

1. Number of pages.
2. Date of receipt.
3. Nature of Reference.

M.R.O. 1-80,000-16-10-80.

MADRAS RECORD OFFICE.

Government of Madras.

Public **DEPARTMENT.**

G.O. No.	1046.	Press Mis.
Dated	23-8-	1967.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Department,
23rd August 1867.*

No. 190. Read the following letter from the Secretary to the Government of India, Foreign Department, to the Secretary to Government, Fort Saint George; dated Simla, 2nd August 1867, No. 1307.

Foreign Department.
General.

I am directed to request that you will move the Right Honorable the Governor in Council of Fort Saint George to place the services of Dr. S. J. Wyndowe, Chemical Examiner, Madras Medical College, at the disposal of the Government of India in the Foreign Department, in view to his being appointed Residency Surgeon at Hyderabad.

No. 191. ORDER THEREON, 23rd August 1867, No. 1046.

Ordered, accordingly, that the services of Surgeon S. J. Wyndowe, Chemical Examiner, and Professor of Chemistry in the Medical College, be placed at the disposal of the Government of India.

(Signed) R. S. ELLIS,
Acting Chief Secretary.

No. 192. To Sir WILLIAM MUIR, K. C. S. I., Secretary to the Government of India, Foreign Department, Simla; dated Fort Saint George, 23rd August 1867, No. 1047.

In acknowledging the receipt of your letter of the 2nd instant, No. 1307, I am directed by the Governor in Council to state that the services of Surgeon S. J. Wyndowe have been placed at the disposal of the Government of India, in view to his being appointed Residency Surgeon at Hyderabad.

(Signed) R. S. ELLIS,
Acting Chief Secretary.

Ed. J. Talloch.

N^o 1307

From

Sir William Muir, K.C.S.I.
Foreign Secretary, India

To

The Secretary to Government,
Fort Saint George.

Foreign Dept.
General.

Sir,

I am directed to request that you will move the Right Honorable the Governor in Council of Fort Saint George to place the services of Doctor S. J. Wyndome, Chemical Examiner Madras Medical College, at the disposal of the Government of India in the Foreign Department, in view to his being appointed Presidency Surgeon at Hyderabad.

I have the honor to be,

Sir,
Your most obedient servant



Foreign Secretary, India

Recd
The 2. August 1867

1902/92

2/8
Letter in Council 2/8

Public Department.

No. 1047.

To

Sir William Muir & Co. & Co.

Secretary to the Government
of India,

Foreign Department.

Sir,

India

I acknowledge the receipt of your letter of the 2nd instant. I am directed by the Governor in Council to state that the services of Surgeon W. J. Wyndham have been placed at the disposal of the Government of India, in view of his being appointed Presidency Surgeon at Hyderabad.

Yours faithfully,
The

For St George
23rd August 1873

Received 18th Sept 1873
No. 1047
23rd Aug
23rd Aug
23rd Aug

23rd Aug
23rd Aug
23rd Aug

No 1399

Let for the Surgeon
to Hyderabad, to be
President Presidency
Surgeon at Hyderabad

Hand and Seal

General Secy

At the services of
W. J. Wyndham, Surgeon
at Hyderabad, to be
President Presidency
Surgeon at Hyderabad

23rd August 1873
No. 1047

Received, recording

Added 1867 Separate.
No 1043.
7th day. 10 the C?
of India

Added 23 August 1867.

1. Number of pages. 24
2. Date of repair. 2-7-70
3. Initials of Referencer.

M.R.O. 1-82,400-22-11-80

MADRAS RECORD OFFICE.

Government of Madras.

R. S. S. DEPARTMENT.

G.O. No.	1046	Press ~~Mis.~~
Dated	13-10-1866.	

Not to be folded or roughly handled

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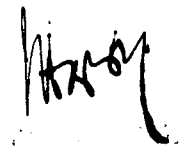
FINAL ADJUSTMENT ORDER.

