

Financial (189) Department.

ORDINARY PRINTED.

G.O., No. 381-2

DATED 13-5-95.

Indexed

22/20

[Despatch Abstract.]

Mr. H. Moberly I. to S. Forwarding to the Govt of India for transmission to the Secy of State memorial from — praying for a reconsideration of the orders of the Home Govt. refusing to sanction any addition to the allowances already received by him

BACK PAPERS.

O.O.	No.	Department	Date	O.O.	No.	Department	Date

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

13TH MAY 1895, No. 381, FINANCIAL.

GOVERNMENT OF MADRAS.

FINANCIAL DEPARTMENT.

READ—the following papers :—

AD—the following papers :—
 Proceedings of the Board of Revenue (Land Revenue), dated 5th March 1895,
 No. 1123-30, Mis.

ABSTRACT.—Forwarding through the Commissioner of Revenue Settlement a memorial from Mr. H. Moberly, I.O.S., addressed to the Secretary of State regarding his pay.

From the Accountant-General, Madras, dated 22nd April 1895, No. 970.

ABSTRACT.—Reporting the total amounts drawn as salary and exchange compensation allowance by Messrs. H. Moberly and E. O. Rawson between 1st April 1893 and 16th August 1894.

ORDER—dated 13th May 1895, No. 381, Financial.

Mr. Moberly's memorial will be forwarded to the Government of India for transmission to the Right Honourable the Secretary of State for India.

[Here enter letter No. 382, dated 13th May 1895.]

(True Extract.)

Chief Secretary.

To the Board of Revenue (Land Revenue).

Exd. T. K. Narayana Aiyangar,

Gobt. of {1895} Madras.
FINANCIAL.

Issued

Recd.

Encl.

G.O., 13th May 1895, No. 381.

MAY.

Mr. H. Moberly, I.C.S.

Forwarding to the Government of India, for transmission to the Secretary of State, memorial from — praying for a reconsideration of the orders of the Home Government refusing to sanction any addition to the allowances already received by him.

13TH MAY 1895, No. 382, FINANCIAL.

FINANCIAL DEPARTMENT.

LETTER—from

THE CHIEF SECRETARY TO THE GOVERNMENT OF
FORT ST. GEORGE,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
REVENUE AND AGRICULTURAL DEPARTMENT.

SIR,

With reference to the correspondence ending with Mr. MacLagan's endorsement of the 16th November 1894, No. 3346-62, I am directed to forward the accompanying memorial, addressed to the Right Honourable the Secretary of State for India by Mr. H. Moberly, I.C.S., in which he prays for a reconsideration of the orders contained in paragraph 5 of the Right Honourable Mr. Fowler's despatch of the 11th October last, No. 143, Revenue, refusing to sanction any addition to the allowances already received by him.

2. Mr. Moberly's case has been fully dealt with in my letter of the 24th January 1894, No. 61, addressed to the Finance and Commerce Department of the Government of India, and his present memorial calls for but few remarks.

3. He is correct in stating (paragraph 5 of the memorial) that the sum of Rupees 5,564 was arrived at by the Government of India in its despatch No. 158, dated 12th June 1894, by taking the salary drawn by him as Special Settlement-officer and that of his immediate junior Mr. E. C. Rawson, between the 16th July 1892 and the 15th September 1894. This comparison was based on the tabular statement in paragraph 7 of my letter quoted in paragraph 2 *supra*. The figures for the last few months in that statement were, however, so far as Mr. Rawson was concerned, conjectural, since they were based on the assumption that his salary would remain at the same figure as in January 1894. Mr. Moberly reverted to the regular line on the 17th August 1894, on which date he assumed charge of the appointment of Acting Collector of Malabar. The Accountant-General has now furnished particulars of the salary, including exchange compensation allowance, drawn by Messrs. Moberly and Rawson between the 1st April 1893 and the 16th August 1894, and the statement given in my letter of January 1894, altered accordingly, stands as follows:—

Periods.	Salary drawn by Mr. Rawson.			Salary drawn by Mr. Moberly.		
	RS.	A.	P.	RS.	A.	P.
* 16th July 1892 to 15th February 1893	7,290	13	3	9,100	0	0
† 16th February 1893 to 15th March 1893	1,275	1	0	1,300	0	0
† 16th March 1893 to 31st March 1893	971	7	4	650	0	0
1st April 1893 to 16th August 1894	33,658	12	10	25,972	6	3
(including exchange compensation allowance)						
Total ..	43,196	2	5	37,022	6	3

* As in paragraph 7 of No. 61, Financial, dated 24th January 1894.
† Taken as half a month.

4. It will be observed that Mr. Moberly, between the 16th July 1892, the date on which he took up the duties of Special Settlement-officer, and the 16th August 1894, the date upon which he relinquished them, drew Rs. 6,173-12-2 less than his immediate junior Mr. E. C. Rawson did in the same period. This is a lower figure than that (Rs. 7,000, exclusive of exchange compensation allowance) at which he places his loss (paragraph 6 of the memorial). But, in arriving at this figure, Mr. Moberly has included the loss alleged to have been sustained by his having been treated under rules, which have lately been altered, as a Second-grade Collector and as a junior officer after his return to the regular line. His alleged losses on this account have already been considered by His Excellency the Governor in Council, who decided that Mr. Moberly's case could not receive special treatment and that it had been correctly dealt with under existing rules by the Accountant-General. It is, in fact, impossible to state for how long Mr. Moberly, had he remained in the regular line, would have been a Second-grade or a First-grade officer under the rules in force prior to last December and the fairest method is that which has been adopted by this Government, viz., comparing his emoluments with those of his immediate junior.

