

MADRAS RECORD OFFICE.

Government of Madras.

Police DEPARTMENT.

G.O. No.	<i>223</i>	Press ~~Mis.~~
Dated	<i>28-2-</i>	<i>1867.</i>

Not to be folded or roughly handled

*
1

Proceedings of the Madras Government, Public Department,
28th February 1867.

No. 163. Read the following letter from the Controller of Military Accounts, Fort Saint George, to the Secretary to Government, Military Department, Fort Saint George; dated Fort Saint George, 5th January 1867A.

I have the honor to forward a letter from the Principal Inspector General, Medical Department, dated 5th December 1866, No. 426, with one from Doctor Day, claiming certain rates of pay whilst engaged in fish experiments on behalf of Government, and for compensation while employed at Kurnool.

2. There are three questions submitted in the communication from Dr. Day—1st, what rate of pay he is entitled to while carrying on the fish experiments; 2nd, what remuneration he should receive in consideration of that service; and, 3rd, what he should draw while with the 28th Regiment N. 1. at Kurnool.

Copy annexed.

3. The claim has been reported on in my letter of the 7th November 1866A, to the Public Department.

4. In respect to the first question, I would remark that there can be no doubt that the Order of Government in the Public Department, No. 243, dated 11th March 1866, by the terms "Military pay and allowances of his rank," contemplated the employed rate of pay of Dr.

Rupees 789-3-0.

Day's rank; it could not have contemplated the consolidated Staff salary for Medical charge of a Regiment, or the horse allowance admissible to Medical Officers actually doing duty with mounted Corps. The supposed omission of the word "Regimental" in the Order of Government had, of course, nothing to do with the rejection of the claim to the consolidated salary, as the term would, in fact, have been inapplicable. Had Government intended to sanction compensation in lieu of a consolidated salary, the intention, it is presumed, would have been specifically declared.

5. With regard to the second point, I may observe that it is one on which it is not the province of this office to report, as remuneration for a purely Civil duty is a question for the Civil Department to deal with.

6. With reference to the third point, I have already noticed that Dr. Day, not having taken up his appointment of Medical Store-keeper before he was temporarily attached to the 28th Regiment N. I. at Kurnool, has no claim to any benefit from the salary; to entitle an Officer to the salary of an appointment he must enter on the duties, and to give him claim to compensation for loss of any allowance he must have been actually in receipt of it. The

Paragraph 44, page 165, Pay Code.

exigencies of the service prevented Dr. Day from taking up his appointment at an earlier period, a contingency from which every Officer appointed to a Staff situation is liable to suffer some loss.

7. The plea that the funds estimated for in connection with the pay of the Medical Store-keeper have not been fully expended will not avail in the case of a personal claim, which is regulated by the orders of the service, and not by Budget provision.

*Proceedings of the Madras Government, Public Department,
28th February 1867.*

From the Principal Inspector General, Medical Department, Fort Saint George, to the Secretary to Government, Military Department, through the Controller of Military Account, Fort Saint George; dated Fort Saint George, 5th December 1866, No. 426.

I have the honor to forward, for the favorable consideration of Government, a letter* from Surgeon F. Day, claiming certain rates of pay whilst engaged in fish experiments on behalf of Government, and for compensation while employed at Kurnool.

* No. 387 of 30th November 1866.

2. Government are aware that Mr. Day was sent to Kurnool on account of the exigencies of the service.

From Surgeon F. DAY, Medical Store-keeper, to the Secretary to the Principal Inspector General, Medical Department; dated Fort Saint George, 30th November 1866, No. 387.

I have the honor to forward the following letter, which I trust the Principal Inspector General will be so good as to refer to the Controller of Military Accounts, in accordance with orders marginally noted,* respecting my claim to certain rates of pay whilst engaged on a fish experiment for the Madras Government. In a previous letter, dated August 24th, certain unintentional errors were stated, consequently I have re-drafted the whole case with full explanations, and I therefore beg that the letter in question may be considered cancelled.

2. The questions for reference are—first, what pay was I entitled to whilst carrying out an experiment with trout eggs for the Madras Government; secondly, what pay I should in equity receive whilst engaged in a fish experiment on the Neilgherry Hills; and, lastly, what I should draw whilst with the 28th Regiment N. I. at Kurnool; as during these last two periods Government, owing to the exigencies of the service, were unable to carry out their tacit agreement with me,† under which alone, I submit, was I prepared to forfeit Rupees 200 a month for so long a period of time for the good of the country and the interest of being allowed to carry out a most interesting and useful scientific and economic experiment.