Travelling
Contingent bill of
Mr. L. Ganthwaite's Pay for June 66
Amount drawn.....Rs. 250 - -
Admitted by the Dy. Acct. Genl.

Diff. to be recovered further paid on next like bill Rs. 250 - -

EXPLANATION.

I inadmissible Mr. Ganthwaite
being entitled only to moiety as Dy. Translator.
The moiety drawn for May and June
should be recovered.



MADRAS,

The 24th July 1866. }

Sd/- Dy. Acct. General.

Objection removed

Dy. Acct. General

Copy forwarded to Treasury Officer for information.

Dy. Acct. General.

To.

Cannanore. 4th August. 1866.

From.

L. Garthwaite Esq^{re}.
Secy Malayalam Translator
to Government.

To

The Honorable A. J. Arbuthnot
Chief Secretary to
Government, Fort St. George

Sir

I have the honor to bring the
accompanying order of the Accountant General
to your notice. —

2. It will be seen that the
Accountant General allows me as Malayalam
Translator to draw only the moiety of the pay
of that officer. —

3. I was given to understand
that Mr. Thompson, who holds the substantive
appointment could not, and does not draw
the other moiety; his half pay from the
Educational Department amounting to the
highest amount (Rs. 6000 per annum) allowed

On Her Majesty's Service.

Recd

To

L. Garthwaite Esq^{re}
Ag. Malayalam Translator
to Government

W. Morris
Chief Assistant,
Acct. Genl's Office.

Paulsen

documental evidence.

4. The usual notice as to the nature of the duties, & the fact that the duties are not in accordance with the duties of a subordinate; and I am aware of the fact that the duties of a subordinate are not in accordance with the duties of a subordinate. —

5. The full pay is Rupees 250. —
The notice (No. 125) is below given
that the duties of a subordinate (No. 135) pro-
ducing the amount of the pay of the
officer, which is less than his subordinate.

6. The work (Acts, Bills, Examination papers, the preparation of books &c) that was done upon me during this short time, I am well satisfied, has been done in a very satisfactory manner, and I am well satisfied with the result. I could not but be satisfied that my 125 per cent is a fair and reasonable remuneration for so much work, and responsibility. —

5.

7. Under these circumstances I would respectfully solicit that you will be good enough to lay before Government my claim to be allowed whilst acting, the full amount left undrawn by Mr. Thompson — or should there be any rule precluding the receipt of more than a moiety of the pay by an acting officer. — I am confirmed in the appointment, on the understanding that I shall whenever called upon, resign it to Mr. Thompson. —

I have the honor to be
Sir

Your most obedient servant
J. P. Thompson
Acting Malayalam Translator
- later to Government.

Memorandum.

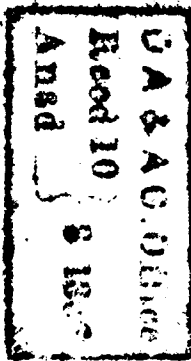
In forwarding with remarks the appeal of the Acting Malayalam Translator (without No. but dated 4th August) received, under Govt. endorsement of 9th inst.

it will be necessary to draw attention to the fact that it was not submitted through ~~the~~ office in accordance with rule, and to recommend that in all such cases appeals be simply sent back for resubmission.

2. The appeal is based on three arguments (1) that the salary is available and therefore claimable by the substitute; (2) that there would be an anomaly in giving the head of the office less than his subordinate; (3) that the work is heavy enough to make the whole allowance no excessive remuneration.

3. By the first argument Mr. Garthwaite thinks the Examiner of Claims was influenced; that Officer however quotes in defence of his audit an order of Government dated 23rd April 1866 granting the full allowance of such a post to an acting officer, Mr. ^{W.S.} ~~Sim~~ I do not know the circumstances urged by Mr. Sim in support of his claim, if that order were general, the whole allowance of a translator would be personal, and so would lapse to the acting incumbent during any absence of the permanent incumbent, whether on privilege or sick leave: this would evidently largely reduce the attractions of such a post, and I doubt therefore if Government will pass such a rule.