5. I am, however, to observe that while in the Settlement Department, where he gave complete satisfaction, Mr. Moberly was performing more arduous and important work than Mr. Rawson performed out of it, before the latter obtained promotion to an Acting Judgeship or Collectorate and that therefore Mr. Moberly should have been better, not worse, paid than his junior.

6. His Excellency the Governor in Council, in consideration of all the circumstances of the case, strongly urges the payment to Mr. Moberly of not less than Rs. 7,000 and I am to express the hope that the Government of India will support this recommendation.

I have the honour to be,

Sir,

Your most obedient servant,

OOTACAMUND,
13th May 1895.

Chief Secretary.

1895.
FINANCIAL DEPARTMENT.

From the Government of
Fort St. George.

Issued

Recd.

Encl.

Letter, 13th May 1895, No. 382.

MAY.

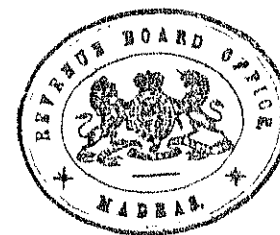
Mr. H. Moberly, I.C.S.

Forwarding, for transmission to the Secretary of State, memorial from — praying for a reconsideration of the orders of the Home Government refusing to sanction any addition to the allowances already received by him.

CONFIDENTIAL.

CURRENT NO. 763

100 copies.
4-12-94.



Proceedings of the Board of Revenue
(Land Revenue),

Dated 5 March 1895.

No. 1123 Mi
Conf. No. 30

Read the following letter from Mr. Moberly Esq. to the Secretary to the Commissioners of Land Revenue, dated 1st March 1895.

I have the honor to enclose a Memorial addressed by me to the Secretary of State — and to request that it may be forwarded to the Government of Madras, with such remarks as the Board deems necessary.

Resolution.

Mr. Moberly's memorial will be forwarded to the Chief Secretary through the Commissioners of Revenue Settlement.

The Board in this department has no remarks to offer.

True Copy & Extract

L. Moberly
Secretary

To the Chief Secretary to Govt. Public Department,
through the Comr. of Revenue Settlement, with
2 Enclosures in original.

redacted

Copy

CONFIDENTIAL.

1895.

Board of Revenue

(Land Revenue),

MADRAS.

BOARD'S RES. 1206 75

Board of Rev.
Res. No. L. R. 1206
Madras 8 6-3-95
No 1225 Huse

To

~~THE COLLECTOR OF~~ Chief Secretary
to Government, Public
Dept through the
Commr of Rev. Lett. to

6/3

Proceedings, dated 5 March 1895.
No. 1123 Mis
Conf. No. 30 1.2.5

Abstract.

Forwarding to the Chief
Secretary to Govt through
the Commr of Rev. Lett. Memorial
from Mr. M. Moberly
addressed to the Secretary
of State for India regarding his pay.

Forwarded.
2. The Acting Commissioner
has reason to believe that
Mr. Moberly was fully
satisfied with Mr. Moberly's
work as Special Settlement
Officer.

Signature of
Secretary.

The Chief Secretary to Government,
Public Department
with 3 enclosures.

1. 7. 11

189 . No. 763

Board of Revenue

(Revenue Settlement, Land Records
and Agriculture),

MADRAS.

60-61	546	607	711
24-1-94	17-7-94	8-8-94	11-9-94

1001	1059
19-10-94	12-12-94

CHIEF SECRETARY
GOVERNMENT OF MADRAS
-7. MAR. 1895

The Chief Secretary to
Government,
Public Department.

No. of Enclosures. 3

Proceedings, dated 6th March 1895.
No. 1225 Misc

Subject.

Forwarding with remarks
Memorial from Mr H. Mobely
addressed to the Secretary
of State for India regarding
his pay.

C. No 763

Memo No 722

2.4.95

The Act. Genl. is requested to
report, at an early date, the total
amounts drawn as salary and
exchange compensation allowance
by (1) Mr. H. Mobely I. C.S.
(2) Mr. S. C. Ransom, I. C.S.
between the 1st April 1893 and the
16th August 1894 (both days inclusive)

Note for the CS.

The calculations in
para 7 of Letter of 24.1.94,
No. 61 Excluded Exchange Compo.
Allowance - Besides this Mr.
Ransom's ~~pay~~ salary as given
there was ^{only} conjectural after
the 1st January 1894. It
seems best to get the exact
figures up to the 16th August
1894 the date on which Mr.
Mobely took charge of the
Collectorate of Malabar on the
17th idem.

CS.
17.3.95

CS.
17.3.95

AS
30/3/95

Act. General. *expd*
18 APR 95
H. MS

Mr. Moberly Pay

CS.

Gazetted Audit DEPARTMENT.

CURRENT No. 2 Abstract 1301

Port St. George,
Accountant-General's Office.

22nd April 1895.

No. 970

From

J. W. Rawlin's Esquire,
ACCOUNTANT-GENERAL TO THE

GOVERNMENT OF MADRAS,

To

The Chief Secretary to Government,
Public Department.

SIR,

With reference to Madras Government official memorandum No 722 dated the 2nd of April 1895, I have the honour to report that the total amounts drawn as salary and Exchange Compensation allowance by Messrs H. Moberly and E.C. Rawson between 1 April 1893 and 16 August 1894 are as noted in the margin.

I have the honour to be,
Sir,
Your most obedient servant,
J. W. Rawlin's
Accountant General.