3. First, before proceeding to the Neilgherry Hills, I wrote to the Private Secretary to His Excellency the Governor, in which letter I observed, “There is one subject which I hope will not be overlooked, viz., that the Civil Auditor does not retrench my full Regimental pay whilst carrying out this experiment.”‡ According to my rank there are four rates of pay, *Unemployed* Rupees 640 a month; *Employed* Rupees 789-3-0 a month; *Regimental (Infantry)* Rupees 800 a month; *Regimental (Cavalry)* Rupees 890 a month. The Chief Secretary to Government,§ with reference to my letter, sent the enclosed order the word “Regimental” having apparently been omitted by a clerical error before “pay of his rank;” for no order was necessary for me to draw employed pay, and the order in question is said to be passed on my letter. I, therefore, respectfully submit that I was entitled to Regimental pay, viz., Rupees 800

† G. O., No. 650, June 28th, paragraph 3. “Government considers it necessary that Dr. Day should take up his appointment at Madras when the Medical College re-opens.”

‡ Letter to Colonel Denison, dated January 24th, 1866.

§ The original letter from Colonel Denison, containing a copy of letter from Chief Secretary to Government, was appended to my letter of August 24th to Government and returned.

¶ Copy appended—the word used is “Military” pay of his rank.

was necessary for me to draw employed pay, and the order in question is said to be passed on my letter. I, therefore, respectfully submit that I was entitled to Regimental pay, viz., Rupees 800

*Proceedings of the Madras Government, Public Department,
28th February 1867.*

a month, from the time of my landing in India, viz., March 12th to May 12th, when the experiment No. 2 was commenced.

4. Secondly, for carrying out the low country fish experiment, and stocking the hill waters with those from the plains. “My proposition is, that I continue the fish experiment until the middle of June (for if the trout fail, I could not commence this until after May 2nd)”¶ six weeks was the period I suggested for the importation of (2) two species of fish. This was approved of, but I did not receive any orders until May 12th* and in a subsequent, G. O.† the Government wished me to return to Madras by October 1st, so I made my arrangements to carry out the experiment on a much larger scale than had been my original intention. It must here be noted that on March 26th I had been appointed Medical Store-keeper at the Presidency, the pay of which is Rupees 1000 a month, but I waived this great pecuniary loss, on the tacit understanding that I was to remain on the Hills until the end of September, when I should have completed with success the experiment; but on August 24th, I was ordered away to a Regiment at Kurnool. I, therefore, respectfully submit that, during this period, viz., from May 12th to August 24th, I am entitled to some compensation, especially as, owing to the doubling up of appointments, Government were pecuniarily savers. Appended is, I believe, a correct statement of the money drawn, and the pay of the various appointments‡ showing a saving to Government of Rupees 488-6-8, and a personal pecuniary loss of Rupees 210-13-0 per month. I, therefore, trust the saving may be passed to me as some compensation, considering the special circumstance of the case.

* By telegram to the Collector.

† Government Order, No. 650 of June 28.

‡ Statement appended.

5. Thirdly, on August 24th I was ordered away emergently to Kurnool with my fish experiment incomplete. I respectfully submit that for this period full compensation should be passed to me, the pay for each full month passed in the Budget§ Rupees 2401-14-5, while that actually drawn was only Rupees 1800, showing a monthly saving to Government of Rupees six hundred and one, fourteen Annas, and five Pies; of this, I respectfully submit my claim to an increase up to the pay of my Madras Staff appointment, Rupees 1000 a month, from the period I was ordered from the hills on Regimental duty, to November 21st, when I received charge of the office, as I was ready to proceed forthwith to Madras on August 25th to take up my appointment there, had it been necessary.

§ Statement appended.

6. In conclusion, I beg that the Controller of Military Accounts will be so good as to send on the case to Government for final orders, with such remarks as he may consider necessary.

From A. MACGREGOR, Esq., Acting Collector of Coimbatore, to Surgeon F. DAY, Medical Store-keeper, Kurnool; dated Coimbatore, 3rd November 1866, No. 293.

