct Cmd. Field Allce (4+2¼) 6¼ per cent 33-0-0 nil.

Amount Final Pay &c as per Regulations
from 25th April to 31st ditto inclusive
at 83/8 per mensem Rs. 192-11-8

I left with the above (Mesdrs Binny & Co) to receive, and left for England by the mail of 26th Feby 1866

The Examiner of Claims having handed over to Messrs Binny & Co the sum of Rs. 358-1-2:0 instead of the above amount, on the 22nd October, requested that office to inform me, wherein my claim was wrong, and received a reply from him No 631, dated 18th Decr 1866, Copy of which

Pro, 1st May 66 - N 1027 RD
Gazette 23 Feby 1866 - P 312

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Financial 1867 Dept
Pros. 8th May.

From
J. W. Reid Esqre
M. C. S. Eastland

Dated 27th Feby 1867
Rd 2nd April 1867

Enclosure
No 145.

Prefers his claim to the Monety of a Sub Collector's Salary during the preparatory leave taken by him in 1866, the Examiner of Claims having passed to him only that of the pay of an Head Assistant —

I have the honor to enclose a letter from [illegible] stating that although on the occasion of my proceeding on Leave to Europe, I stood appointed permanently to the Sub Collectorate of Kistna I am not entitled to a Sub. Collector's Salary, but only to that of Head Assistant, from date of my relief at Bellary, because I never joined my appointment at Kistna, or any permanent Sub. Collectorate, and that I drew the higher pay while at Bellary, in consequence of being detained on duty —"

I believe it to be an understood thing, that when an officer is posted to some permanent appointment, and directed in Standing Orders, to act after such appointment, to act in a post of equal rank elsewhere, that the first appointment is intended to give him promotion and that to enjoy all the privileges of that promotion it has never been considered necessary actually to join the very district to which one is permanently posted.

I have therefore the honor to submit my claim, and the difference of opinion between the Examiner of Claims & myself.

Financial Department. 9

PROCEEDINGS of the **MADRAS GOVERNMENT.**

Read letter from Mr J. W Reid, Madras Civil Service. England.

27 Feby 1867.

Order thereon. 8 May 1867 No 205.

In the foregoing letter Mr Reid appeals against an objection made by the Examiner of Claims against passing to him the half salary of a Sub Collector from the 4 to the 24 April 1866 during which period Mr Reid was on leave preparatory to his embarkation for Europe on furlough. Mr Reid claims full salary from 1st to 3d April 1866 as Sub Collector of the Vizagapatam District and acting Sub Collector of Bellary, and half salary as

as Sub Collector of the former District from the 4th to the 24th April.

2. Mr. Reid at the time stood appointed Sub Collector of the Kistna District, but had not joined that appointment having been retained as Acting Sub Collector of Bellary up to his departure on furlough. Up to the date of Mr Reid's obtaining preparatory leave he drew the full salary of a Sub Collector, but for the period of his leave the Examiner of Claims considers him entitled only to the half salary of a Head Assistant, that being the last permanent appointment the duties of which had been performed by him.

Mr Donald observes

that if Mr Reid had proceeded to join his permanent appointment in the Kistna District he would have been entitled only to the pay of Head Assistant for the time occupied by him in joining.

3. It appears that the Examiner of Claims took exception to Mr Reid drawing full salary as Acting Sub Collector of Bellary from the 29 March to the 3d April 1866 in consequence of his not having returned to the District after the Easter Holidays, and that the Govt. in their orders

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rule is applicable to
the case of an officer
so circumstanced
proceeding on leave.

5 The Govt. concurs
in the view of Mr
Reid's case which
has been taken by the
Examiner of Claims.

J. W. Reid Esq
Examiner of Claims
Revenue Dept.

dispatched 23 1866

Financial 1867. Department.

No. 205

PROCEEDINGS OF GOVERNMENT.

Dated. 8 May 1867.

28. 29.