	Salary	Exchange Compensation
Mr H. Moberly	Rs 2339-7-4	Rs 2572-14-11
E.C. Rawson	Rs 30312-2-3	Rs 3346-10-7
	Sum = 6,912-10-11	Sum = 7,686-6-7

CURRENT No. 1301
Public Dept.
(189) DEPARTMENT.

From

THE ACCOUNTANT-GENERAL,

MADRAS,

To

THE Chief Secy to Govt
Public Dept

Dated

Received

CHIEF SECRETARY
23 APR 1895
GOVERNMENT OF MADRAS

No.

SUBJECT.

Reporting the totals amounts
drawn as salary and exchange
compensation allowance by
Messrs H. Moberly and
E. C. Rawson between
1st April 1893 and 16
August 1894

80. deop no 3322-1-95
Jml 80.105923-12-94
1001319-11-94
711 211-9-94
607-607A28-8-94
526217-7-94
Pub 504210-7-94
Jml 426.722-6-94
60-61224-1-94
1245218-11-92
80. 276225-9-92
Jml 776227-7-92
758221-7-92
Pub 458221-7-92
Jml 668225-6-92
Paper about the depts of junior collector, 80. 923

To

60000
The RIGHT HONOURABLE MR. H. H. FOWLER,
HER MAJESTY'S SECRETARY OF STATE FOR INDIA IN COUNCIL.

The humble memorial of Henry Moberly,
of the Civil Service of India, now residing
at Calicut in the district of Malabar in the
Presidency of Madras.

SHOWETH,

That in June 1892, when your memorialist was acting as Sub-Collector in the
district of South Arcot, he was gazetted to be Special Settlement Officer, Malabar
and South Canara, vice Mr. A. E. C. Stuart.

That your memorialist was not asked whether he was willing to take up the
special appointment, nor was he informed what the salary of the appointment was
to be.

That in July 1892, when he was in Madras on his way to take up his new
appointment, he learned that the pay of the appointment had been fixed at Rs. 1,300
per mensem rising to Rs. 1,900 per mensem by annual increments of Rs. 150; that
he at once asked for and was granted a personal interview with His Excellency Lord
Wenlock, Governor of Madras, to whom he explained that the pay of the appointment
was insufficient and that he would draw more if he remained in the ordinary Revenue
line than if he took up the special appointment; that His Excellency asked your
memorialist to draw up a statement of his case; that your memorialist accordingly drew
up a memorandum explaining his position and submitted the same to the Government
of Madras, and that, in reply, he received the following letter, to the second sentence
of which particular attention is invited:—

OOTACAMUND,
25th August 1892.

AD. 226
25.8.92
MY DEAR MOBERLY,

Your letters of the 19th and 24th ultimo regarding your pay as Special Settlement Officer
have been considered and I am to say that, in view of the fact that your figures show that the
pay recently sanctioned protects you from any serious loss during the next five years, Govern-
ment does not see its way to again addressing the Government of India on the subject.

If at the end of the above-mentioned period, or even before that, you should be found to
suffer, there will be little objection to your reverting to the regular line; if, however, your services
are still required for the special appointment, you may rest assured that, if you have turned out
satisfactory work, the Government of the day will be prepared to treat you fairly and save you
from any loss.

At present, Government can only deal with probabilities, and these, as you have shown,
have been very fairly gauged.

Yours sincerely,

(Signed) J. F. PRICE.

80. 6011
24.8.92
4 That in July 1893, as six of your memorialist's juniors were acting either as
Collectors or District Judges and drawing much higher pay than himself, your
memorialist again asked for, and obtained an interview with His Excellency Lord
Wenlock, who not only admitted that your memorialist had cause for complaint, but
also assured your memorialist that he should not lose pay if he remained in the
Settlement Department, and that Government would abide by the promise it had made
in August 1892; that at His Excellency's request your memorialist submitted a
memorandum of his case, an extract from which forms Appendix A; that in January
1894 the Government of Madras addressed the Government of India on the subject

2

of your memorialist's pay; that the Government of India forwarded this letter to you with its despatch, No. 158, dated 12th June 1894, in paragraph 7 of which they admitted that your memorialist would, between 15th July 1892 and 15th September 1894, draw Rs. 5,564 less than he would have drawn had he remained in the ordinary line, and that in your despatch of 11th October 1894, No. 143, Revenue (copy of which was received by your memorialist only on 14th December 1894), you refused to sanction any addition to the allowances already received by your memorialist.

That your memorialist has shown that the Government of Madras promised that he should not lose pay if he remained in the Settlement Department; that the Government of India has admitted that your memorialist, if he had remained in the ordinary line, would have drawn between 15th July 1892 and 15th September 1894 Rs. 5,564 more than he would have drawn in his special appointment; that your memorialist is not aware how the Government of India arrived at these figures, but he presumes that they represent the difference between the salaries drawn by himself and his immediate junior, Mr. Rawson; that Mr. Rawson acted as Second-grade Collector and Judge in 1893, and consequently if your memorialist had never left the ordinary line, he would have drawn pay as Acting Second-grade Collector or Judge only for a few months in 1893; that on your memorialist reverting to the ordinary line on 17th August 1894 as Acting Collector of Malabar, he was treated as an Acting Second-grade Collector, whereas if he had never left the ordinary line he would have been treated as an Acting First-grade Collector; that from the 17th August to 15th September 1894 your memorialist was regarded as acting in a privilege leave arrangement, his junior, Mr. Rawson, having taken leave, and was allowed only Rs. 1,518-5-4 a month, instead of Rs. 1,994-7-1 which he would have drawn as Acting First-grade Collector; that from 16th September 1894 to 30th November 1894 your memorialist was allowed only Rs. 1,623-14-3 a month, as Acting Second-grade Collector, whereas if he had never entered the Settlement Department he would have drawn Rs. 1,994-7-1 per mensem.

