

GOVERNMENT OF MADRAS.

MILITARY DEPARTMENT.

10 September 1887, No. 8552

Retirements.

Read the following papers :—

No. . From Colonel C. M. MOBERLY, Madras Staff Corps, Examiner of Guaranteed Railway Accounts, Bombay, to Brigadier-General A. KENNEY-HERBERT, Secretary to Government, Military Department; dated Bombay, 23rd May 1887, No. 846.

I have the honor to bring the following circumstances to your notice :—

On the 10th May 1887 I addressed the Adjutant-General of the Madras Army asking for information as to the meaning of a column, which I had observed inserted in the gradation list printed in the Army List, headed "When ceased to be employed," pointing out that the date, 4th March 1885, was inserted in that column against my name, and inquiring what effect this entry had upon my service.

2. I received in reply a letter No. 1124-O (Army List), dated 17th May 1887, copy of which is attached for reference.

3. I obtained a copy of Clause 207, India Army Circular, 1882, and on perusal find that "Officers of the Staff Corps and Indian Army holding the following classes of appointments, not considered as 'ordinary Military duty,' shall be considered as employment exempting the holders thereof from the conditions attached to non-employment."

And further on under III, I find that "Appointments in the Public Works" come under the class of appointments so exempting from conditions attached to non-employment.

4. I have the honor to point out that I am now, and have been since May 1867, holding an appointment in the Public Works Department, and therefore ask that I may be exempted from the conditions attached to non-employment, and that the entry in the column headed "When ceased to be employed" against my name may be removed.

5. I may explain that from the 1st January 1885 until I went home on furlough on 1st April 1886, my services were lent to the B.B. and C.I. Railway on the occasion of the transfer of the Rajputana Malwa Railway to that line, and this may have led to the supposition that I held some civil appointment other than Public Works; but I never ceased to belong to the Public Works Department, and on my return from furlough in March 1887 I was appointed Government Examiner, Railway Accounts, Bombay, an appointment in the Public Works.

Copy of letter from the Deputy Adjutant-General, Madras Army, to the Government Examiner, Railway Accounts, Bombay; dated 17th May 1887, No. 1124-O (Army List).

With reference to your note dated 10th instant, I have the honor, by desire of the Commander-in-Chief, to say that the tenure of a civil appointment not being considered as employment exempting the holder thereof from the conditions attached to non-employment, officers in civil employ are returned as unemployed with effect from the date of their promotion to Colonel, as laid down in Clause 207, India Army Circular, 1882, in view of regulating their transfer to the "Unemployed Supernumerary List, under the operation of G.O.G., No. 33, of 1882, page 9.

2. Agreeably to the above, you are correctly shown in the several Army Lists as having ceased to be employed from the 4th March 1885, the date on which you were promoted to the rank of Colonel while holding a civil appointment.

No. 3129.

Transferred to the Adjutant-General for disposal.

(By Order.)

OOTACAMUND,
27th May 1887.

(Signed)

A. KENNEY-HERBERT, Brigdr.-Genl.,
Secretary to Government.

No. Memorandum from Colonel M. C. FARRINGTON, Officiating Adjutant-General, Madras Army, to Brigadier-General A. KENNEY-HERBERT, Secretary to Government, Military Department; dated Ootacamund, 4th June 1887, No. 1320-O (Army List).

Submitted for the orders of Government, as it is doubtful whether employment in the "Account establishment, Public Works Department," as shown at page 382, Bengal Army List, exempts an officer from the conditions attached to non-employment, as laid down in Part I, Clause 3 of Clause 207, India Army Circular, 1882, which published the decision communicated in the Marquis of Hartington's Despatch No. 269 of that year.

No. To the Secretary to the Government of India, Military Department; dated 13th June 1887, No. 3484.

No. From Major T. DEANE, Deputy Secretary to the Government of India, Military Department, to Brigadier-General A. KENNEY-HERBERT, Secretary to the Government of Madras, Military Department; dated Simla, 18th August 1887, No. 1212-AS.

Retirements.

I am to acknowledge the receipt of your endorsement No. 3484* of the 13th June 1887, submitting, with reference to the case of Colonel C. M. Moberly, Madras Staff Corps, Examiner of Railway

* Enclosures returned.

