

Financial (1899) Department.

ORDINARY MS.

R.H.S. (24/4)
G.O., No. 542

Dated 22 - 4 - 99

INDEXED.

13/13

[Despatch Abstract.]

Approving the proposal to place Sergeant Mone of His Excellency the Governor's Band on the old scale of pay and allowances grants admissible to members of the Governor's Band from the date of his re-enlistment.

BACK PAPERS.

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

FURTHER PAPERS.

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

Financial (189) Department.

CURRENT No. 1069.



From The Accountant General
Madras.

Order

No. 9A.1.
135

Dated 9th March 1899.

Received 11.3.99

Registered 13.3.99

Enclosures 4

Spare copies

SUBJECT.

Enquiring under certain circumstances
whether Government approve of certain
pay allowances on the old scale being
passed in the case of Mr. Eddow Moore
late musician in this Regt. the Governor's
Band.

BACK PAPERS.

G.O.	No.	Department.	Date.
	711	Ind	
	1333	-	30.2.93
	7882	Ind	29.11.93
	2406	-	11.4.93
	12829	Ind	6.8.93
	876	-	29.8.92
	629	-	15.6.92

FURTHER PAPERS.

G.O.	No.	Department.	Date.
	55	Ind	16.7.92
	1323	-	15.12.91
20	10	-	10.1.90
	845	-	20.11.89
	357	-	19.8.71

Copy of Petition dated August 23. 1878 from the Sergeant
Bt. E. the Governor's Band to the Milly. Secretary Bt. E.
the Governor of Madras, through the Bt. E. the
Governor's Band.

I beg respectfully to submit the following
particulars of my case in the humble hope
that you will give the matter your kind considera-
tion and that recognising the hardships of the
case you will be graciously pleased to move the
authorities in view my position being remedied
and authoritatively settled.

2. My case succinctly given is as follows.
I was enlisted as a pupil in His Excellency
the Governor's Band on the 26th January 1876, and
was promoted through the various ranks up to
Senior Musician, after completing 21 years service
retired from the Band on the 1st of September 1897
on a pension of one shilling per diem according
to the official rate of exchange viz that of a
private.

3. Soon after my retirement I proceeded to
Rajahmundry to take up a civil appointment.
This I held for 5 months but finding that the place
did not suit my family I returned to Madras.
On my arrival here I learnt that His Excellency
the Governor's Band was in need of music that

and that in case I was disposed to be re-enlisted
my services would be accepted under the old
or military conditions carrying pay together with
family allowances, and rice compensation
and that both my former and present service
would be combined and calculated as one.
I was influenced to do so, and was accordingly
re-enlisted on the 24th March 1878 with rank of
Sergeant. Soon after my re-enlistment I
was disagreeably surprised to learn that I
had been all the time under a misapprehen-
-sion that matters stood upon quite a different
footing and that in point of fact I would
be treated as a musician under the
new or civil rules. The immediate effect
of this has been to dis-entitle me to family
allowances and rice compensation and to
restrict me to my bare grade pay Rs 35/-
and in the event of my future retirement
I apprehend that I would be restricted to
the amount of pension admissible on
my entire service, with reference to the
new or civil rules. To show the great hardship
that would be inflicted on me by the present
view of the case, I beg to state that prior to
my retirement I was in receipt of allowances

as follows:

	Rs	as	ps
Pay	35	-	-
Family allowance	18	-	8
Rice comp ⁿ	1	-	8
Grand total	55	-	0

Against this sum I am now receiving only
the bare pay of my grade Rs 35/- and it may
be noted that the amount of my pension
average Rs 24/- is merged in this latter
amount. Practically therefore for active
work I receive a pay of Rs 11/- only per
mensem, a sum wholly incommensurate
with the duties required of me, and insufficient
as a means of providing for myself and family.
I am aware that the incident of my retirement
has tended to influence the present aspect
of my case, but I would respectfully submit
that the peculiar circumstances connected
with it and the fact of my having been formerly
in the old rules should be taken into considera-
-tion. I would also represent that I have borne
a good character throughout my service and
possess testimonials to that effect, and also
to my efficiency. In these circumstances
that

I beg that my case may be specially considered.
and that I may be permitted to draw allowances
under the old rules viz pay and family allowances
and rice compensation and that my entire
service be taken as one giving me a right
to future pension under the military rules.
If any difficulty is felt in the matter I
beg that the case may be specially re-
commended to the Madras Govt or to the
Govt of India if necessary with due
respect.

Endorsement of the Supdt of the
Excellency the Governor's Band. D. of Octacumund
30 Aug 1898.

