1. Number of pages. 1-10
2. Date of repair. 8.7.37.
Initials of Reference

M.R.O. 1—32,400—28-11-30.

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

Cons. 26.5.37

G.O. No. 988 Press Mis.

45-46

Dated 23-5- 18 37

Not to be folded or roughly handled

8/7/37

Fort Saint George, Public Works Consultation of 26th May 1857.

No. 45. Read the following letter from F. LUSHINGTON, Esq., Civil Auditor; to H. FORBES, Esq., Acting Secretary to Government, dated 23rd April 1857, No. 3542.

SIR.

In obedience to Extract Minutes Consultation of the 18th Instant* No. 711, in the Department of Public Works (Public) requiring me to report whether Lieutenant Syme, Assistant Executive Engineer and at present in charge of the Vizagapatam District, has not a claim to the salary of District Engineer, I have the honor to observe, that in consequence of Major Boileau's absence from the Ganjam District, the following movements were ordered. Lieutenant F. Moberly 1st Class District Engineer, from Vizagapatam to Ganjam, and Lieutenant Shaw Stewart, 3rd Class District Engineer from Coimbatore to Vizagapatam. Lieutenant Moberly having joined his new District before being relieved by Lieutenant Shaw Stewart, the charge of the Vizagapatam District devolved on the Senior Executive Officer. Lieutenant Syme who still continues in charge. Lieutenant Moberly having been appointed to another District merely and not to an appointment of higher emolument than his substantive situation of course has gained no accession of emolument: Lieutenant Shaw Stewart not having joined his new appointment is not entitled to any deputation allowance: and hence Major Boileau's undrawn moiety of his salary viz., Rupees 350 is available for the payment of any deputation allowance that may be claimed.

* Received on the 21st.

2. In justice, Lieutenant Syme is entitled to deputation allowance for the time he discharged the duties of District Engineer of Vizagapatam. The only question is at what rate the allowance is to be passed to him. Under the rule laid down in para. 1, head "absence" of Section 21, of the Military Pay Code. Lieutenant Syme will have to give up his salary† as Assistant Executive Engineer, in case he be allowed to draw the undrawn moiety of Major Boileau's pay, unless the rule prescribed in para. 11, of the Notification published in the Gazette of 28th January last should be held to apply to a case like his, in which event he will draw Rupees 100, in addition to his present salary or Rupees 50 less than he would draw if declared eligible to receive the moiety of Major Boileau's pay.

† Rupees 200.

Lieutenant Syme, I beg further to state, has received no benefit from his appointment of the 30th January‡ last, to act as Executive Engineer of the 4th Class vice Captain Campbell of the 7th Light Cavalry.

‡ Page 169, of Gazette.

No. 46. ORDER THEREON, No. 988; dated 23rd May 1857.

The Civil Auditor reports that Lieutenant Shaw Stewart, is not entitled to draw any portion of the salary of the superior appointment to which he has been nominated before he has actually joined the District, and entered upon the duties of the new office, and that Lieutenant Syme, who was in charge of the District is entitled to a deputation allowance, though it is not certain at what rate. Mr. Lushington also observes that the latter officer has derived no benefit from his appointment under date the 30th January last, to act as Executive Engineer of the 4th class.

Under these circumstances, the Right Honorable the Governor in Council cannot comply with the Chief Engineer's recommendation to allow Lieutenant Stewart, to draw a moiety of the salary of the District Engineer of Vizagapatam, before he has joined the District.

3. The Government are disposed to give a favorable consideration to the claim of Lieutenant Syme, but before passing final orders on the subject, they request the Civil Auditor to report, for what reasons that Officer has derived no benefit from his appointment of the 30th January.

(Signed) H. FORBES,
Acting Secretary to Government.

Syme

No. 1857 Public Works Letters No. 3542.