I have the honor to acknowledge receipt of your letter of October 15th.

2. I now forward copy of the Proceedings of Government of October 16th, and from paragraph 2 thereof, it appears that the subject matter of paragraph 3 of your letter should be referred by you to the Controller of Military Accounts.

3. I request you will inform me how the amount sanctioned is to be paid, and whether any and what advance was received by you.

*Proceedings of the Madras Government, Public Department,
28th February 1867.*

	May 12th to 31st.			June.			July.			August.			Total.		
	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
Assistant Surgeon Bidie's pay.	277	11	11	451	14	5	451	14	5	...	...	...	1,181	8	9
College pay...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Moiety of Stores...	106	1	3	274	0	9	274	0	9	1,000	0	0	1,654	2	9
Surgeon F. Day's pay...	483	11	0	789	3	0	789	3	0	789	3	0	2,851	4	0
													5,686	15	6
Amount sanctioned in Budget Estimate.															
One Assistant Surgeon's pay.	277	11	11	451	14	5	451	14	5	451	14	5	1,633	7	2
College pay...	91	15	0	150	0	0	150	0	0	150	0	0	541	15	0
Medical Stores...	1,000	0	0	1,000	0	0	1,000	0	0	1,000	0	0	4,000	0	0
													6,175	6	2
													5,686	15	6
Showing a saving to Government of...													488	6	8

(Signed) F. DAY, Surgeon,
Medical Store-keeper.

Assistant Surgeon Bidie drew full salary, Rupees 1000 a month.
Surgeon F. Day in charge of 28th Regiment N. I. 800

1800

Pay passed in Budget for each full month of the period.

	RS.	A.	P.
One Assistant Surgeon, monthly pay...	451	14	5
College pay...	150	0	0
Medical Stores...	1,000	0	0
One Surgeon in charge 28th Regiment N. I...	800	0	0
Pay sanctioned in Budget...	2,401	14	5
Pay actually drawn...	1,800	0	0
Saving per month to Government...	601	14	5

(Signed) F. DAY, Surgeon,
Medical Store-keeper.

Compensation for loss of Regimental and Company Command Allowances, Medical Staff Salary, &c.

Page 164, paragraph 38.—Staff Officers when detached on duty are not entitled to compensation, their loss of Staff pay being precluded by the rules in Section XIX of this Code; but a Staff Officer placed under arrest for trial by Court Martial is, acquitted, entitled to draw compensation for a moiety of Staff salary, if it should have been necessary to appoint another Officer to officiate for him on a moiety of the salary of the appointment.

Page 462, paragraph 2.—No Officer is entitled to any allowance of a Staff situation before entering on the performance of his duties.

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28th February 1867.*

Page 463, paragraph 12.—A Staff Officer temporarily remanded to his Regiment, as in excess of the prescribed number of absentees on the Staff, or on account of an unusually heavy sick list in his Corps, will be restricted to Regimental emoluments; receiving no Staff salary for the period of his absence, and until resumption of his Staff duties.

Page 165, paragraph 44.—The claimant, at the time of withdrawal from his Corps or Station for the special duty, occasioning the alleged loss, must have been in actual receipt of the allowance for which he seeks compensation; the circumstance that had he not been withdrawn, he would have enjoyed it, or that his detention on special duty, or his being placed on Court Martial, or any other duty, during leave, and even perchance while he was in progress to join, or his being wounded in action, prevented or delayed his coming into receipt of the allowance, gives no claim to indemnification. If, however, an Officer, while absent on privilege leave, be put on public duty on a date which would admit of his rejoining within the period of his leave, he will be entitled to compensation for loss of allowances.

Referred to the Public Department.

FORT SAINT GEORGE,
23rd January 1867.

(Signed) H. MARSHALL, Major Genl.,
Secretary to Government.

No. 164. ORDER THEREON, 28th February 1867, No. 223.

The Government have already sanctioned the disbursement to Dr. Day of the difference between the pay and allowances actually drawn by him from the date of his appointment as Medical Storekeeper up to the date of his departure from the Neilgherry Hills to assume Medical charge of the 28th Regiment N. I. at Kurnool, and the salary of his appointment as Medical Storekeeper. The Governor in Council now directs that for the period which elapsed from his arrival at Madras in charge of the Trout Ova up to the date of his appointment as Medical Storekeeper, and from the date of his departure from the Hills to assume charge of the 28th Regiment N. I., Dr. Day shall receive the salary attached to the Medical charge of a Regiment when held by a Medical Officer of Dr. Day's rank, viz., Rupees 800 per mensem.

