

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No. 1242

Press
His.

21-23

Dated 5-8-1882 19

6/8

Not to be folded or roughly handled

1242

*Proceedings of the Madras Government, Judicial Department,
5th August 1862.*

Read the following papers:—

No. 21. From E. G. B. FANE, Esq., Agent to the Governor in Vizagapatam; to T. PYCROFT, Esq., Chief Secretary to Government, Fort Saint George, dated 22nd August 1861, No. 256.

1. I have the honor to forward herewith a letter from Captain Finlay, enclosing copy of a Memorandum from the Civil Paymaster's Office, of the deputation allowance payable to that Officer as my Acting Senior Assistant, viz., Rupees 71-7-8 per mensem.

2. In February last, the Civil Auditor in a similar way, objected to give Captain Owen's deputation allowance, when acting in the same appointment, but Government were pleased to relax the rules in his favor, and allowed him to draw an equivalent to the full salary of a Senior Assistant, had that office been held by a Civilian, it was as follows:—

Government Order, 20th February 1861, No. 224.

Full salary as Senior Assistant	...	...	...	733	5	4
Military pay of Captain Owen...	...	...	...	415	6	0
Sebundy allowance...	...	...	...	200	0	0
				615	6	0
Diff'ence sanctioned.	...	...	...	117	15	4
				733	5	4

Since the following Order was passed, the Sebundies have been absorbed in the new Police Force, and Captain Owen has been nominated permanent Senior Assistant, as he cannot draw any longer the Command allowance, I take it for granted that his salary will hereafter be as follows:—

Military Pay...	...	...	...	Rupees	415	6	0
Civil do. ...	...	...	...	"	317	15	4
					733	5	4

and if so, that Captain Finlay will be entitled to a deputation allowance of Rupees 158-15-8 while acting.

3. I request you will be good enough to obtain the early Orders of Government on this reference:

From Captain G. C. FINLAY, Acting Senior Assistant Agent; to E. G. B. FANE, Esq., Agent to the Governor, Vizagapatam, dated 20th August 1861, No. 30.

I have the honor to enclose copy of a Memorandum furnished to me by the Civil Paymaster, Madras, regarding the pay of Senior Assistant at this place.

I cannot help thinking, that he has made some mistake, as in your Estimate for 1860-61, (which has been passed,) the pay of Senior Assistant is put down at Rupees 733-5-4. I shall therefore feel obliged by your referring the matter to Government.

I have, also, the honor to request that I may be informed what amount of pay I am to draw as acting for Captain Owen, he not having taken up his appointment before proceeding to England.

MEMORANDUM.

The salary of Senior Assistant Agent at Vizagapatam.	...	...	...	558	5	4
Deduct the Military allowance of Captain Owen.	...	...	...	415	6	0
				142	15	4
Net Civil salary...	...	...	...	71	7	8
Captain G. C. Finlay, as Acting Senior Assistant, Vizagapatam, will draw a moiety...	...	...	...			

(True Copy.)

(Signed) G. C. FINLAY,
Acting Senior Assistant Agent.

Proceedings of the Madras Government, Judicial Department,
5th August 1862.

The Civil Auditor is requested to state what allowance will be drawn by Captain Owen during his absence on leave.

FORT SAINT GEORGE,
6th September 1861.

(Signed) J. D. SIM,
Secretary to Government.

No. 22. From W. J. RAYNOR, Esq., Officiating Civil Paymaster; to J. D. SIM, Esq., Secretary to Government, Fort Saint George, dated 11th September 1861, No. 838.
Revenue Department.

With reference to Government Order, dated 6th instant, I have the honor to state that Captain Owen having proceeded to England before joining his appointment as Senior Assistant Agent, Vizagapatam, is not entitled to any portion of the Civil salary of that post (although he still stands appointed to it) during his absence on leave.

2nd. I may add that the figures given in the Memorandum attached to Captain Finlay's letter are quite correct. Under the Rules, that Officer is not entitled to more than Rupees 71-7-8 per month, in addition to Military pay and allowances while acting as Senior Assistant.

