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(2) Date of repair 22 5 38

(3) Initials of the Referencer 7

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.
Public Works

G.O. No.	<u>857</u>	Press
		Mis.
<u>85-86</u>		
Dated	<u>12</u>	18 <u>57</u>

Not to be folded or roughly handled

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Fort Saint George, Public Works Consultation of 12th April 1859.

No. 85. Read the following letter from J. L. LUSHINGTON, Esq., Acting Civil Auditor ;
to J. D. BOURDILLON, Esq., Secretary to Government, dated 31st March 1859,
No. 153.

SIR,

I have the honor to request that you will submit the following circumstances for the orders
of Government.

2. Major Birdwood, the District Engineer of Tanjore, was relieved of his Officiating ap-
pointment as Superintending Engineer by Colonel Cotton on the 1st of October last, from which
date Major Birdwood reverted to his substantive appointment and drew the salary thereof.

3. The time allowed Major Birdwood for joining his station at Tanjore was 19 days; but
on the 12th October last, before resuming his duties he was ordered to act as Superintending
Engineer, vice Colonel Cotton on leave, and on the 9th day assumed charge.

4. For the 8 days intervening between Major Birdwood being relieved by Colonel Cot-
ton in the first instance, and his re-appointment at the Presidency; Major Birdwood is entitled
to the salary of his substantive office as District Engineer of Tanjore; the whole of his allow-
ances were therefore absorbed.

5. Major Boileau was in charge of Major Birdwood's Division in Tanjore, and drew salary
equal to that of his own appointment, as 1st Class District Engineer.

6. Captain A. S. Moberly, 2nd Class District Engineer, who obtained promotion upon
the transfer of Major Boileau to Tanjore was drawing a moiety of his own salary, and a moiety
of a 1st Class Engineer as Deputation Allowance, and this salary was inadvertently passed to
him for the 8 days after Major Birdwood was relieved by Colonel Cotton; as Captain Moberly
continued in charge of the Chingleput District, in which he was acting.

7. In like manner the Officers of the Department who were promoted by Captain Mober-
ly's advancement, continued to perform the duties of their respective charges, and drew the De-
putation Allowance for the above mentioned period of eight days. A Statement of the sums in-
advertently overpaid is hereto appended.

8. It is now found that no funds were available, to remunerate Captain Moberly and the
other Officers, and that it is necessary to retrench the Acting Allowances passed to those Officers
for the eight days, which elapsed between Major Birdwood being relieved by, and being re-ap-
pointed to act for Colonel Cotton.

9. Previous to issuing retrenchments I am induced to submit for the decision of Govern-
ment, whether in consideration of the peculiar circumstances of the case, the Acting Allowances
for the eight days, are to be recovered from the above mentioned Officers, who actually perform-
ed the duties for which they were remunerated, or whether the extra charge may be borne by
the State.

10. As cases of a similar nature are likely to occur, I beg to suggest that some clear gene-
ral rule may be passed, to enable me to dispose of the cases as they arise.

No. 86. ORDER THEREON, No. 857; dated 12th April 1859.

The Acting Civil Auditor will deal with this case under the ordinary rules.

2. It was pointed out in the order of the 25th March 1859 No. 706, that the Audit Office
had been in error in allowing Acting Allowances to Executive Officers Officiating in a higher
class of that grade.

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

who

D. P. W.
No 153.
From

J. L. Lushington Esq.
Acting Civil Auditor.
To
The Secretary to Government
Fort Saint George.

Sir,
I have the honor to request that you will submit the following Circumstances for the Orders of Government.

2. Major Birdwood the District Engineer of Tanjore was relieved of his Officiating appointment as Superintending Engineer by Col. Cotton on the 1st of October last from which date Major Birdwood reverted to his Substantive appointment and drew the Salary thereof.

3. The time allowed Major Birdwood for forming his Station at Tanjore was 19 days; but on the 12th October last before resuming his duties he was ordered to act as Superintending Engineer, Vice Col. Cotton on leave, and on the 9th day assumed charge.

4. For the 8 days intervening between Major Birdwood being relieved by Col. Cotton in the first instance, and his reappointment at the Presidency, Major Birdwood is entitled to the Salary of his Substantive Office as District Engineer of Tanjore; the whole of his allowances were therefore absorbed.

5. Major Boileau was in charge of Major Birdwood's Division in Tanjore; drew salary equal to that of his own appointment, as 1st Class District Engineer.

6. Captain A. J. Moberly 2nd Class District Eng.

who

who obtained promotion upon the transfer of Major Beilieu to Tanjore was drawing a moiety of his own salary and a moiety of 1st Class Engineer as deputation allowance, and this salary was inadvertently passed to him for the 8 days after Major Beilieu was relieved by Col. Cotton, as Captain Moberly continued in Charge of the Chingleput District in which he was acting.

7. In like manner the Officers of the Department who were promoted by Captain Moberly's advancement, continued to perform the duties of their respective Charges, and drew the deputation allowance for the above mentioned period of eight days. A statement of the sums inadvertently overpaid is hereto appended.

8. It is now found that no funds were available, to remunerate Captain Moberly and the other Officers, and that it is necessary to return the acting allowances passed to these Officers for the eight days, which elapsed between Major Beilieu's being relieved by, and being reappointed to act for Col. Cotton.

9. Previous to issuing retrenchments I am induced to submit for the decision of Govt. whether in consideration of the peculiar circumstances of the case, the acting allowances for the eight days, are to be recovered from the above mentioned Officers, who actually performed the duties for which they were remunerated, or whether the extra charge may be borne by the State.

10. As cases of a similar nature are likely to occur, they to suggest that some general rule may be passed, to enable me to dispose of the cases as they arise.

Civil Auditor's Office,
Fort Saint George,
31st March 1859.
E. M. H.

Copied by H. M. M. S. M.

I have the honor to be,
Sir,
Your Most Obedt Servt.,
Edmundson
Acting Civil Auditor

Memorandum of the difference of increased salary or deputation allowance passed to the Undermentioned Officers--
Captain Moberly from 1st to 8th October being the difference between his own salary and acting allowance @ 50 Rs. per mensem 12-14-6
Lieutenant Vertue from D: to D: being D: to D: at 100 Rs per d: 25-12-16
Capt. Palmer from D: to D: being D: to D: at 50 Rs D: 12-14-5
Mr. Ricketts from D: to D: being D: to D: at 100 Rs D: 25-12-11
177-6-9

Edmundson
Acting Civil Auditor

22-857

The Acting Civil Auditor

will deal with this case under the ordinary rules.

2. I have provided out in the order of the 25th March 1859 of 18906 that the Audit Office has been in no allowing taking allowances to Executive Officers officiating in a higher class of that grade.

Wt

[Signature]

Short Lt. Genl 8/8
12th April 1859
1 Copy to the Comd Genl 19th

Comd: 1st April 1859 of 15657

1859
The Hon. Secy. of the
Comd. 12th April
1859

The Secy. Civil Auditor

2. The Hon. Secy. of the

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