M R.O. 1—77,006—8-6-37.

(1) Number of pages 16

(2) Date of repair

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. 1568 Press
~~Mis.~~
609-40

Dated 16—5- 1866.

Not to be folded or roughly handled

No. 409. Read the following letter from the Controller of Public Works Accounts, to the Secretary to Government, Public Works Department, dated Madras, 7th May 1866, No. 106 :—

1. With reference to the Proceedings of Government, No. 1,393, dated 2nd instant, paragraph 2, I have the honor to annex a statement of furlough pay drawn by Mr. Porter in excess of that to which he was properly entitled during the period of his leave in Europe.

2. This money appears to have been over-drawn by Mr. Porter entirely through inadvertence, for though the instructions of the Government of India in the Military Department, as contained in G. O. of the 4th April 1864, No. 1,117, had been received in this Presidency, they do not appear to have been acted upon in England, as Mr. Porter was permitted to draw this pay on the last pay certificate granted by this office in ignorance of these same Orders : under these circumstances, I beg to know if retrospective effect is to be given to them, or if the suggestion of the Pay Examiner, as contained in paragraph 3 of his letter No. 1,019, recorded with G. O. of the 2nd instant, No. 1,319, that steps should be taken to prevent such over-payments *in future*, be adopted.

3. Mr. Porter, it appears from the same Officer's letter, No. 1,017, paragraph 4, is not entitled to the increased rate of passage money claimed by him under paragraph 80, page 404, Pay and Audit Regulations : this paragraph appears to me to have reference more particularly to Officers and not to Warrant Officers, a distinction carefully drawn in the scale under paragraph 76, pages 403 and 404 of the same Regulations; I beg therefore to solicit instructions for guidance in this matter also ; and it further appears that though the new Furlough Regulations are applicable to Commissioned Officers entitling them to moiety of staff salary and travelling allowances for the first six months of absence on sick leave to Europe, these do not hold good for Warrant Officers, marking the distinction between the ranks still more clearly. Mr. Porter's promotion dates from the 9th May 1863, though it did not appear in orders till the 9th March 1866, how this arose I am not aware, but as he did not leave India till August 1864, more than one year after his promotion should have taken place, it would apppear he has some claim to the higher rates of passage money.

Statement of furlough pay drawn by Mr Porter in excess during the period of his leave in Europe.

Half Staff salary							75	0	0					
Military pay and allowances							145	14	0	220	14	0 × 6 =	1,325	4	0
Deduct														
Furlough allowances for six months, £40 at 2*s* ½*d.* per Rupee =										391	13	4		
Difference of do. from 26th March to 18th December 1865, eight months and twenty-four days, at £5 per annum							£3 13*s.* at do. =			35	12	1	427	9	5
												Over-drawn Rupees ..	897	10	7

(Signed) J. F. FISCHER, Captain, R, E,
Controller of Public Works Accounts.

Proceedings of the Madras Government, Public Works Department,
16th May 1866.

No. 410. ORDER THEREON, 16th May 1866, No. 1,568.

ESTABLISHMENT, No. 44.

1. It appears from the foregoing letter that the amount of furlough pay which Deputy Assistant Commissary Porter drew in excess of that to which he was properly entitled during the period of his leave in England is Rupees 897-10-7, but as the certificate on which this sum was paid was granted in ignorance of the Orders of the Government of India, declaring that the new Furlough Rules are inapplicable to Warrant Officers, the Governor in Council will not insist upon a retrenchment of the excess in question. The Controller of Public Works Accounts will, however, adopt measures to prevent such over-payments in future.

Vide G. O. in the Military Department, No. 1,117, dated 4th April 1864.

2. The Government consider Mr. Porter's claim to the difference* between the authorized passage money for Conductors and Deputy Assistant Commissaries, to be inadmissible under paragraph 80, Section XVII.† of the Military Pay Code.

* Rupees 400.

† "Passage money is given in the rank in which an officer embarks on the occasion entitling him to a passage, without reference to subsequent promotion with back rank."

(True Extract.)

(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government.

To the Superintending Engineer, 3rd Division.
,, Controller of Public Works Accounts.

Exd. S. T. Augustin.

Office of the Controller of Public Works Accounts.
Madras 7th May 1866.

No. 106.

From.

The Controller of Public Works Accounts.

To,

The Secretary to Government P.W.D.
Fort St. George.