No. 23. ORDER THEREON, 5th August 1862, No. 1,242.

To be recorded. The question of Captain Finlay's deputation allowance while acting as senior Assistant Agent, Vizagapatam, during Major Owen's absence has been disposed of by the Orders of the Government of India, recorded in Proceedings, 15th July 1862, No. 1,115.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

Memorandum

PROCEEDINGS of the MADRAS GOVERNMENT

From the Agent, Vizagapatam.
From the Civil Auditor.

Handwritten notes:
I think the rules
applicable in this matter
are those of the Judicial
Department, and not those
of the Revenue Department.
It is clearly not admissible to
allow a deputation allowance
to an officer who is not
actually acting in the post
to which he is appointed.
The only case in which
such an allowance is payable
is when an officer is acting
in a post to which he is
not appointed, and in such
cases the allowance is
payable at the rate of the
post to which he is appointed.
In the present case, Captain
Finlay is acting in the post
to which he is appointed, and
therefore no allowance is
payable to him.

he received Rupees 200 + his
Regimental allowances -
Rupees 415 = 615 Rupees monthly.

4 - When this appoint-
ment was absorbed in the
new Police Captain Owen,
on this account as well as
for good service was ap-
pointed Senior or Head
Assistant.

5 - This Office is a fore-
wanted service one, and until
Captain Owen's appointment
was always held by a Civil-
ian.

6 - Its pay like that of
all Head Assistantships is
Rupees 558 monthly, and
before a civilian can hold
it he must not only
pass in two languages,
but also pass the lower
standard test in Revenue
Law &c. There is a second
Civilian test in the same
subjects, but of a more dif-
ficult character, and after
passing this and exer-
cising Magisterial powers
for a whole year, a civilian

Head

D. A. that none will follow all the
under it is understood in
order - this position is a new
allowance - He is mainly an
assistant to the Senior and
to the Junior Commissioner

This is hardly correct - Capt 8
O in Command of Subordinate
draw as above shown 2615 p.m.
which holding that office he
was appointed as Asst. Mag.
for which received only 500
but now as at 2-10 a day.
He was sent, still being in
Command of Subordinate, ap-
-pointed to act as Asst. Mag.
and as such had business
Sibbeni camp, must receive
initial + police business - He
was then allowed to know that
he full pay of the Asst. Mag. for
whom he was acting - because
and his not having been
at all for his
work - his
Sibbeni
was paid
2550
per

or Acting
Head Assistant, gets
a further allowance of
Rupees 175 monthly.
7 - In other words then
the pay of a Head Assistant
is ordinarily Rupees 558,
rising after certain condi-
tions are fulfilled to
558 + 175 = 733 monthly. The
last mentioned 175 Rupees
is by the audit Rules a
personal allowance -
drawn only by men who
have fulfilled the terms
on which it is granted -
It cannot be taken into
consideration in calculat-
ing Acting allowances.

8 - The Government
were pleased to break -
through these rules in
Captain Owen's case and
raised his pay without
requiring him to pass
or serve a year as Magis-
trate to the full amount
of Rupees 733, and when
he comes back he will
of course continue to re-
ceive the same pay. They
also allowed him to
draw extra Tentage at 2-10 -
per

per diem all the year round.

9 — somewhere Captain Lane in Ganjam was differently treated. He was refused more than Rupees 558 as pay and money home but got the extra; sent back.

10 — Captain Finlay who is acting for Captain Owen now seeks to be placed on the same footing as Captain Owen viz to have his allowances adjusted on the supposition that Captain Owen's proper pay is Rupees 733.

11 — The Civil Auditor points out that the pay of the Officer is Rupees 558 only, and that Captain Finlay can only get $\frac{1}{2}$ the difference between this and his Military pay. This rule has lately been adhered to in the case of Captain Wilson in Ganjam, so that if Captain Finlay gets what he seeks, both Captains Lane and Wilson in Ganjam will have been differently treated.