From

F. Cushington Esqre
Civil Auditor;

To,

H. Forbes Esqre
Acting Secretary to Govern-ment;
Public Works Dept.
Dated 23d April 1857.

Sir,

In obedience to Extract Minute
Consultation of the 18th Instant × No 711. in the
× received on the 21st Department of Public Works, Public, requiring
me to report whether Lieut. Syme, Assistant
Executive Engineer and at present in
charge of the Vizagapatam District, has
not a claim to the salary of District En-
gineer, I have the honor to observe, that
in consequence of Major Boileau's absence
from the Ganjam District, the following
movements were ordered:- Lieut. F.
Moberly 1st Class District Engineer, from
Ganjam to Vizagapatam, and Lieut.
Shaw Stewart, 3d Class District Engineer
from Coimbatore to Vizagapatam:
Lieut. Moberly having joined his
new District before being relieved by
Lieut. Shaw Stewart, the charge of the
Vizagapatam District devolved on
the Senior Executive Officer. Lieut.
Syme

Syme who still continues in charge. Lieut Moberly having been appointed to another District merely and not to an appointment of higher emolument than his substantive situation of course how gained no accession of Emolument: Lieut Thos Stewart not having joined his new appointment is not entitled to any deputation allowance: and hence Major Boileau's undrawn moiety of his salary viz Rupees 350 is available for the payment of any Deputation allowance that may be claimed.

2. In justice, Lieut Syme is entitled to Deputation allowance for the time he discharged the duties of District Engineer of Vizagapatam. The only question is at what rate the allowance is to be passed to him. Under the rule laid down in para 1. head "Absence" of Section 21 of the Military Pay Code, Lieut Syme will have to give up his salary as Assist Executive Engineer, in case he be allowed to draw the undrawn moiety of Major Boileau's pay: unless the rule prescribed in para 11 of the Notification published

× Rs 200

published in the Gazette of 28th January last should be held to apply to a case like his, in which event he will draw Rupees 100 in addition to his present salary or Rs 50 less than he would draw if declared eligible to receive the moiety of Major Boileau's pay.

Lieut Syme, I beg further to state, has received no benefit from his appointment of the 30th January last, to act as Executive Engineer of the 4th Class vice Captain Campbell of the 7th Light Cavalry.

× page 169 of Gaz:

I have the honor to be,
Sir,
Your most obedt Servt
S. Lushington
Civil Auditor.

Civil Auditor's Office,
Fort Saint George,
The 23rd April 1857.
Ex. H.H.

71
P.W.D

No. 988

Extract from the Minutes of Consultation
Under date the 28th May 1857.

Read again Extract from the Proceedings of the Chief Engineer dated 1st April 1857 and recorded in Diary to Consultation 21st April.

Read also the following letter from the Civil Auditor

(Here enter 23rd April 1857 - No 3542)

The Civil Auditor reports that Lieutenant Shaw Stewart is not entitled to draw any portion of the Salary of Superior appointment to which he has been nominated before he has actually joined the District, and entered upon the duties of the new office. and that Lieut^te

Civil Auditor's Office 23rd April 1857.
No 3542.

Sir,

With reference to Extract Minute Consultation of the 18th Instant reporting that Lieut. Shaw Stewart is entitled to Deputation allowance for the time he was discharged the duties of Civil Engineer of Cos. Bishnath & Tikaig Pergunnahs

I have the honor to be
Sir
Your obedient Servant
(Signed) [illegible]
Civil Auditor

The Secretary to Govt
N.W.P.

Recd 23rd
Regd
Copied
Sent
Compared

Court 21st April for 22nd Inst.

Recd 18th May (2 22nd)

Lieutenant Syme, who was in charge of the District is entitled to a deputation allowance, though it is not certain at what rate. Mr. Lushington also observes that the latter officer has derived no benefit from his appointment under date the 30th January last, to act as Executive Engineer of the 4th Class.

2 Under these circumstances the Right Honorable the Governor in Council cannot comply with the Chief Engineer's recommendation to allow Lieutenant Stewart to draw a moiety of the Salary of the District Engineer of Tezpur as he has joined his District before he has joined his District

3 The Government are

are disposed to give a favourable Consideration to the claim of Lieutenant Syme but before passing final orders on the subject they request the Civil Auditor to report, for what reasons that Officer has derived no benefit from his appointment of the 30th January.

9 Copies to the Chief Engr. Assr. 26.
1 — Civil Auditor

Public Works 1857 Dep.tt.
Dº to Bus 26th May.

Nº 988.

Extract Mins: of Cons:

Dº 23 May 57.

From the Civil Auditor Dº 26 May 57
Off Cl. Nº 1092 on Cons: Ab Gen.

Declining to allow Lieutenant Stewart, to draw a moiety of the Salary of the District Engineer of Bizuguapa- tam before he has joined the District, and requesting the Civil Auditor to report, for what reasons Lieutenant Symonds has derived no benefit from his appointments of the 30th January last.

Nº 45.

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