That from what has just been stated, it is clear that your memorialist has, in consequence of his appointment as Special Settlement Officer, drawn nearly Rs. 7,000 (exclusive of exchange compensation allowance) less than he would have drawn had he remained in the ordinary line.

That your refusal to sanction any addition to the allowances already drawn by your memorialist not only punishes your memorialist with a fine of Rs. 7,000, but also means a considerable reduction in the amount of furlough allowance to which your memorialist will be entitled next year, when he hopes to get furlough.

That your memorialist worked hard as Special Settlement Officer and has, he believes, given satisfaction to his superiors.

That for the above reasons your memorialist most humbly and respectfully begs you to reconsider your decision and not to inflict on him a pecuniary loss which he has not merited.

And your memorialist will, as in duty bound, ever pray.

CALICUT,
1st March 1895.

(Signed) H. MOBERLY.

3 APPENDIX A.

EXTRACT FROM MEMORANDUM.

In July 1892, I had the honour to submit for His Excellency's kind consideration two letters regarding my pay as Special Settlement Officer. In his letter of 25th August 1892, Mr. Price informed me that the Government did not see its way to again addressing the Government of India on the subject, as the pay sanctioned would apparently protect me from any serious loss during the next five years, but that if, before the end of that period, I should be found to suffer, the Government would either allow me to revert to the regular line, or, should my services be required for the special appointment, save me from any loss.

From the *Fort St. George Gazette* of 22nd instant, it appears that, had I remained in the Revenue line, I should have been made a Sub-Collector from 21st March 1893. I should almost certainly have got an Acting Collectorship soon after 21st March, for Mr. Rawson, my junior, has, I believe, acted as Collector or District Judge ever since 23rd February 1893. Mr. Dance, also my junior, has acted as Collector since 7th May 1893, on a salary of Rs. 1,811-10-8 a month. It is quite possible, therefore, that, had I remained in the ordinary line, I should have drawn more pay between 16th July 1892 and 31st July 1893 than I have drawn in my special appointment, but I gladly admit that the Rs. 1,300 a month allowed to me during the last year has protected me from serious loss and that up to 31st ultimo I have had no cause for complaint.

The present outlook, however, is not comforting, and I am compelled, therefore, to ask His Excellency to remember the promise made last year.

At present six of my juniors are acting as Collectors and Judges, so that, but for my present appointment, I should now be drawing—

		RS.	A.	P.
Pay	Acting allowance, First-grade Collector or Judge	1,166	10	8
		777	12	5
Total		1,944	7	1

There will be some more vacancies before long, so that I am justified in assuming that, were I in the ordinary line, I should ere long be sure of a permanent Acting Collectorship giving me Rs. 1,944-7-1 a month. At present I get but Rs. 1,450 and so every month I lose Rs. 494. I am a married man. My wife and two children are with me, and I have two sons at home. I cannot therefore afford to lose anything, much less Rs. 494 every month.

A Collector is better off in every way, so far as I can see, than a Settlement Officer, and if I was allowed a choice, I should certainly ask for a Collectorship. If, however, the Government wishes me to remain in my present appointment for some time longer, I shall raise no objection provided I am secured from loss.

From 1st instant my pay is Rs. 1,450 and this certainly will not protect me from serious loss. The maximum pay of the appointment is Rs. 1,900, or Rs. 44 less than that of a Sub-Collector acting as First-grade Collector. So far as I can judge, nothing less than Rs. 1,900 a month will protect me from serious loss, and His Excellency will not, I trust, consider it presumptuous on my part when I ask that the maximum pay of the appointment may be allowed to me from 1st instant. If Mr. Castle Stuart were Special Settlement Officer he would now be drawing Rs. 1,900 a month. Besides, not having been made Sub-Collector, it is certain that when I revert to the ordinary line I shall lose pay.

My pukka appointment is that of Special Assistant, Vizagapatam, and when I revert I shall, I presume, be appointed to act as Second-grade Collector or Judge (pay Rs. 1,456), whereas a Sub-Collector acting as Second-grade Collector gets Rs. 1,589 and a Sub-Collector acting as First-grade Collector draws Rs. 1,944.

(True Extract.)

(Signed) H. MOBERLY.

To

THE RIGHT HONOURABLE MR. H. H. FOWLER,
HER MAJESTY'S SECRETARY OF STATE FOR INDIA IN COUNCIL.

The humble memorial of Henry Moberly,
of the Civil Service of India, now residing
at Calicut in the district of Malabar in the
Presidency of Madras.

SHOWETH,

That in June 1892, when your memorialist was acting as Sub-Collector in the district of South Arcot, he was gazetted to be Special Settlement Officer, Malabar and South Canara, *vice* Mr. A. E. C. Stuart.

2. That your memorialist was not asked whether he was willing to take up the special appointment, nor was he informed what the salary of the appointment was to be.

3. That in July 1892, when he was in Madras on his way to take up his new appointment, he learned that the pay of the appointment had been fixed at Rs. 1,300 per mensem rising to Rs. 1,900 per mensem by annual increments of Rs. 150; that he at once asked for and was granted a personal interview with His Excellency Lord Wenlock, Governor of Madras, to whom he explained that the pay of the appointment was insufficient and that he would draw more if he remained in the ordinary Revenue line than if he took up the special appointment; that His Excellency asked your memorialist to draw up a statement of his case; that your memorialist accordingly drew up a memorandum explaining his position and submitted the same to the Government of Madras, and that, in reply, he received the following letter, to the second sentence of which particular attention is invited:—

OOTACAMUND,
25th August 1892.

