

MADRAS RECORD OFFICE.

Government of Madras.

Journal DEPARTMENT.

G.O. No.	237	Press
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100-102		
Dated	14-2	19-86.3

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Not to be folded or roughly handled

*Proceedings of the Madras Government, Judicial Department,
14th February 1863.*

Read the following papers:—

No. 100. From W. ROBINSON, Esq., Inspector General of M. Police; to A. J. ARBUTHNOT, Esq., Chief Secretary to Government, Fort Saint George, dated Madras, 10th January 1863, No. 63.

General Department.

I deem it right, with reference to Government Order, No. 2,112, dated 23rd December 1862, directing the Military pay of men employed in Civil Departments to be passed to them in addition to their Civil pay, to bring to the notice of Government that when fixing the scale of pay of Inspectors and European Constables in the Police it was not in contemplation to employ Military men at all in those situations, and the rates fixed therefore were such as were considered full remuneration for the services rendered. I am informed, however, that in the case of some other Departments that course was not followed, but that lower salaries were fixed especially with a view to the employment of men in receipt of Military pay, in their case the transfer of the charge appears but a matter of account, but in the Police it becomes a double payment.

2. The employment of Military men as such in the Police is simply during their term of probation they obtain a furlough from the Military authorities and employ that leisure in a course of probation in Police service, when the furlough expires they purchase their discharge from the Army or return to it. Their Military pay therefore during their furlough seems as much a legitimate charge against the Military Department as that of any other Officer or Soldier obtaining leave of absence from his duty if it is to be paid at all.

Referred to the Controller of Military Finance for his remarks.

FORT SAINT GEORGE,
19th January 1863.

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

No. 101. From Lieutenant Colonel T. MCGOUN, Controller of Military Finance, Fort Saint George; to the Chief Secretary to Government, Fort Saint George, dated 21st January 1863, D.

I have the honor to return the letter of the Inspector General of Mofussil Police, dated 10th January 1863, referred to me under your docket of the 19th idem, and to observe that I have not a copy of the Order of Government, No. 2,112, dated 23rd December 1862, which I presume has been issued from your office, but the principle has been enunciated by the Government of India that Military men on probation in Civil employment, should not receive more than they would be entitled to if confirmed in the appointment, and that Military pay should not be issued to them in addition to the Civil salary of their office.

Letter of Secretary to Government of India, Financial Department, No. 480 A, 26th September 1863, and Resolution of 10th November 1862.

Proceedings of Government, Military Department, 13th December 1862, No. 4,282.

2. That principle has been adopted by this Government and G. O. G., dated 23rd December 1862, No. 491, prohibits Soldiers obtaining Civil employment in future from drawing Military pay without the express sanction of Government.

3. Although men employed on probation in the Police prior to the 23rd December may be considered entitled to receive Military pay, it does not appear to be fairly debitable to the Military Department.

4. Furlough is not granted to the men referred to, irrespective of the purpose for which it is obtained, and the object of the arrangement is to prevent the connection of a Soldier, obtaining probationary Civil employment with the Army, being severed before it is ascertained that he is equal to the duties of the situation.

5. The arrangement is made to the disadvantage of the Army, which not only derives no benefit from the Soldier during the period of probation, but is precluded from supplying his place.

*Proceedings of the Madras Government, Judicial Department,
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and is entirely in favor of the Civil Department concerned, which alone profits by the maintenance of the Soldier during the period referred to.

6. Such being the case the Police should, I conceive, bear all charges connected with Soldiers employed in the Police, even if they are not to be excluded from Military pay under G. O. G. of the 23rd December 1862.

No. 102. ORDER THEREON, 14th February 1863, No. 237.

In the Order in this Department, No. 2,112 of the 23rd December last, a copy of which, it is observed, was forwarded to the Controller of Military Finance, an advance was sanctioned on account of the Military pay of certain Non-Commissioned Officers and Privates in the Police and other Departments at Ootacamund. Up to the passing of the Financial Resolution of the 30th April last, No. 3,272, there had been no question as to the admissibility of these allowances, and the effect of that Resolution was simply to transfer the charge from the Military to the Civil Department.