Sir,

With reference to the Proceedings of Government No. 1393 dated 2d Instant, para: 2, I have the honor to annex a Statement of Furlough pay drawn by Mr. Porter in excess of that to which he was properly entitled during the period of his leave in Europe.

2. This money appears to have been over drawn by Mr. Porter entirely through inadvertence for though the instructions of the Government of India in the Military Department as contained in G.O. of the 4th April 1864 No. 1117 had been received in this Presidency they do not appear to have been acted upon in England as Mr. Porter was permitted to draw this pay on the last pay Certificate granted by this Office in ignorance of these same orders: under these circumstances I beg to know if retrospective effect is to be given to them or if the suggestion of the Pay Examiner as contained in para: 3 of his letter No. 1019 recorded with G.O. of the 2d instant No. 1319 that steps should be taken to prevent such over payments in future be adopted.

3. Mr Porter it appears from the same Officers letter No 1017 para: 4 is not entitled to the increased rate of passage money claimed by him under para: 80 page 404 Pay and Audit Regulations: this para: appears to me to have reference more particularly to Officers and not to Warrant Officers, a distinction carefully drawn in the scale under para: 76 pages 403 and 404 of the same regulations I beg therefore to solicit instructions for guidance in this matter also; and it further appears that though the new Furlough regulations are applicable to Commissioned Officers entitling them to moiety of Staff Salary and Travelling allowances for the first 6 months of absence on sick leave to Europe these do not hold good for Warrant Officers, marking the distinction between the parties still more clearly. Mr Porters promotion dates from the 9th May 1863 though it did not appear in orders till the 9th March 1866, how this arose I am not aware but as he did not leave India till August 1864 more than one year after his promotion should have taken place it would appear he has some claim to the higher rates of passage money.

I have the honor to be
Sir
Your most obedt. Servant.

Captain R.E.
Controller of Public Works Accounts.

Comptd:-

Statement

Statement of Furlough pay drawn by Mr Porter in excess during the period of his leave in Europe.

Staff Salary	75-0-0			
Pay and Allowances	145-14-0	220-14-0	x6	1325-4-0

Deduct.

Furlough Allowances for 6 months £400 @ 2s-½d per Rupee = 391-13-4.

Difference of 0s from 26th March to 15th December 1865 8 months and 20 days @ 5 £ per annum £8 0 0 = 3-13 @ 10 = 35-12-1 427-9-5.

Overdrawn Rupees 897-10-7.

Captain R.E.
Controller of Public Works Accounts.

Comptd. R.E.

Public Works Department

No. 1568

Proceedings of the Madras Government

Under date the 16th May 1866

Read the following

From the Controller of P.W. Accounts, dated 5th May 1866 No. 1061

It appears from the foregoing letter that the amount of Furlough Pay which Dep.t Assistant Commiss.y Porter drew in excess of that to which he was properly entitled during the period of his leave in England is Rupees 893-10-7, but as the certificate on which this sum was paid was granted in ignorance of the orders of the Government of India declaring that the new Furlough Rules are inapplicable to Warrant Officers, the Governor in Council will not insist upon a retrenchment of the excess in

Vide S.O. in the Military Dep.t No. 1117 dated 4th April 1866

To Controller of P.W. Accounts.

Sir,

I am directed by the Governor in Council to forward for your information and guidance a copy of a letter from the Secretary to the Government of India, No. 3 dated 16th May 1866, No. 106.

Submitting a statement of Furlough Pay which Dep.t Assistant Commissary Porter has drawn in excess of that to which he was entitled during the period of his leave in England, and directing that no retrenchment be made.—

No. 1568-16th May 1866.

question — The Controller of Pb Accounts will, however, adopt measures to prevent such overpayments in future —

The Government consider Mr Peters claim to the difference between the authorized passage money for Inductors and Deputy Apsistant Commissaries, to be inadmissible under para. 80 Section XVII of the Military Pay Code —

× Rs 400

+ "Passage money is given in the rank in which an Officer embarks or the occasion entitling him to a passage, without reference to subsequent promotion with back rank".

I have the honr &c
Sd/- a Controller of Pb Accts

Simla
Sept 17th May.

P W 1866 Deputn
Pro: of Court for May
A° 1568.
Pro: of the Madras Court
Dy 16th May 1866

Passing orders on a letter from the Controller of Public Works Accounts relative to the excess pay drawn by Deputy Assistant Commissary Porter during the period of his leave in Europe.

A° 409-410