

Financial (1899) Department.

ORDINARY M.S.

G.O., No. 504

DATED 15-4-99

INDEXED,

3/3

[Despatch Abstract.]

Recording Nos: Recl. dept: on letter from the Govt: of India forwarding copy of a despatch from the Secretary of State sanctioning the extension subject to certain condition, of the rules 8+10 under art 632 of the Civil Service Regulations to cover the case of an Archdeacon or chaplain ~~appointed~~ appointed to hold charge of a Diocese during a vacancy in the See.

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G.O., No. 44, 28th March 1899.

Sent Recd. dated
8/11/11
10/11/11

MARCH.

Communicating to the Venerable the Archdeacon and to the Financial Department letter from the Government of India forwarding copy of a despatch from the Secretary of State sanctioning the extension, subject to certain condition, of the Rules 8 and 10 under Article 632 of the Civil Service Regulations to cover the case of an Archdeacon or Chaplain appointed to hold —.

GOVERNMENT OF MADRAS.

ECCLESIASTICAL DEPARTMENT.

READ—the following paper :—

From R. NATHAN, Esq., Under Secretary to the Government of India, Home Department (Ecclesiastical), to the Chief Secretary to the Government of Madras, dated Calcutta, 14th March 1899, No. 105.

I am directed to forward, for the information of the Governor in Council, a copy of the papers noted in the margin on the subject of the extension of Rules 8 and 10 of Article 632 of the Civil Service Regulations to cover the case of an Archdeacon or Chaplain appointed to hold charge of a Diocese during a vacancy in the See.

Despatch to Her Majesty's Secretary of State, No. 382 (Pay and Allowances), dated the 15th December 1898.

Despatch from Secretary of State, No. 19, Public (Ecclesiastical), dated the 2nd February 1899.

ENCLOSURES.

DESPATCH from the Government of India, Finance and Commerce Department (Pay and Allowances), to the Right Honourable Her Majesty's Secretary of State for India, dated Calcutta, 15th December 1898, No. 382.

During the interval between the retirement of the late Bishop of Calcutta and the arrival of his successor, the Bishop of Madras is exercising the Episcopal Jurisdiction and Functions appertaining to the See of Calcutta. He is present in India at the time, but absent from the Diocese of Calcutta, and the Revd. A. E. Stone, Officiating Archdeacon and Commissary, has been appointed to be the Bishop's Commissary in charge of the Diocese of Calcutta until the arrival of the new Bishop.

2. Mr. Stone has applied for the allowance of Rs. 500 a month referred to in Rule 8 under Article 632 of the Civil Service Regulations which is granted to an Archdeacon or Chaplain appointed to hold charge of a Diocese during the absence of the Bishop. He has also preferred a claim to the travelling allowance referred to in Rule 10 under that Article for his journey to Darjeeling on visitation tour.

3. Under a strict interpretation of existing rules the allowance under Rule 8 cannot be granted. Article 632 of the Civil Service Regulations contains a collection of rules made under 34 and 35 Vict., Cap. 62. This Statute gives Her Majesty power to make rules as to the leave of absence of Indian Bishops on furlough and medical certificate. It gives no power to make rules for temporarily filling a substantive vacancy in any See, and, although there is some reason to believe that Rule 8 under Article 632 was originally framed with the intention that it should provide for such a case, the attempt to import such a provision into rules framed under the above Statute, which relates solely to absence on furlough or leave, cannot be legally effective. Nor is travelling allowance under Rule 10, Article 632, admissible in such a case.

4. On the merits of the case, however, we are of opinion that an Archdeacon or Chaplain appointed to hold charge of a Diocese during a vacancy in a See, has an equitable claim to the acting as well as to the travelling allowances, and we accordingly recommend that Rules 8 and 10 under Article 632 of the Civil Service Regulations may be extended to cover such cases, on the condition that the grant

of acting allowance does not involve any extra expense to the State beyond what would be incurred if the Bishop were present on duty, and that the grant of visitation allowance is subject to the restrictions laid down in Articles 1221 and 1284 of the Civil Service Regulations.

DESPATCH from the Right Honourable Her Majesty's Secretary of State for India, Public (Ecclesiastical), to His Excellency the Right Honourable the Governor-General of India in Council, dated London, 2nd February 1899, No. 19.

Having considered in Council the Financial letter of your predecessor's Government No. 382 of the 15th December last, I concur in the opinion that an Archdeacon or Chaplain appointed to hold charge of a Diocese during a vacancy in the See has an equitable claim to the acting allowance as well as to the travelling allowances, when admissible during the absence of the Bishop on leave, and I approve of your recommendation that Rules 8 and 10 under Article 632 of the Civil Service Regulations should be extended to cover such cases in the manner and with the limitations proposed.

ORDER—No. 44, Ecclesiastical, dated 28th March 1899.

Communicated to the Venerable the Archdeacon, and to the Financial Department.

(True Extract.)

A. E. Stone
for Chief Secretary.

To the Venerable the Archdeacon and
Commissary in charge of the Diocese.
" Financial Department.

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READ AGAIN G.O., No. , DATED
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CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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IN ORIGINAL.

N.B.—
A = Copy in full.
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