2. On the 23rd December, however, an order was passed in the Civil Department prohibiting Soldiers, obtaining Civil employment, from drawing Military pay, without the express sanction of Government. In granting such a sanction in any future case the Department which is to bear the charge will be distinctly indicated. The only question then is in regard to such allowances which were incurred prior to the 23rd December—by what Department are they to be borne?

3. As respects the Police, the Inspector General submits that his scale of pay for Inspectors, &c., was fixed as full remuneration for the services rendered. If therefore any Military Pay is to be allowed in addition, it must form an extra charge which was not foreseen or provided for. On the other hand, seeing that Soldiers are only employed in the Police on probation during a year's furlough, on the expiration of which their connexion either with the Army or with the Police must cease, he contends that their Military pay during that period forms a legitimate charge against the Military Department, as that of any other Officer or Soldier obtaining leave of absence from his duty.

4. In reply the Controller of Military Finance points out that it is the Civil, not the Military, Department which profits by the maintenance of the Soldier, and which should therefore bear all charges on that account.

5. The Governor in Council observes that it is not likely that cases will occur again, in which probationers in any Department will be allowed to draw higher pay than permanent incumbents. It is not, therefore, necessary to discuss the abstract question on the present occasion. Looking accordingly, to the fact that the provision which was made in the Military Budget for such charges at the beginning of the year, has since, under the Resolution of the 30th April, been transferred to the Civil Budget, His Excellency in Council is of opinion that they should be borne by the Civil Departments in which the persons are employed.

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

Exd. T. McMootry.

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Judicial Department.
PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letters

*Supr. Genl. of Police. Res. dated 10th Jan'y 1863 N^o 63.
Cont. of M^y Fin^{ce} — — — 21st — — — D.*

Order thereon 14th February 1863 N^o 237

In the Order in this Department N^o 2,112 of the 23rd Dec^r last, a copy of which, ^{of its provisions} was forwarded to the Controller of Military Finance, an advance was sanctioned on account of the Military pay of certain Non-Commissioned Officers and Privates in the Police and other Departments at Ootacamund. Up to the passing of the Financial Resolution of the 30th April last N^o 3,272 there had been no question as to the admissibility of these allowances, and the effect of that Resolution was simply to transfer the charge from the Military to

to the Civil Department.

2. On the 28th Decr, however, an order was passed in the Civil Department prohibiting soldiers obtaining Civil Employment, from drawing Military Pay, without the express sanction of Government. In granting such a sanction in any future case the Department which is to bear the charge will be distinctly indicated. The only question then is in regard to such allowances ^{as were} incurred prior to the 23rd December by what Dept are they to be borne?

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their Military pay during that period forms much a legitimate charge against the Military Department, as that of any other Officer or soldier obtaining leave of absence from his duty.

4. In reply the Com^r of Military Finance points out that it is the Civil, not the Military, Department which profits by the maintenance of the soldiers, and which should therefore bear all charges on that account.

5. The Governor in Council observes that it is not likely that cases will occur again, in which probationers in any Department will be allowed to draw higher pay than permanent incumbents. It is not, therefore necessary to discuss the abstract question on the present occasion. Looking ^{accordingly} therefore to the fact that the provision, which was made in the Military Budget for such charges at the beginning of the year, has since, under the Regulation of the 30th April, been transferred to

See Intro Circular recorded in

Pos 2112 of 23 Dec 62 & para

of No. 60

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 that they should be borne
 by the Civil Department,
 which the persons are employed.

PMA

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4 Dec 20

To the Inspr. Genl of Police }
 Civil Paymaster }
 Dy. Asst. General }
 Contr. of Mil. Force }
 Inspector Genl of Sails }

Depd 17
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 18

[Handwritten signature or initials.]

23 July 1966



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Dated 14 February 1863.

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