MY DEAR MOBERLY,

Your letters of the 19th and 24th ultimo regarding your pay as Special Settlement Officer have been considered and I am to say that, in view of the fact that your figures show that the pay recently sanctioned protects you from any serious loss during the next five years, Government does not see its way to again addressing the Government of India on the subject.

If at the end of the above-mentioned period, or even before that, you should be found to suffer, there will be little objection to your reverting to the regular line; if, however, your services are still required for the special appointment, you may rest assured that, if you have turned out satisfactory work, the Government of the day will be prepared to treat you fairly and save you from any loss.

At present, Government can only deal with probabilities, and these, as you have shown, have been very fairly gauged.

Yours sincerely,

(Signed) J. F. PRICE.

4. That in July 1893, as six of your memorialist's juniors were acting either as Collectors or District Judges and drawing much higher pay than himself, your memorialist again asked for and obtained an interview with His Excellency Lord Wenlock, who not only admitted that your memorialist had cause for complaint, but also assured your memorialist that he should not lose pay if he remained in the Settlement Department, and that Government would abide by the promise it had made in August 1892; that at His Excellency's request your memorialist submitted a memorandum of his case, an extract from which forms Appendix A; that in January 1894 the Government of Madras addressed the Government of India on the subject of your memorialist's pay; that the Government of India forwarded this letter to you with its despatch, No. 158, dated 12th June 1894, in paragraph 7 of which they admitted that your memorialist would, between 15th July 1892 and 15th September 1894, draw Rs. 5,564 less than he would have drawn had he remained in the ordinary line, and that in your despatch of 11th October 1894, No. 143, Revenue (copy of which was received by your memorialist only on 14th December 1894), you refused to sanction any addition to the allowances already received by your memorialist.

5. That your memorialist has shown that the Government of Madras promised that he should not lose pay if he remained in the Settlement Department; that the Government of India has admitted that your memorialist, if he had remained in the ordinary line, would have drawn between 15th July 1892 and 15th September 1894 Rs. 5,564 more than he would have drawn in his special appointment; that your memorialist is not aware how the Government of India arrived at these figures, but he presumes that they represent the difference between the salaries drawn by himself and his immediate junior, Mr. Rawson; that Mr. Rawson acted as Second-grade Collector and Judge in 1893, and consequently if your memorialist had never left the ordinary line, he would have drawn pay as Acting Second-grade Collector or Judge only for a few months in 1893; that on your memorialist reverting to the ordinary line on 17th August 1894 as Acting Collector of Malabar, he was treated as an Acting Second-grade Collector, whereas if he had never left the ordinary line he would have been treated as an Acting First-grade Collector; that from the 17th August to 15th September 1894 your memorialist was regarded as acting in a privilege leave arrangement, his junior, Mr. Rawson, having taken leave, and was allowed only Rs. 1,518-5-4 a month, instead of Rs. 1,994-7-1 which he would have drawn as Acting First-grade Collector; that from 16th September 1894 to 30th November 1894 your memorialist was allowed only Rs. 1,623-14-3 a month, as Acting Second-grade Collector, whereas if he had never entered the Settlement Department he would have drawn Rs. 1,994-7-1 per mensem.

6. That from what has just been stated, it is clear that your memorialist has, in consequence of his appointment as Special Settlement Officer, drawn nearly Rs. 7,000 (exclusive of exchange compensation allowance) less than he would have drawn had he remained in the ordinary line.

7. That your refusal to sanction any addition to the allowances already drawn by your memorialist not only punishes your memorialist with a fine of Rs. 7,000, but also means a considerable reduction in the amount of furlough allowance to which your memorialist will be entitled next year, when he hopes to get furlough.

8. That your memorialist worked hard as Special Settlement Officer and has, he believes, given satisfaction to his superiors.

9. That for the above reasons, your memorialist most humbly and respectfully begs you to reconsider your decision and not to inflict on him a pecuniary loss which he has not merited.

And your memorialist will, as in duty bound, ever pray.

CALCUT,
1st March 1895.

(Signed) H. MOBERLY.

APPENDIX A.

EXTRACT FROM MEMORANDUM.

In July 1892, I had the honour to submit for His Excellency's kind consideration two letters regarding my pay as Special Settlement Officer. In his letter of 25th August 1892, Mr. Price informed me that the Government did not see its way to again addressing the Government of India on the subject, as the pay sanctioned would apparently protect me from any serious loss during the next five years, but that if, before the end of that period, I should be found to suffer, the Government would either allow me to revert to the regular line, or, should my services be required for the special appointment, save me from any loss.

From the *Fort St. George Gazette* of 22nd instant, it appears that, had I remained in the Revenue line, I should have been made a Sub-Collector from 21st March 1893. I should almost certainly have got an Acting Collectorship soon after 21st March, for Mr. Rawson, my junior, has, I believe, acted as Collector or District Judge ever since 23rd February 1893. Mr. Dance, also my junior, has acted as Collector since 7th May 1893, on a salary of Rs. 1,811-10-8 a month. It is quite possible, therefore, that, had I remained in the ordinary line, I should have drawn more pay between 15th July 1892 and 31st July 1893 than I have drawn in my special appointment, but I gladly admit that the Rs. 1,300 a month allowed to me during the last year has protected me from serious loss and that up to 31st ultimo I have had no cause for complaint.

The present outlook, however, is not comforting, and I am compelled, therefore, to ask His Excellency to remember the promise made last year.