(True Extract).

Chief Secretary.

To the Principal Inspector General, Medical Department.

„ Controller of Military Accounts.

„ Accountant General.

„ Military Department.

Exd. J. Tulloch.

Compensation for loss of Regimental and Company Command
Allowances, Medical Staff salary, &c.

Page 164. Para 38. Staff Officers when detached on duty are not entitled to compensation, their loss of Staff pay being precluded by the rules in Section XIX of this Code; but a Staff Officer placed under arrest for trial by Court-martial is, acquitted, entitled to draw compensation for a moiety of staff salary, if it should have been necessary to appoint another Officer to officiate for him on a moiety of the salary of the appointment. —

Page 165. Para 3. No Officer is entitled to any allowance of a Staff situation before entering on the performance of his duties. —

Page 165. Para 12. A Staff Officer temporarily retransferred to his Regiment, as in excess of the prescribed number of absentees on the Staff, or on account of an unusually heavy or sick list in his Corps, will be restricted to regimental emoluments; — receiving no staff salary for the period of his absence, and until resumption of his staff duties.

Page 165. Para 44. The claimant at the time of withdrawal from his Corps or Station for the special duty, — occasioning the alleged loss, must have been in actual receipt of the allowances for which he seeks compensation; the circumstance that had he not been so withdrawn, he ~~might~~ ^{would} have enjoyed it, or that his detention on special duty, or his being placed on Court-martial, or any other duty, during leave, and even purchase while he was in progress to join, or his

the propriety of
the way made required
to be the conduct of
Military accounts.

From
The Controller of Military Accounts.
Fort Saint George,
Lo

Sir

I have the honor to forward a letter from the Principal Inspector General, & the War Department, dated 28th December 1864, N^o 444, with one from Doctor Day, claiming certain rates of pay whilst engaged in fish experiments on behalf of Government, and for compensation whilst employed at Kurnob.

2. There are three questions submitted in the Communication from Doctor Day: 1st What rate of pay he is entitled to, while carrying on the fish experiments. 2nd What remuneration he should receive in consideration of that service; and 3rd What he should draw while with the 28th Regiment, N. S., at Kurnob.

3. The Ensign has been reported on in my letter of the 7th November 1864, to the Public Department.

4. In respect to the first question, I

I would remark that there can be no doubt that the order of Government in the Public Department, No. 243, dated 11th March 1866, by the terms "Military pay and allowance of his rank," contemplated the employed rate of pay of D^r Day's rank. it could not have

Papers 789-3-

contemplated the consolidated Staff Salary for a Medical charge of a Regiment or the horse allowance admissible to Medical Officers actually doing duty with mounted Corps. The supposed omission of the word "Regimental" in the Order of Government had, of course, nothing to do with the rejection of the claim to the consolidated salary, as the term would in fact have been inapplicable.

Had Government intended to sanction compensation in lieu of a consolidated salary, the intention, it is presumed, would have been specifically declared.

5. With regard to the second point, I may observe that it is our own which it is not the province of this Office to report as remuneration for a purely Civil duty is a question for the Civil Department to deal with.

6. With reference to the third point, I have already noticed that D^r Day, not

2nd 44, Page 143
Pay Cde.

having taken up his appointment of Medical Storekeeper before he was temporarily attached to the 28th Regiment, A.I., at Rangoon, has no claim to any benefit from the salary. to entitle an Officer to the salary of an appointment he must enter on the duties and to give him claim to compensation for loss of any allowance he must have been actually in receipt of it. the exigencies of the service prevented D^r Day from taking up his appointment at an earlier period, a contingency from which every Officer appointed to a Staff situation is liable to suffer some loss.

7. The plea that the funds estimated for in connection with the pay of the Medical Storekeepers have not been fully expended will not avail in the case of a personal claim, which is regulated by the orders of the service and not by Budget provision.

I have the honor, &c.,
Signed L. M. Goun, Colonel,
Controller of Military Accounts.

1866.