4. To return from the argument of the Examiner of Claims to that put in his mouth by Mr. Garthwaite and relied on in support of the claim. Now though it is granted that the substitute of an uncovered servant



11395

200000

7 No 1679

on sick leave is entitled to all the pay the absentee cannot draw, a point on which I am not clear and on which I should be glad of an opportunity of reference. I should not think this conclusive in the appellant's favor: the person acting in Mr. Thompson's other post might as reasonably claim that absentee allowance at the full rate be first of all deducted from the translator's pay, and that the excess available, according to Mr. Garthwaite's calculation, be held to accrue from the other post, and so to be available, according to assumption, for himself. For calculation of the substitute's allowance it seems to me that the pay of each post must be treated alike, and I must note as a further doubt that, even though a substitute were allowed $\frac{1}{2}$, $\frac{3}{4}$, or full pay according to the circumstances of the permanent incumbent's leave, it is not certain that he could profit by the limitations laid down by the rules with regard to the maximum allowances claimable; thus if A an uncovenanted servant on Rs. 1500 take sick leave, he could only draw Rs. 500 a month, for, half pay would be in excess of the maximum laid down in para 20 of the new rules, but I should be none the more ready on that ground to let his substitute draw Rs. 1000 instead of Rs. 750.-

5. From his second argument Mr. Garthwaite does not note that the anomaly at which he points is either imaginary or common. Unless the special deputation allowance of an officer be held to be his full remuneration for the duties of the post in which he acts, the anomaly is imaginary; if it be so held almost every acting officer draws less than some one or other of his subordinates. In truth of course the whole emoluments should be looked at, the pay proper as well as the deputation allowance; and it may furthermore be said that acting appointments are altogether anomalies, as laying an extra burden on one man for the convenience of

of the state and the advantage of the absentee, the acting officer profiting by the temporary promotion but ~~far more~~ by the power of like absence in his own case.-

6. Lastly the argument from the amount of work & responsibility is just as destructive to the principle of acting appointments altogether. In these days Government does not pretend to give excessive pay to any one, and if the permanent incumbent do not receive lavish pay who can say that any acting officer does? Were the Accountant General to go away for two months now, I should act; for the first month I should get no deputation allowance, for the second Rs. 500; if the Accountant General's work be worth Rs. 3000 a month and mine worth Rs. 1500 how can it be said that I should be as well paid for doing both works for two months for Rs. 3500? Here as before comes in the principle of the mutual convenience of the state and all its servants; there would be no grievance - not because the work would not be heavy or because it would be well paid, but - because the officer taxed by the rules today would have the hope of profiting by them to-morrow.-

It will also be well to draw attention to our late reference of the parallel case of currency allowance.

Thompson

Ag. Dy. Account. Genl.-

Fort Saint George.
Accountant General's Office,
20 August 1866.

FROM

THE DEPUTY ACCOUNTANT GENERAL, MADRAS.

TO

THE Chief Secretary to Government
Madras.

SIR,

order of Government in the Public Department.
With reference to your letter No. — dated the 7th instant I have
the honor to submit a report drawn up by the Deputy
Accountant General in charge of the Audit Department
in the claim of Mr. Garthwaite to the full
allowances of the Malayanum translatorships
during his temporary incumbency of that office. —

It will be observed that the report of the Deputy
Accountant General is adverse to Mr. Garthwaite's
claim, and according to the strict letter of the regula-
tion rules, which the Audit Department is bound to
enforce, Mr. Taylor is no doubt correct in his view.
But looking to the very low pay of the minor trans-
latorships and to the extreme difficulty experienced
in filling them even on full pay, I am of opinion that
the rules should be specially relaxed in the case of
such appointments, and I venture to suggest that
the point be brought under the consideration of
the Government of India with this object in view. —

I have the honor to be,

Sir,

Your most Obedient Servant

F. Ashurst
Accountant General. —

POST AUDIT DEPARTMENT.

No. 207

Dated 18th September 1866.

