

MADRAS RECORD OFFICE.

Government of Madras.

Judicial DEPARTMENT.

G.O. No.	1811	Press
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27-28		
Dated	4 — 11 —	19-1882

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Not to be folded or roughly handled

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Proceedings of the Madras Government, Judicial Department,
4th November 1862.

No. 27. Read the following Proceedings of Government in the Financial Department, dated 29th October 1862, No. [REDACTED]

With reference to the letter from the Civil Auditor, Madras, dated 21st instant, No. 439, forwards certain correspondence relative to the allowances to which an Officer to be considered entitled when appointed to a new office. } (Vide Proceedings Financial Department, dated 29th October 1862, Nos. 92 and 93.)

No. 28. ORDER THEREON, 4th November 1862, No. 1,811.
To be recorded.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

FINANCIAL DEPARTMENT.
PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read again Endorsement of the Government of India, dated 7th August 1862, No. 120G, recorded in Proceedings of the 10th September last, No. 659.

Read also the following letter from G. A. BUSHBY, Esq., Secretary to the Government of India; to C. TROWER, Esq., Civil Auditor, dated Council Chamber, the 3rd June 1840, No. 675.

Letter from Mr. Officiating
Secretary, Thomason and
Bushby, Esq., Secretary to the
Government of India, Fi-
nancial Department, 3rd

I am directed to transmit for your information, and in order that the practice in your Audit may conform to the construction their laid down, the annexed copy of correspondence with the Secretary to the Lieutenant Governor North Western Provinces.

From J. THOMASON, Esq., Officiating Secretary to the Government N. W. P. to G. A. BUSHBY, Esq., Secretary to the Government of India, General Department, Fort William, dated Agra, the 19th May 1840, No. 1,645.

General Department.

I am directed by the Honorable the Lieutenant Governor to transmit the annexed copy of a letter from the Civil Auditor, N. W. P., No. 203 dated the 9th instant, and to request that you will with the permission of the Right Honorable the Governor General of India in Council state, how the Rule quoted by Mr. Morland is constructed by His Lordship.

2nd. His Honor is disposed to concur in the view of the question taken by the Civil Auditor, and in the construction of the Rule proposed in para. 6 of the letter.

COPY.

From E. H. MORLAND, Esq., Civil Auditor, N. W. P.; to J. THOMASON, Esq., Officiating Secretary to the Government, N. W. P., dated Agra, the 9th May 1840, No. 206.

With reference to the Order of the Honorable the Lieutenant Governor of the 14th of April last, appointing Mr. S. Becher, Joint Magistrate and Deputy Collector at Mirzapore from the 25th March, but to continue to officiate as Collector and Magistrate at Futtehpore, I beg to be informed whether under Section XVII of the new Rules Mr. Becher is precluded from receiving the higher salary attached to his new appointment.

2nd. Mr. Becher was appointed Joint Magistrate and Deputy Collector at Futtehpore on the salary of the lower grade (700 Rupees per mensem,) according to the Resolution of Government, dated the 4th of June 1838.

It was determined in para. 18 of the Resolution of Government of the 31st August last, that Futtehpore should have no Joint Magistrate and Deputy Collector attached to it, and accordingly the appointment has now been absorbed.

4th. If the Section XVII above quoted is strictly interpreted, Mr. Becher cannot of course claim till he joins any increase to the fixed salary which he before received, but it appears to me that the Rule was never intended to apply to such cases. It is true that it says "He shall not draw the higher salary till he joins," but it immediately adds, "for the period occupied in travelling, &c." It appears to me therefore very clear that the object of the Rule is to encourage an Officer newly appointed to join his office with as little delay as possible, and to place in his own hands the power of sooner or later enjoying the increased allowances by preparing for and travelling to his station with the greatest alacrity.

5th. If however the period of joining is protracted, as in this case, under express Orders of Government, it appears rather hard that the Officer so situated should be deprived of the advantages of the higher allowances.

6th. To place Mr. Becher on an equality with others, who have the power of immediately joining their station, it would I think be fair to allow him to draw the full salary of his new office till relieved from his present Acting appointment, and from that date till he joins Mirzapore to grant him the amount of his previous situation.

7th. I have brought the case of Mr. Becher forward, but of course similar ones will so frequently occur that his reference will be applicable to many. Mr. D. Robertson at Benares is now in the same situation, viz., appointed to Delhi and ordered to remain Acting at Benares, and under Clause XVII therefore only entitled to a sum equal to 244-2-11, the subsistence allowance of a Merchant, plus 500 Acting allowance, which he was receiving previous to his appointment to Delhi.

(True Copy.)

(Signed) J. THOMASON,

Offg. Secy. to the Govt. N. W. P.

From G. A. BUSHBY, Esq., Secretary to the Government of India; to J. THOMASON, Esq., Secretary to the Honorable Lieutenant Governor in the N. W. P., dated Fort William, the 3rd June 1840, No. 674.

Financial Department.

I am directed to acknowledge the receipt of your letter, dated the 19th ultimo with its enclosure, and in reply to inform you that the Governor General of India in Council concurs with the Honorable the Lieutenant Governor in the N. W. P., in the view taken by the Civil Auditor of those Provinces respecting the construction of Section XVII of the Rules of the 29th January last, according to which Mr. Becher is deemed entitled to draw the full salary of his new office from the date of appointment till relieved from his Acting situation, and from that time till his joining the Mirzapore appointment to receive the amount of the salary attached to his previous fixed situation, he having been detained in the Acting situation by the Order of the Government for the convenience of the Public Service.

2nd. Deputation allowance in all cases of this kind will cease according to established practice, or be continued only in part where the salary of the new appointment is less than the salary and deputation allowance previously drawn in order to make the total receipt equal to the salary and deputation allowance so drawn, but in ordinary deputations no Officer can draw more than the amount of the fixed salary of the appointment in which he is doing duty. The Rule here referred to and the exception will be found in Section XX of the Regulations of this Department, dated 29th January 1840.

Copies forwarded to the Officiating Civil Paymaster, Fort Saint George, with reference to his No. 424, dated 3rd instant.

FORT WILLIAM,
CIVIL PAYMASTER'S OFFICE,
the 19th September 1862.

(Signed) HUGH SANDEMAN,
Civil Paymaster.

No. 489.

True copy forwarded to the Chief Secretary to Government with reference to letter No. 439 dated 11th September 1862.

CIVIL PAYMASTER'S OFFICE,
FORT SAINT GEORGE,
21st October 1862.

(Signed) W. J. RAYNOR,
Officiating Civil Paymaster.

ORDER THEREON, 29th October 1862, No. 768.

Ordered that copies of the foregoing papers be forwarded to the several Departments for information and guidance.

(True Extract.)


Chief Secretary.

To the Revenue Department.

"	Judicial	do.
"	Public Works	do.
"	Public	do.
"	Ecclesiastical	do.
"	Marine	do.
"	Educational	do.
"	Political	do.
"	Railway	do.

Exd. F. Cartledge.

• *Chas. D. D.*
Aug 28 1862 St Paul

Feeling Good in the
Final Sept - 768

Sept 29
Sept 30 } *Oct 1st 1862*

No 2199

With reference
to the letter from the
Rev. J. A. D. D. D. D.
of 2nd March No 439, for
=wards certain etc.
- expenditure, relative
to the allowance to
which an officer is
to be considered with
the order appointing

No 2199, 2199, 2199
Recorded, by A