Thro the usual
of King Accounts.

Office of Principal Surgeon Genl Medl Dept
Fort Saint George, 5th December 1866.

My dear Sir,

The Principal Surgeon General Medl Dept.
Fort Saint George.

2^d,

The Secretary to Government,
Military Department.

Sir,

Received
1866.

I have the honor to forward, for
the favorable consideration of Government, a letter
from Surgeon H. Day, claiming certain rates of pay
while engaged in his experiments on behalf of Govern-
ment, and for compensation while employed at
Kurnool.

2.

Government are aware that Mr.
Day was sent to Kurnool on account of the con-
tinuance of the service.

I have &c
Signed J. Shaw
Princ. Surg. Genl Medl Dept

No. 387.

cc,

The Secy to the Principal Surgeon General
Medical Dept.

15

I have the honor to forward the following letter which I trust the Principal Inspector General will be so good as to refer to the Controller of Military Accounts in accordance with orders marginally noted (a) respecting my claim (a) to certain rates of pay whilst engaged on a fish experiment for the Madras Government. In a previous letter dated August 24th certain unintentional errors were stated, consequently I have redrafted the whole case with full explanations, and I therefore beg that the letter in question may be considered cancelled.

2. The questions for reference are: 1st what pay was I entitled to whilst carrying out an experiment with trout eggs for the Madras Government. 2nd what pay I should in equity receive whilst engaged in a fish experiment on the Neilgherry Hills, and lastly what I should draw whilst with the 28th Regiment N.I. at Curnool. As during these last two periods Government, owing to the exigencies of the service, were unable to carry out their tacit agreement with me, under which alone I submit was I prepared to forgo Rs. 200 a month for so long a period of time for the good of the country and the interest of being allowed to carry out a most interesting and useful scientific and economic experiment.

First before proceeding to the Neilgherry

(a) Ltr to Secy. Genl. dated Jan. 25. 1886.

(b) The original letter from Mr. Davison containing a copy of letter from Chief Secy. to Govt. was appended to my letter of Aug. 24th to Govt. & not retained.

(c) Copy appended to the original is the original form of his rank.

(d) Ltr to Collector of Coimbatore dated 16th 1886.

H. C. ... to the Collector

Neilgherry Hills. I wrote to the Private Secretary to His Excellency the Governor in which letter I observed, "there is one subject which I hope will not be overlooked, viz. that the Civil Auditor does not retrench my full Regimental pay whilst carrying out this experiment." According to my rank there are four rates of pay, Unemployed Rs. 640 a month. Employed Rs. 789 3 a month Regimental (Infantry) Rs. 800 a month. Regimental (Cavalry) Rs. 890 a month. The Chief Secretary to Government, with reference to my letter, sent the enclosed order the words "Regimental" having apparently been omitted by a clerical error before pay of his rank. For no order was necessary for me to draw employed pay, and the order in question is said to be passed on my letter. I therefore respectfully submit that I was entitled to Regimental pay, viz. Rs. 800 a month from the time of my landing in India, viz. March 12th to May 12th when the experiment No. 2 was commenced.

Secondly for carrying out the low country fish experiment and stocking the hill waters with those from the plains. My proposition is that I continue the fish experiment until the middle of June (as if the trout fail I could not commence this until after May 22nd). This week was the period I suggested for the importation of two species of fish. This was approved of but I did not receive any orders until May 12th (H) and

is a subsequent G. O. ⁽⁴⁾ the Government wished me to return to Madras by October 1st so I made my arrangements to carry out the experiment on a much larger scale than had been my original intention. It must here be noted that on March 21st I had been appointed Medical Storekeeper at the Presidency, the pay of which is Rs. 1,000 a month, but I waived this great pecuniary loss on the tacit understanding that I was to remain on the hills until the end of September, when I should have completed with success the experiment, but on August 24th I was ordered away to a Regiment at Curnool. I therefore respectfully submit that during this period viz: from May 12th to August 24th I am entitled to some compensation especially as owing to the doubling up of appointments Government were pecuniary savers. appended is I believe a correct statement of the money drawn and the pay of the various appointments showing a saving to Government of Rs. 488-6-8. ^{(1) Statement appended.} and a personal pecuniary loss of Rs. 210-13-4 for month. I therefore trust the saving may be paid to me as some compensation considering the special circumstance of the case.