At present six of my juniors are acting as Collectors and Judges, so that, but for my present appointment, I should now be drawing—

	RS.	A.	P.
Pay	1,166	10	8
Acting allowance, First-grade Collector or Judge	777	12	5
Total	1,944	7	1

There will be some more vacancies before long, so that I am justified in assuming that, were I in the ordinary line, I should ere long be sure of a permanent Acting Collectorship giving me Rs. 1,944-7-1 a month. At present I get but Rs. 1,450 and so every month I lose Rs. 494. I am a married man. My wife and two children are with me, and I have two sons at home. I cannot therefore afford to lose anything, much less Rs. 494 every month.

A Collector is better off in every way, so far as I can see, than a Settlement Officer, and if I was allowed a choice, I should certainly ask for a Collectorship. If, however, the Government wishes me to remain in my present appointment for some time longer, I shall raise no objection provided I am secured from loss.

From 1st instant my pay is Rs. 1,450 and this certainly will not protect me from serious loss. The maximum pay of the appointment is Rs. 1,900, or Rs. 44 less than that of a Sub-Collector acting as First-grade Collector. So far as I can judge, nothing less than Rs. 1,900 a month will protect me from serious loss, and His Excellency will not, I trust, consider it presumptuous on my part when I ask that the maximum pay of the appointment may be allowed to me from 1st instant. If Mr. Castle Stuart were Special Settlement Officer he would now be drawing Rs. 1,900 a month. Besides, not having been made Sub-Collector, it is certain that when I revert to the ordinary line I shall lose pay.

My pukka appointment is that of Special Assistant, Vizagapatam, and when I revert I shall, I presume, be appointed to act as Second-grade Collector or Judge (pay Rs. 1,456), whereas a Sub-Collector acting as Second-grade Collector gets Rs. 1,589 and a Sub-Collector acting as First-grade Collector draws Rs. 1,944.

(True Extract.)

(Signed) H. MOBERLY.

FOR ORDERS.

Please see DO. of 22.1.95, No.

33.

Mr. Moberly's Memorial has been put into type whilst the AG. has been replying to the reference on C. No. 763. This was done as spare copies will be required by the S. of I. and the Secy. of State.

It does not appear to be necessary, when transmitting the Memorial to the ^{Govt} Secy. of ^{India} State, to do much more than refer to Financial letter of 24.1.94, No. 61, where Mr. Moberly's case was fully stated.

Mr. Moberly is correct in stating that the sum of Rs 5,564 was arrived at by the Govt. of India, in its despatch No 158 of 12th June 1894 [page 1 of 90. of 3.12.94 No 1059 Financial], by taking the salary drawn by him

It may fairly be taken into account that, while in the latter part, Mr. M. was doing more arduous & important work than Mr. R., and yet, before the latter obtained promotion to the Ag. Judge on Collyer's staff; that Mr. M. should therefore have been better, not worse, paid. I would recommend the payment to him of a little more than Rs 7000 - but certainly say that we gave complete satisfaction as to the office

DO

29/4/95

I agree. The promise in the Principal letter of the 25th is an of '92 was complete & it was reasonable in itself.

29/5

I agree. We are bound to do our best to protect Mr. Moberly against any loss. It was never intended that he should suffer.

him as Special Settlement Officer and that drawn by his immediate junior, Mr. Rawson, between the 16th July 1892 and the 15th September 1894. This ~~comparison~~ comparison was based on the tabular statement in para 7 of this Government's letter of the 24th January 1894, No. 61 Financial. The figures for the last few months in that statement were, however, so far as Mr. Rawson was concerned, conjectural, as they assumed that his salary would remain at the same figure as it stood at 1st January 1894. Mr. Moberly, according to the Civil list, ~~was~~ reverted to the regular list on the 17th August 1894 on which date he took up the appointment of Acting Col. of Malabar. The Act. Genl. in C. No. 1301, gives particulars of salary & exchange compensation allowance drawn by these two officers from 1st April 1893 to 16th August 1894. Combining these figures with the older ones in para 7 of Govt. letter of

FOR ORDERS.

(a) As in para 7 of
No. 61
24.1.94

(b) Taken as having
months

(c) C. No. 1301

24th January 1894, No. 61, the following result is obtained:-

Periods	Salary drawn by Mr. Rawson	Salary drawn by Mr. Moberly
16 th July 1892 to 15 th February 1893 -	7,290 13 3	9,100 - -
16 th February '93 to 15 th March '93	1,275 1 0	1,300 - -
16 th March '93 to 31 st March '93	971 7 4	650 - -
1 st April '93 to 16 th August '94 (including Exchange Com. Allow.)	33,658 12 10	25,972 6 3
Total	43,196 2 5	37,022 6 3

~~The~~ Mr. Moberly, therefore, between the 16th July 1892 the date on which he took up the duties of Special Settlement Officer and the 16th August 1894, the date upon which he relinquished them drew Rs 6,173-12-2 less than his immediate junior, Mr. E. C. Rawson, did in the same period. This is a lower figure than that (Rs 7000, exclusive of Exchange & Compensation Allowance) at which Mr. Moberly, in para 7 of his Memorial, places his loss. But in arriving at this figure ~~as stated by Mr.~~ Mr. Moberly has included the loss he sustained by being treated as a second-grade Collector and as a junior officer for the period

of § 120 of the C. S. R. With reference
to this point, attention is solicited
to the notes in the original of G.O. * File A
of 4th December 1894, No. 923 Public
where it was decided that Mr.
Moberly's case could not receive
special treatment and that it
had been correctly dealt with
under existing rules by the
Act. Genl. Mr. Moberly took
privilege leave for ~~2 months~~
~~26 days~~ from the 26th May
1894 so that even had he been
previously serving in the regular
line the continuity of his service
as an Acting First Grade Collector
would, under the ruling in
G.O. of 17th March 1893, No. 226
Public, have been broken. It is,
in fact, ~~well-nigh~~ impossible
to state ~~exactly~~ ~~whether~~ for how long
~~Mr. Moberly~~,
~~would have received~~ had he
remained in the regular line,
would have been a Second Grade
or a First Grade Officer under the
rules in force prior to those in
G.O. of 4th December 1894, No. 923
Public. The fairest method seems
to be that which has been
adopted by Govt. viz comparing

8-3-95.