His case was Mr Arnold's case. He had no ribbon com.

much money home but got the extra; sent back.

to which he has no right.

12 — I would submit that these exceptional concessions are unfair and embarrassing.

13 — The Civilian Act is no more than is necessary to ensure the possession of certain qualifications which the Government in justice to its subjects is morally bound to see that its officers possess before it entrusts them with large powers and independent authority. If these tests are necessary as regards Civilian who get some sort of special training, surely they are equally necessary as regards others. The new Civil Service Bill recognises this principle, and it seems to me very necessary that Govt should reconsider the suggestion contained in para 9 of the Board's proceedings dated 12 March 64 and decide that Military Officers and others seeking Civil

Civil appointments should pass the same tests as civilians have to do.

14 — On this principle Captain Finlay would be told that Rupees 558 is the pay of his office and that he can get no more until, like a civilian, he passes the higher test whereupon he will get Rupees 175.

15 — Captain Owen will of course remain as he is and be unaffected by this rule. But Captains Lane and Wilson will have the opportunity of earning higher allowances by passing.

16 — I think too that a Military Officer in Revenue employ should be required to pass the business standard in the vernacular of his district just as a civilian does. This rule obtains in the D.P.W. and is still more necessary for a Revenue and Magisterial Officer.

This

that is I conceive in law. Revenue in the for the purpose see para 16.

Marshall - Kichori
Chehard Agent

Then he would have to pass.

The departmental test para 13. & in

On the revenue language that of the district.

In Hindustani he would have already passed or he would not be eligible for the

Staff Employ. He would also have to pass the R 175 per m he has on the "Magistrate" in for. agreed to his gr.

I suppose provision must be made in the budget for 1752 allowance being deemed, if no provision has been made must show their fitness for office and then all will receive the same remuneration - none of the examinations are more than a man of average ability with fair application and perseverance can pass.

17 — This plan puts all Civilian, Soldier & outsider on the same footing - all must show their fitness for office and then all will receive the same remuneration - none of the examinations are more than a man of average ability with fair application and perseverance can pass.

J. R.

J. R.

27223

*PROCEEDINGS of the MADRAS
GOVERNMENT.*

Read the following Letters.

From the Agent to the Gov. } H. E. 22^d August 1861. No 285
 - " - - - - - }
 - " - - - - - } Offg: Civil Pay^r - " - - - - - 838.

Order No. 5 August 1862, No. 1242.

Cancelled

The Governor and Council observes that the question raised in the foregoing letters must be disposed of in the principle laid down in the proceedings of Government under date the 24th June last in which the tests to be passed by the Military Officers and others appointed to Offices in the Revenue and Magisterial branches of the Administration are ^{permitted} laid down.

P. M.

Wells

2/11

to the Agent at Virago ^{with 17. 1811.}
" Offg Civil Payr



1990

No. 1219

1867. Department.

Dated 5th March 1879

stating that ^{the question of} Capt Finlay's
apportionment was
acting as an assistant
to a system during Major
Owen Jackson, has been assisted
by the staff of the
(last 15th Aug 1862.)

For O.K.,

June 11th 1864

3839] Madras—Printed at the Government Press.

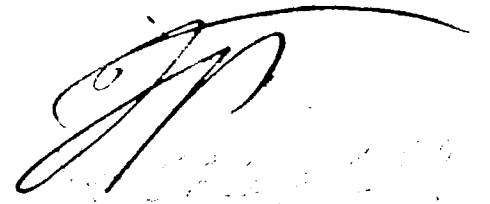
27 Oct
1910
Gov. 2

21 @ 23 .

Order - 5th Augt. '62 N^o 1242.

Chief Secretary.

To be recorded. The question of Captain Finlay's deputation allowance while acting as Senior Asst. Agent, Vizagapatnam, during Major Owens' absence has been disposed of by the orders of the Govt. of India;
To the Agent at Vizagapatnam,
(with No. 1,011)
" Officiating Civil Paymaster recorded in Nos: 15th
July '62 N^o 1115.



Exd. F. Cartledge.