Forwarded for favourable consideration.
Sergeant Moore is a very useful hand in the
Band, a very good disciplinarian and a very good
musician, I highly recommend that his request
may be granted.

Endorsement of the Military Secretary to H. E. the Governor
to the Accountant General No 87 dated Octacumund
1st Oct 1898.

Forwarded for favour of opinion as to whether there
would be any objection to Sergt Ed. Moore being brought
on the establishment on the old scale of pay & family allowance.

1899
2nd Dept.
Enclos. No. 4
To
C. No. 1067.

Presidency Audit Department.

FORT ST. GEORGE,

Accountant-General's Office,

17th March 1898.

No. 506

From

THE ACCOUNTANT-GENERAL TO THE
GOVERNMENT OF MADRAS,

To

The Military Secretary to His Excellency the
Governor, Madras.

SIR,

With reference to your endorsement No. 87, dated
the 1st October 1898 on the petition of Mr. Edwin Moore, a
Sergeant of the Governor's Band dated the 23rd August 1898
enquiring whether there is any objection to his being
brought on the establishment on the old scale of pay and fa-
mily allowance, I have the honour to state that it appears
from para 3 of the petition that the pension which Mr. Edwin
Moore was drawing in the Military Department was stopped
and to request that you will be so good as to state with
reference to article 581 Civil Service Regulations, what
were the circumstances in which this was done.

I have the honour to be,

Sir,

Your most obedient servant,

[Signed] H. G. Jenkins

Asstt. Accountant-General.

(True copy)

J. S. Powers
Chief Superintendent

Manager, Correspondence Dept.

Accountant-General's Office.

9/17-12-98.
Copy of letter no 6969 from the Controller of Milly Accounts
Madras Command to the Military Secretary to the
Governor of Madras.

In returning the enclosure of your No 100 dated
23 November 1898, I have the honour to state that as
men of His Excellency the Governor's Band serve
under military rules in regard to pension irrespective
(a) Proceedings of the Madras Govt No 7887 of 29-11-93
(copy attached).

Departt. article 58, civil
Service Regulations, 3rd Edition
is not applicable to the case of Sergeant Moore,
and he is not therefore entitled to draw the Milly.
pension in addition to his pay on the new scale.
2. I may add that as the service of Sergeant
Moore on his enlistment is pensionable under
Milly rules he cannot draw the Military pension
he had been in receipt of in respect of his former
service, in view of his combined service being taken
into consideration in determining the rate of pension
under military rules to which he would be compe
entitled on future retirement.

(Enclosure)

10/11/98

10/11/98
102
19th Dec 1898

Forwarded to the Accountt. General to the Govt of
Madras with reference to his letter no 6969 of 17 Nov 98

10/11/98
J. S. Powers

1899
Mil Dept.
Encls. No 3
To
6069

ho 7881
Govt of Madras
Military Department
Fort St George, the 29 November 1893.

Read the following paper
From the Secretary to the Govt of India, Milly Dept
No 1658.7. dated Simla the 18 May 1893, regarding
the pension of the men of His Excellency the Governor's
band.

Endorsement from the Financial Department
No 439, of 17 August 1893.
From the Controller of Milly Accounts, No 9/823
dated 27 Sept 1893.

Order. The Govt of India will be informed
that this Govt has on further consideration
resolved to allow the bandmen enlisted after the
10 January 1890, to serve under military rules
and Regulations in regard to Pension. The
further orders necessary will be issued in the
Financial Dept.

(True extract)
100/ H.R. Hope Br. Genl.
Secy. to Govt.
(True copy)
100/ W. A. Marcus
ag. Chief asst. Milly Dept.
To the Milly Dept.
- Controller of Milly Accounts
- Assistant Secy.
Mil Secy to Govt. of India.
(True copy)
W. A. Marcus

Presidency and DEPARTMENT.
FORT ST. GEORGE,
Accountant-General's Office,
26 January 1897.
No. LAB 53

From
The ACCOUNTANT-GENERAL TO THE
GOVERNMENT OF MADRAS,
To
THE Controller of Military Accounts
Madras Command
Madras.

SIR,
With reference to your letter No 6969 dated the 17 of
December 1896 to the address of the Military Secretary to
H. E. the Governor of Madras, I have the honour
to request that you will be so good as to inform me
whether Sergeant Moore should be brought on the
establishment on the old scale of pay and family
allowances from the date of his enlistment as
a musician or whether he should be treated as
having been newly enlisted and allowed the
pay of his grade.