Department.

C. No.

FOR ORDERS.

his emoluments with those of
his immediate junior.

C.S.
25/4/95

S
29/4/95

Mr. Moberly's Memorial to the
Secy of State
FOR ORDERS.

How Circ

How

How

Pub. in the D. 321-2

of 13 May/95

C. 29/10/95
R. 4/11/95

[11. 21. 1895]

Financial
DEPARTMENT.

Papers to be read in proceedings:—

Again G.O., dated 3^d December 1894, No. 1059. - (2)

Again G.O., dated 189 , No.

Public Current No. 763 of 1895, dated 6th March from the Bd of Rev. (Rev. Sett. Land Records, Agri. (P)

Current No. 1301 of 1895, dated 22^d April from the Accountant General. (P)

ORDER. 8 13th May 1895, no. 381.

38

BN

TO Board of Rev. (L. R.) 31/5/95
Moberly's Memorial to the Secy of State
Revised Copy Sent 8/6/95

Cb. 7.5.95

10/5/95

LETTER No. 382

TO The Secretary to the Govt. of India,
Rev. and Agri. Deptt.

36/4/95 31/5/95
with reference to the memorial of Mr. Moberly, I.C.S., dated 16th Nov. 1894, No. 3816/62, in which he prays for a reconsideration of the

SIR,
With reference to the correspondence ending with Mr. MacLagan's endorsement of the 16th November 1894, No. 3816/62, I am directed to forward the accompanying Memorial, addressed to the Right Hon. the Secretary of State for India by Mr. H. Moberly, I.C.S., in which he prays for a reconsideration of the

11/5/95
8^d 1059
3.12.94

orders contained in paragraph 3 of Mr. Foulst's despatch of the 11th October 1894, No. 148 Rev., refusing to sanction any addition to the allowances already received by him.

Mr. Moberly's case has been fully dealt with in my letter of the 24th January 1894, No. 61, addressed to the Finance and Commerce Department of the Government of India, and his present memorial calls for but few remarks.

He is correct in stating (para. 5 of the memorial) that the sum of Rs. 5,564 was arrived at by the Government of India, in its despatch No. 158, dated 13th June 1894, by taking the salary drawn by him as Special Settlement Officer and that of his immediate junior, Mr. E.C. Rawson, between the 16th July 1893 and the 15th September 1894. This comparison was based on the annual statement in paragraph 7 of my letter quoted in para. 2 supra. The figures for the last few months in that statement were, however, so far as Mr. Rawson (concerned, conjectural, since they were based on the assumption that his salary would remain at the same figure as in January 1894. Mr. Moberly reverted to the regular rate on the 17th August 1894, on which

Page 2 of 4

Go. 1059 7th 8.12.94

Para. 4 of Go. 1059 7th 8.12.94

9
Check before
para. 2
Done
13/12/94

PERIODS.	Salary drawn by E.C. Rawson.	Salary drawn by Mr. Moberly.
(a) 16th July 1893 to 15th Sept. 1893.	7,390 13 8	9,100 0 0
(b) 16th Sept. 1893 to 15th Sept. 1894.	1,275 2 0	1,200 0 0
(c) 16th Sept. 1894 to 15th Sept. 1895.	971 7 1	850 0 0
1st April 1893 to 15th August 1894 (including Exchange Compensation Allowance).	26,636 13 10	25,972 6 8
TOTAL.	45,706 3 8	37,022 6 8

(a) As in paragraph 7 of No. 61, Sir, dated 24th Jan. 1894.
(b) Taken as half a month.

It will be observed that Mr. Moberly, between the 16th July 1893 and the date on which he took up the duties of Special Settlement Officer and the 16th August 1894, the date upon which he relinquished them, drew Rs. 6,175-13-8 more than his immediate junior, Mr. E.C. Rawson, did in the same period. This is a lower figure than that (Rs. 7000, exclusive of Exchange Compensation Allowance) at which he places (para. 6 of the memorial).

90. $\frac{923}{4.1296}$ Pnd

~~Ch.~~
7.5.95

10757 95

8. I am, however, to observe that while in the Settlement Department, where he gave complete satisfaction, Mr. Koberly was performing more arduous and important work than Mr. ~~Ward~~ *Ward performed* out of it, before the latter obtained

Mr. Moberly's Memorial

See

Print (from Ordno)

H. b.

Please see S. A's letter to Mr. Moberly

H. b.

13/12

13TH MAY 1895, No. 381, ~~PUBLIC~~ ^{Financial}

GOVERNMENT OF MADRAS.
~~PUBLIC~~ ^{Financial} DEPARTMENT.

READ—the following papers:—

Proceedings of the Board of Revenue (Land Revenue), dated 5th March 1895, No. 1123-30, Mis.

ABSTRACT.—Forwarding through the Commissioner of Revenue Settlement a memorial from Mr. H. Moberly, I.C.S., addressed to the Secretary of State regarding his pay.