Accounts, Bombay, an inquiry as to whether employment in the Accounts establishment of the Public Works Department should exempt an officer from the conditions attached to non-employment.

2. In reply I am to say, for the information of the Governor in Council, that all appointments in the Public Works Department come under the terms of Para. I, Clause 3, India Army Circulars, Clause 207 of 1882, and exempt the holders thereof from the penalties attached to non-employment. Colonel Moberly should, therefore, not be returned in the Madras Army List as having ceased to be employed, and the date, 4th March 1885, should accordingly be expunged from page 74 of the last issue.

No. ORDER THEREON, 10th September 1887, No. 5382

The reply of the Government of India communicated for the information of His Excellency the Commander-in-Chief, and for favor of necessary action.

(True Extract.)

(Signed) A. KENNEY-HERBERT, Brigdr.-Genl.,
Secretary to Government.

To the Adjutant-General.

To Colonel C. M. Moberly, Examiner of Railway Accounts, Bombay.

To the Public Works Department, for information.

Exd. E. C. Shunker.

Govt. of (1887) Madras.

MILITARY

To

THE ADJUTANT-GENERAL,
&c., &c., &c.

Dated September,

Issued

Recd.

Encl.

G.O., September 1887, No.

SEPTEMBER.

Nos.

Retirements.

Public Works Department.—Intimation from the Government of India that as all appointments in the — come under the terms of Para. I, Clause 3, India Army Circulars, Clause 207 of 1882, and exempt the holders thereof from the penalties attached to non-employment, Colonel Moberly should not be returned in the Madras Army List as having ceased to be employed, and that the date, 4th March 1885, should accordingly be expunged from page 74 of the last issue of the Army List.

GOVERNMENT OF MADRAS.

MILITARY DEPARTMENT.

10 September 1887, No. 5552

Retirements.

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5. I may explain that from the 1st January 1885 until I went home on furlough on 1st April 1886, my services were lent to the B.B. and C.I. Railway on the occasion of the transfer of the Rajputana Malwa Railway to that line, and this may have led to the supposition that I held some civil appointment other than Public Works; but I never ceased to belong to the Public Works Department, and on my return from furlough in March 1887 I was appointed Government Examiner, Railway Accounts, Bombay, an appointment in the Public Works.

Copy of letter from the Deputy Adjutant-General, Madras Army, to the Government Examiner, Railway Accounts, Bombay; dated 17th May 1887, No. 1124-O (Army List).

With reference to your note dated 10th instant, I have the honor, by desire of the Commander-in-Chief, to say that the tenure of a civil appointment not being considered as employment exempting the holder thereof from the conditions attached to non-employment, officers in civil employ are returned as unemployed with effect from the date of their promotion to Colonel, as laid down in Clause 207, India Army Circular, 1882, in view of regulating their transfer to the "Unemployed Supernumerary List," under the operation of G.O.G., No. 33, of 1882, page 9.

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A. KENNEY-HERBERT, Brigdr.-Genl.,
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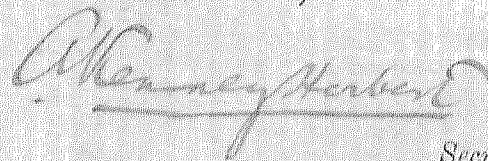
to the case of Colonel C. M. Moberly, Madras Staff Corps, Examiner of Railway Accounts, Bombay, an inquiry as to whether employment in the Accounts establishment of the Public Works Department should exempt an officer from the conditions attached to non-employment.

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No. ORDER THEREON, 10 September 1887, No. 5352

The reply of the Government of India communicated for the information of His Excellency the Commander-in-Chief, and for favor of necessary action.

(True Extract.)



Brigdr.-Genl.,

Secretary to Government.

To the Adjutant-General.

To Colonel C. M. Moberly, Examiner of Railway Accounts, Bombay.

To the Public Works Department, for information.

Exd. E. C. Shunker.

PMC 7/16/1
Govt. of (1887) Madras.

MILITARY

To

THE ADJUTANT-GENERAL,
&c., &c., &c.

Dated September,

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G.O., September 1887, No.

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