2. The original petition of Sergeant Edwin H.
India
that

To the address of the Military Secretary to H. E. the
Governor of Madras is herewith forwarded for
information and return.

I have
1609 H. G. Jankin
Asst. Accountt Genl

True Copy.

J. S. Jowers
Chief Superintendent.

1869
Jme

1069.

Copy of letter no 8340 of 18th Feby. 1877. from the Controller of Milly.
Accounts, Madras Command. to the Accountt. General
Madras.

In returning the enclosure of your letter no
JAB dated 26 January 77, I have the honour to state
⁵³that Sergeant Moore having forfeited his military
pension on re. enlistment should, in my opinion,
be brought on the old scale of pay and family allowance,
from the date of his re. enlistment, but as there are no
orders on this point and as Sergeant Moore is serving
in the Civil Deptt, I would suggest your submitting
his case for the definite orders of Govt.

(True copy)

J. S. Jowers
Chief Superintendent.

MS.

CURRENT No. 1069.

Residency and

DEPARTMENT.

FORT ST. GEORGE,

Accountant-General's Office,

9 March 1899.

No. *SellB*
135

From

J. Hesketh Biggs Esq

ACCOUNTANT-GENERAL TO THE

GOVERNMENT OF MADRAS,

To

THE Chief Secretary to Government,

Financial Department.

SIR,

I have the honour to forward for the records of Government copies of the correspondence noted in the margin and to state that Mr. Edwin Moore retired from the Service as a musician in His Excellency the Governor's Band on the 1st ^{Sept} May 1897 and was allowed pension under the military rules under G.O. No 7881 Mily. dated 29-11-93 embodied in G.O. No 1333 Hl dated 30 December 1893. Prior to his retirement, he was drawing from the Civil Department pay, family allowance and rice compensation according to the old scale.

* Encl. No 87 of 10-98 of the Mily. Secy. on the petition of Mr. Edwin Moore.
This office No *SellB* of 17-11-98
S.D. This reply No 102 of 17-11-98
This office No *SellB* of 26-1-99 to
Controlle of Mily. Accts. Madras
Comd. Obis reply No 8340 of
18-2-99.

1899
Feb
2
1069

C. N. 1069.

CS

Note.

The Accountant-General submits for orders the question of the pay and allowances at present admissible to ~~Sgt~~ Edwin Moore, who enlisted as a pupil in His Excellency the Governor's Band on the 26th January 1876, retired from it as a musician on the 1st September 1897 after completing 21 years' service and reenlisted on the 24th March 1898.

2. Previous to the issue of G.O. No. 20 Financial, dated 10th January 1890, the members of the Governor's Band were granted family allowance and compensation for dearness of food in addition to salary. Since that date a consolidated scale of pay has been adopted, but not with retrospective effect, so that ~~Sgt~~ Moore, who was entertained prior to that date, continued to draw ^{previous to his retirement} family allowance and rice compensation according to the old scale. On retirement in September 1897 he was allowed a pension of one shilling per diem under Military rules, it having been decided after some correspondence with the Govt. of India

that

Kode G.O. 804 Dtl.
Dy 20. Nov 89.

Pay " " " " Rs 35
Family allow " " 18-8-
Rice compensation " " 1-8-
Total Rs 55.

G.O. No. 1333 Dtl.
Dy 20. Dec 93.

and on re-enlistment as a Sergeant of H. E. the Governor's Band on the 24th March 1898, he was only allowed his bare pay of Rs 35-
The Controller of Military Accounts, Madras Command, to whom a reference has been made considers that as Sergeant Moore has forfeited his Military Pension on re-enlistment, he should be brought on the old scale of pay and family allowances (Vide copy of his letter No. 8340 Z dated 18th February 1899 enclosed) from the date of his re-enlistment, but as the point is not free from doubt, I have the honour to enquire whether Government approve of pay allowances on the old scale being passed in such cases.

I have the honour to be,
Sir

Your most obedt Servant.

W. H. B. P.
Accountant General.

that ~~all~~ ^{whether before or} bandsmen enlisted after the 10th January 1890 should ^{be} allowed to serve under military rules and regulations in regard to pension.

3. Since his re-enlistment as Sergeant of H. E. the Governor's Band in March 1898, however, ^{Sgt.} Moore has been drawing only the bare pay of his rank, viz. Rs.35. As his Military pension of one shilling a day (which amounted to about Rs.24) ^{has been} stopped, ^{Sgt.} Moore is practically receiving only Rs.11 for active work. He therefore requests that he may be brought on the ^{establishment} ~~on the old~~ scale of pay and allowances and that his entire service ^{may} be taken as ~~giving~~ giving him a right to future pension under the Military rules.

