M.R.O. 1—20,000—15-10-29.

MADRAS RECORD OFFICE.

Government of Madras.

Judicial **DEPARTMENT.**

G.O. No. 23 Press Mis.

37-38

Dated 5 1 19 1886

4/4

Not to be folded or roughly handled

No. 37. Read the following letter from the Accountant General, to the Government of Madras, to the Chief Secretary to Government, Fort Saint George; dated 9th December 1865, No. 195.

Post Audit Department.

There have been so many letters exchanged between this Department and Medical Officers on the subject of Jail allowances, that it seems best to make a single reference to you direct instead of letting several appeals pass up through the Inspector General's Office.

2. Under G. O. 1279, dated 8th September 1865, the District Medical Officers were placed in charge of certain District Jails, and certain pay was assigned them under the Orders of the Government of India. These Orders can only have been those of the Home Department, 927, dated 30th January last, confirmed by the Financial Department, 912, dated 22nd February, which distinctly required that these allowances should be confined to Medical Officers in charge of Jails where intramural labor is the rule and not the exception. But of the Medical Officers named, several are drawing Military pay and allowances in lieu of all Civil allowances whatsoever, by permission of the local Government acting on Government of India Financial Department, 1425, dated 13th March last, I have therefore been unable to pass these Jail allowances to Medical men (1) in charge of Jails where intramural labor is not the rule, and (2) already drawing Military pay and allowances in lieu of their former Civil pay. These Officers are all more or less indignant, and are all appealing.

3. On the first point, I have only to draw your attention to the fact that the Proceedings of Government are in express terms rested on a Government of India Order which only grants the allowance on named conditions; where these conditions are not fulfilled, the Order does not apply, and the claim to the allowance rests on no authority whatever. On the latter point, I may explain that Officers to whom the former objection may not apply may of course be allowed to return to their former condition, and to draw, instead of the Military pay and allowances, all their old Civil allowances, together with this new one for the charge of a Jail: the opinion held by some Zillah Surgeons (that the Military pay and allowances are merely in lieu of the salary of the District charge) is opposed by the carefully wide expressions of the Ordor, and also to the practice of other Provinces where all allowances of every kind for charge of Dispensary, Jail, Police and College, are withheld from those who have chosen actual Military pay and allowances.

4. I have the honor therefore to call for the issue of Orders to prevent further correspondence and repeated appeals.

No. 38. ORDER THEREON, 5th January 1866, No. 23.

The Accountant General is informed that a reference has been made to the Government of India on the subject referred to in the foregoing letter.

(True Extract.)

Chief Secretary.

To the Accountant General.

Exd. R. H. Lee.

To the March last. I have therefore been unable to pass

Post Audit
~~Book and Jail Duties~~ Department.

No. 195.

Fort Saint George,
Accountant General's Office,
9th December 1865.

From The Accountant General
to the Government of Madras.

To The Chief Secretary to Government
Madras

Sir,

There have been so many letters exchanged between this Department and Medical Officers on the subject of jail allowances that it seems best to make a single reference to you direct instead of letting several appeals pass up through the Inspector General's Office.

Under G.O. 1279 dated 8th September 1865 two district Medical officers were placed in charge of certain district jails, and certain pay was assigned them under the orders of the Government of India. These orders can only have been those of the Home Department 927 dated 30th June last, confirmed by the Financial Department 912 dated 22nd Feby which distinctly required that these allowances should be confined to Medical Officers in charge of Jails where intramural labour is the rule and not the exception. Both of the Medical Officers named several are drawing Military pay and allowances in lieu of all Civil allowances whatsoever, by permission of the local Government acting on Government of India Financial Department 1125 dated 13th March last. I have therefore been unable to pass these Jail allowances to Medical men (1) in charge of Jails where intramural labour is not the rule, & (2) already drawing

drawing Military pay and allowances in lieu of their former Civil pay. These Officers are all more or less indignant, and are all appealing.

On the first point I have only to draw your attention to the fact that the proceedings of Government are in express terms, rested on a Government of India order which only grants the allowance on named conditions; where these conditions are not fulfilled the order does not apply & the claim to the allowance rests on no authority whatever. On the latter point, I may explain that Officers, to whom the former objections may not apply, may of course be allowed to return to their former conditions and to disencumber of the Military pay and allowances, all their old Civil allowances together with this new one for the charge of a jail; the opinion held by some Gillah Surgeons (that the Military pay & allowances are merely in lieu of the Salary of the district charge) is opposed by the carefully wide expressions of the order, and also to the practice of other provinces where all allowances of every kind for charge of dispensary, jail, police & Clg. are withheld from those who have chosen to retain Military pay and allowances.

I have the honor therefore to call for the issue of orders to prevent further correspondence and repeated appeals.

I have the honor to be,
Sir,
Your most obedient Servant.
F. Cuthbert
Accountant-General

N.C.F.F.

No 23 5th January 1866.

The Accountant Gen-
-eral is informed that
a reference has been made
to the Govt. of India
upon the subject of this letter

[signature]

Dec

[signature]

To Accnt. General dispd 6/1