From the Accountant-General, Madras, dated 22nd April 1895, No. 970.

ABSTRACT.—Reporting the total amounts drawn as salary and exchange compensation allowance by Messrs. H. Moberly and E. C. Rawson between 1st April 1893 and 10th August 1894.

ORDER—dated 13th May 1895, No. 381, ~~PUBLIC~~ ^{Financial}

Mr. Moberly's memorial will be forwarded to the Government of India for transmission to the Right Honourable the Secretary of State for India.

(True Extract.)

Chief Secretary.

To the Board of Revenue (Land Revenue).

Exd. T. K. Narayana Aiyangar.

Gobt. of {1895} Madras.

PUBLIC.

Financial

Issued

Recd.

Encl.

G.O., 13th May 1895, No. 381.

MAY.

Mr. H. Moberly, I.C.S.

Forwarding to the Government of India, for transmission to the Secretary of State, memorial from — praying for a reconsideration of the orders of the Home Government refusing to sanction any addition to the allowances already received by him.

13TH MAY 1895, No. 382, PUBLIC. Financial

Financial
PUBLIC DEPARTMENT.

LETTER—from

THE CHIEF SECRETARY TO THE GOVERNMENT OF
FORT ST. GEORGE,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
REVENUE AND AGRICULTURAL DEPARTMENT.

SIR,

With reference to the correspondence ending with Mr. MacLagan's endorsement of the 16th November 1894, No. 3346-62, I am directed to forward the accompanying memorial, addressed to the Right Honourable the Secretary of State for India by Mr. H. Moberly, I.C.S., in which he prays for a reconsideration of the orders contained in paragraph 3 of the Right Honourable Mr. Fowler's despatch of the 11th October last, No. 143, Revenue, refusing to sanction any addition to the allowances already received by him.

2. Mr. Moberly's case has been fully dealt with in my letter of the 24th January 1894, No. 61, addressed to the Finance and Commerce Department of the Government of India, and his present memorial calls for but few remarks.

3. He is correct in stating (paragraph 5 of the memorial) that the sum of Rupees 5,564 was arrived at by the Government of India in its despatch No. 158, dated 12th June 1894, by taking the salary drawn by him as Special Settlement-officer and that of his immediate junior Mr. E. C. Rawson, between the 16th July 1892 and the 15th September 1894. This comparison was based on the tabular statement in paragraph 7 of my letter quoted in paragraph 2 *supra*. The figures for the last few months in that statement were, however, so far as Mr. Rawson was concerned, conjectural, since they were based on the assumption that his salary would remain at the same figure as in January 1894. Mr. Moberly reverted to the regular line on the 17th August 1894, on which date he assumed charge of the appointment of Acting Collector of Malabar. The Accountant-General has now furnished particulars of the salary, including exchange compensation allowance, drawn by Messrs. Moberly and Rawson between the 1st April 1893 and the 16th August 1894, and the statement given in my letter of January 1894, altered accordingly, stands as follows:—

Periods.	Salary drawn by Mr. Rawson.			Salary drawn by Mr. Moberly.		
	RS.	A.	P.	RS.	A.	P.
* 16th July 1892 to 15th February 1893	7,290	13	3	9,100	0	0
† 16th February 1893 to 15th March 1893	1,275	1	0	1,300	0	0
+ 16th March 1893 to 31st March 1893	971	7	4	650	0	0
1st April 1893 to 16th August 1894 (including exchange compensation allowance)	33,658	12	10	25,072	6	3
Total	43,196	2	5	37,022	6	3

* As in paragraph 7 of No. 61, Financial, dated 24th January 1894.
† Taken as half a month.

4. It will be observed that Mr. Moberly, between the 16th July 1892, the date on which he took up the duties of Special Settlement-officer, and the 16th August 1894, the date upon which he relinquished them, drew Rs. 6,173-12-2 less than his immediate junior Mr. E. C. Rawson did in the same period. This is a lower figure than that (Rs. 7,000, exclusive of exchange compensation allowance) at which he places his loss (paragraph 6 of the memorial). But, in arriving at this figure, Mr. Moberly has included the loss alleged to have been sustained by his having been treated under rules, which have lately been altered, as a Second-grade Collector and as a junior officer after his return to the regular line. His alleged losses on this account have already been considered by His Excellency the Governor in Council, who decided that Mr. Moberly's case could not receive special treatment and that it had been correctly dealt with under existing rules by the Accountant-General. It is, in fact, impossible to state for how long Mr. Moberly, had he remained in the regular line, would have been a Second-grade or a First-grade officer under the rules in force prior to last December and the fairest method is that which has been adopted by this Government, viz., comparing his emoluments with those of his immediate junior.

5. I am, however, to observe that while in the Settlement Department, where he gave complete satisfaction, Mr. Moberly was performing more arduous and important work than Mr. Rawson performed out of it, before the latter obtained promotion to an Acting Judgeship or Collectorate and that therefore Mr. Moberly should have been better, not worse, paid than his junior.

6. His Excellency the Governor in Council, in consideration of all the circumstances of the case, strongly urges the payment to Mr. Moberly of not less than Rs. 7,000 and I am to express the hope that the Government of India will support this recommendation.

I have the honour to be,

Sir,

Your most obedient servant,

OOTACAMUND,
13th May 1895.

Chief Secretary.

Financial 1895.
PUBLIC DEPARTMENT.

From the Government of
Fort St. George.

Issued

Recd.

Encl.

Letter, 13th May 1895, No. 382.

MAY.

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