4. The Military Secretary to H.E. the Governor having referred the matter to the Accountant-General, that officer ^{enquired} ~~with~~ with reference to article 581 of the Civil Service Regulations, the circumstances under which the pension which ^{Sgt.} Moore was drawing in the Military Dept. was stopped. The Accountant-General was evidently under the impression that ^{Sgt.} Moore's present service would fall under the Civil Pension rules and that he ~~was~~ therefore entitled under article 581 of the Civil Service Regulations to continue to draw his military pension. In that case ^{Sgt.} Moore would have no claim to the old scale of pay and allowances. The Controller of Military Accounts has ~~never~~ pointed out that, as under G.O.

Please see below
Cmb

No. 7881, Military, dated 29th Novem-
^{recorded in G.O. No. 1333 Fmt. 8, 30 Dec 93,}
ber 1893, men of H.E. the Governor's
Band whether entertained before or
after 10th January 1890 serve under
Military rules in regard to pension,
article 581 of the Civil Service
Regulations ^{has} ~~not~~ not apply to ^{Sgt.} Moore's case; that he is not there-
fore entitled to draw the Military pen-
sion in addition to his pay on the
new scale; and that his combined ser-
vice would be taken into considera-
tion in determining the rate of pen-
sion under Military rules to which he
would become entitled on future re-
tirement. The Controller ^{is} ~~has~~ further
^{of opinion} ~~said~~ that as ^{Sgt.} Moore has forfeited
his military pension on re-enlistment
he should ~~be~~ ~~brought~~ be brought on the old scale of pay
and allowances from the date of re-
enlistment. As however there are no
orders on the point and as Sergeant
~~Moore~~ ^{is} is serving in the Civil Dept.
^{The Controller} ~~has~~ suggested that the case ^{should} be submit-
ted for the definite orders of Govt.
The Accountant-General thinks the
point is not free from doubt and en-
quires whether Govt. would approve of
pay and allowances on the old scale
being passed in such cases. It is
submitted that the view expressed by
the Controller of Military Accounts
may be accepted and the Accountant-
General's enquiry answered in the
affirmative.

5/14/99

For the C.S.

With reference to A above,
please see para 2 of the Controller's
letter No. 6969 of 17. 12. 98, XII
where he states that "Sgt.
Moore's service on re-enlistment
is pensionable under Milly
rules. The latter part of that
para is not quite clear &
it is not certain that it
~~does~~ bears the construction
placed on it at A above - viz.
that the whole of Sgt. Moore's
service will be taken into con-
sideration in calculating his
Military pension when he
finally retires. In his No. 8340 2
of 16. 2. 99, the Controller states
that Sgt. Moore has forfeited
his pension on re-enlistment.
This point is beside the main
point raised by the A.G. which
is whether Sgt. Moore should
be put on the old scale from
the date of his re-enlistment.
(to this there appears to be
no objection) - but it ~~seems~~
relates to one of Sgt. Moore's
requests - viz that his entire
service be taken into ~~con-~~
~~sideration~~ as giving him a

219.4.27
R.H. 4.27

right to future pension under
the Military rules (vide his
petition of 23. 8. 98 flagged XV).
There is the break of service
from 1st Sept 1891 to 24th
March 1895 to be got over
and the papers contain no
information as to how this
break will be treated under
the Military rules. The
question is one which affects
Sgt. Moore personally & is
rather one for him to raise,
but perhaps it would be
better to settle the whole
question ~~at~~ once for all
& to ask the A.G. (u.o) to
obtain further information
on this point.

Ans.

H. M.

15. 4. 99 the point relating to
Sgt. Moore's pension will be
determined while he is in
service. Whether his entire service
can be taken into account and the
break mentioned can not be
settled now. The only point
for consideration is whether

$$\left[\frac{G}{1.4} \right]$$

C. No. 1069 From the *Acid. Genl.*, No. $\frac{9AB}{135}$, dated 9. 3. 1899.

Order. No. 542 dated 22. 4. 99.

Mrs The Govt. approves of the proposal to place Sgt. Moore on the old scale of pay and allowances from the date of his re-enlistment.

См. 8.
21. 4 88.

From Order

C. G. (900)
 New Secy - to the E. the Fr. (a 10) ^{spec}

Exps 26.4.99.

Phys.

When given for copying 26/4
When copied 25/4 } 1899
When examined
When signed

READ AGAIN G.O., No. 189 DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.