M.R.O. 1—39,000—16-10-23.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1682 Press Mis.

25-26

Dated 30-11-1858

Not to be folded or roughly handled

No. 25. Extract from the Proceedings of the Hon'ble the President of the Council of India in Council, in the Financial Department, under date the 29th October 1858, No. 6077.

Read again the following papers relative to a proposition, from the Chief Commissioner of the Punjab for raising the salary of the Inspector of Prisons in that Province, from 1,000 to 1,500 Rupees a month:—

Foreign Extract, No. 2337, dated 30th June 1858.

Financial Resolution, No. 4101, dated 26th July 1858.

Read an Extract from the Proceedings of Government, in the Foreign Department, No. 3273, dated the 24th Ultimo, forwarding for consideration and orders, copy of a further letter, with its enclosure, from the Secretary to the Chief Commissioner of the Punjab, on the same subject.

Resolution.—On the 26th July last, this Government observed, with reference to an application from the Inspector of Prisons in the Punjab for a permanent increase of 500 Rupees per month to the salary of the post, that the increase applied for had been recommended by the Commissioner for the revision of Civil Salaries and Establishments; but that until a vacancy occurred in Bengal or Agra, it was out of the power of this Government to take the question of increase into consideration.

2. Referring to this remark, the Chief Commissioner of the Punjab now states that his only apprehension is, that he will not be able to retain the services of the present Inspector, Dr. Hathaway, until a vacancy as above described, shall occur, and he submits a suggestion from the Inspector of Prisons as to the mode by which his salary may be increased at once, without any additional charge being incurred by the State.

1st.—That the Inspectorship in Oude being at present in abeyance and as the pay of that appointment is not drawn at present at all, a portion of the money available may be allowed as an increase to the Punjab Inspector.

Or 2nd.—That out of the saving effected in Covenanted Salaries under the Punjab system introduced into the Delhi Territory, an increase of 500 Rupees a month may reasonably be allowed to the Inspector of Prisons in the Punjab, for the additional charge of Delhi Prisons.

3. But the Hon'ble the President in Council regrets that he cannot increase salaries nor can he remodel a Department in the way of increasing one salary, until by the same remodelling something becomes available by reduction *in the same Department*.

4. His Honor in Council is also of opinion that credit cannot be taken for the abeyance in which the office of Inspector of Prisons in Oude stands, and that the effects of the introduction of the Punjab system into Delhi cannot be credited to the Department of the Inspection of Jails.

5. Under these circumstances, His Honor in Council is constrained to decline to sanction the immediate increase applied for, and at the same time observes that if Dr. Hathaway finds it inconvenient to continue in his present appointment, some other Officer must be appointed.

6. In respect to the orders conveyed by the Hon'ble the Court of Directors in paragraphs 11 and 12 of the Financial Despatch, No. 64 of 1858, dated the 11th August, regulating the salaries of Inspectors of Prisons, which orders issued from this Department on the 9th Instant, the Hon'ble the President in Council understands that these orders are not intended to affect present incumbents injuriously. The Hon'ble Court's order in respect to the *increases* allowed in the scale given in para. 11 of the above mentioned Despatch, cannot therefore be carried into effect, until a corresponding reduction is effected in the salaries of one or more of the other appointments by vacancies; whenever funds shall be available in consequence of vacancies in Offices the salaries of which are to be decreased, the salary of the Inspector in the Punjab will be increased to 18,000 Rupees per annum.

Order.—Ordered that a copy of the foregoing Resolution be sent to the Foreign Department for communication to the Chief Commissioner of the Punjab.

Ordered also that a transcript be sent to the Civil Auditor in the Punjab for information and guidance.

Fort St. George, Judicial Consultation, 30th November 1858.

Ordered, further that a transcript of the same be forwarded to the Governments of Bengal, North Western Provinces, Madras and Bombay for information and guidance in continuation of communication from this Department, dated the 9th instant.

(A true Extract.)

(Signed) C. HUGH LUSHINGTON,
Secretary to the Government of India.

No. 26. ORDER THEREON, No. 1682; dated 30th November 1858.

Ordered to be communicated to the Inspector General of Jails.

(Signed) W. H. BAYLEY,
Acting Secretary to Govt.

Exd. F. Cartledge.

No 1682.

Ordered be communicated to the Inspector General of Jails.

Fort St George
30 November 1858

W. H. B

Copy to Inspector Genl. of Jails. Dispd 3rd

Rec'd 19th May 1857 No 2050 of.
" Cels 1998/58 C 16th Nov 58 No 7127
Finl C 12th " Oct 29th 1868 No 24
v 25

21-3-94

Rec'd Nov. 25420.
R 29th "

Judicial. 1868. Departt.

From the Secretary to the Govt of India. 6077.

Rd 29 Oct
Ad 22d Nov 58.

No 2077.
Pol Despatch

Forwarding for information and guidance copy of a Resolution passed by the Govt of India on a proposition, from the Chief Commissioner of the Punjab for raising the salary of the Inspector of Prisons in that Province from 1000 to 1500 Rs a month.

With an order

F.C. No. 2288-