FROM THE ACTING DEPUTY ACCOUNTANT GENERAL,

Y.P. sent out papers referred to.

TO THE Under Secretary to Government.

VIDE {your} {Proceedings} No 294 dated 11th instant 1866.
 {this} {Office Letter} Memo.

(The undersigned has the honor to acknowledge the receipt of the point wherefor authority is sought may be more clearly pointed out. The Office Memo forwarded by the Accountant General is divided into paras which are devoted to meeting the argument used by Mr. Garthwaite.

[Signature]

A. Dy. Acct. Genl.

No. 23 - Office 60/10/1866

DEPARTMENT.
ACCOUNTANT GENERAL'S OFFICE, MADRAS.

FROM THE ACTING DEPUTY ACCOUNTANT GENERAL.

TO THE Under Secretary to Govt. Madras.

Dated 20th Sept 1866.
Recd. 21st Sept 1866.
Ans'd 27th Sept 1866.

No. 2073. (Subject) Budgetary.

[Faint handwritten notes at the bottom of the page, including "such opportunities" and "the accountants"]

DEPARTMENT
ACCOUNTANT GENERAL'S OFFICE, MASS.

No. 207.

From

Acting Deputy Accountant General

To

The Under Secretary
Government

Dated

18th September 1866.

Recd.

Ans'd

No. of answer.

(Subject.)

Asking upon what
particular part of the memo-
randa authority is wanted.

vide Memo to the Secy.

Educational 1866 (Sept.)

No. 294

Memorandum

(Dated 11th Sept. 1866.)

Educational (Sept.)

No. 294

Memorandum

The undersigned has the honor
to request that the Acting Deputy Account-
ant General will, with reference to his
Memorandum without number or date,
and the gentleman's case, be good en-
ough to furnish the order on which
this ruling there is based.

Wm. St. George, signed J. Grow
11th Sept. 1866, Under Secretary

St. W.

Thos. Acting Deputy Accountant General

Public Department

N^o 314

Memorandum

Dated 29th Sept 1866

Public Department

N^o 314

Memorandum

In reply to the Memorandum of the Acting Deputy Accountant General of the 18th Instant N^o 207 the Secretary to Government observes that the information sought in the Memorandum from this Department of the 14th idem had reference to the Authority under which Mr Taylor disallowed Mr Garthwaites claim to the full allowances of the Malayalam Translatorship.

For Mr George Required by L. D. Sim
29th September 1866 } Secretary to Government

To

The Acting Deputy Accountant General

POST AUDIT DEPARTMENT.

No. 228

Date 5 October 1866.

FROM

THE ACTING DEPUTY ACCOUNTANT GENERAL.

Madras.

TO

THE Secretary to Government
Public Department.

VIDE {your} {~~Persuasions~~
{this} {Office letter
Memo.} No. 314 dated 29th ultimo 1866.

(The undersigned has the honor to explain that he disallowed Mr. Garthwaite's Claim because he knew no rule under which he could admit it. In appeal Mr. Garthwaite tries to make out that his claim is, or ought to be, legal, and the undersigned has endeavoured to meet his arguments. The duty of an auditing officer, it is submitted, is much that of a judge before whom a suit for a specific sum is brought against Government, though of course he is bound to use his knowledge of rule to amend a claim instead of simply nonsuiting.)

Harper

Actg. Dy. Accountt. Genl.

Ex⁵hl

This claim, I will be
 sure, has been disallowed by
 the Audit^r Char. ment, and
 perhaps will go under the
 strict letter of the deputative
 rules. I am, however, for the
 low salaries of \$2500 and
 \$2250 attached to the trans-
 latorship and to the difficulty,
 experienced at times, in
 getting up such lists, I am
 convinced that the Government

Exp. Court. June 1891
attending. Mr. [unclear]
[unclear]

may be ultimate discretionary
power in such cases as the
present ^{to grant the full salary} provide no ex-
pense be entailed on the
State.

For Mr. George
in with all

2nd 1866

1866

1866

1866

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