5. Thirdly on August 24th I was ordered away emergently to Curnool with my sick experiment uncompleted. I respectfully submit that for this period full compensation should be paid to me. the pay for each full month paid in the Budget ^{(2) Still appended.} is Rs. 2401. 14-5 while

while that actually shown was only Rs. 1800 shown as monthly saving to Government of Rupees six hundred and one, fourteen Annas and five Pies. of this I respectfully submit my claim to an increase up to the pay of my Madras Staff appointment, Rs. 1000 a month from the period I was ordered from the hills on Regimental duty, to November 21st, when I received charge of the Office, as I was ready to proceed forthwith to Madras on August 25th to take up my appointment there, had it been necessary.

6. In conclusion, I beg that the Controller of Military Accounts will be so good as to send in the case to Government for final orders, with such remarks as he may consider necessary.

W. H. G. George,
Medical Storekeeper's Office,
Nov. 30th 1864.

I have &c

Signed / A. D. Surgeon.
Medical Storekeeper.

Appendix (A)

N^o 293

Simultaneous Collector's Office,
Coimbatore, 3rd November 1866.

From

A. Macgregor Esq^r
Acting Collector of Coimbatore

To

Dr. F. Day
Kurnool.

Sir,

I have the honor to acknowledge
receipt of your letter of October 15th.

In forwarding copy of the Proceedings
of Government of October 16th from
para 2 thereof, it appears that the subject
matter of para 3 of your letter should be
referred by you to the Controller of Military
accounts.

I request you will inform me how
the amount sanctioned is to be paid, &
whether any ^{how} advance was received
by you.

I have the honor to be,

Sir
Your most obedient servant
Signed A. Macgregor
Acting Collector

Appendix (C)

	May 12 th to 31 st	June	July	August	Total
Assistant Surgeon Biddle Pay	277 11 11	457 14 5	452 14 5	"	1881 8 9
College	"	"	"	"	"
Ministry of Stores	406 11 13	274 9	274 9	1000	1654 2 9
Surgeon F. Day Pay	483 11	289 3	289 3	733 3	2887 4
					5686 15 6

Amount sanctioned in Budget Estimate

an Assistant Surgeon's pay	277 11 11	457 14 5	452 14 5	451 14 5	1633 7 9
College	91 11 15	150	"	150	541 15
Medical Stores	1000	"	1000	"	4000
					6175 6 2
					5686 15 6
					488 6 8

Amount sanctioned in Budget Estimate

Lizard Francis Day
Medical Storekeeper

Appendix (C)

Assistant Surgeon Biddle drew full salary Rupees 1000 a month
Surgeon F. Day in charge of 28th Regiment N.I. 800
1880

Pay passed in Budget for each full month of the period

One Assistant Surgeon monthly pay	R. 451 14 5
College Pay	150
Medical Stores	1000
One Surgeon in Charge 28 th Regt. N.I.	800
Pay sanctioned in Budget	2401 14 5
Pay actually drawn	1800
Saving per month to Govt.	601 14 5

Lizard Francis Day
Surgeon
Medical Storekeeper

Appendix (C)

	May 12 th to 31 st	June	July	August	Total
Assistant Surgeon Biddie Pay	287 11 11	457 14 5	452 14 5	"	181 8 9
College	"	"	"	"	"
Ministry of Stores	406 11 13	374 9	274 9	1000	1654 2 9
Surgeon F. Day Pay	483 11	789 3	289 3	739 3	2851 4
					5686 15 6

Amount sanctioned in Budget Estimate

Assistant Surgeon's pay	287 11 11	457 14 5	452 14 5	451 14 5	1633 7 2
College	91 11 5	150	"	150	541 15
Medical Stores	1000	"	1000	"	4000
					6178 6 2
					5686 15 6
					488 6 8

Amount actually drawn

Signature Francis Day Surgeon
Medical Stores

Appendix (C)

Assistant Surgeon Biddie drew full salary Rupees 1000 a month
Surgeon F. Day in charge of 28th Regiment N.I. 800
1800

Pay passed in Budget for each full month of the period

One Assistant Surgeon monthly pay	Rs. 451 14 5
College Pay	150
Medical Stores	1000
One Surgeon in Charge 28 th Regt. N.I.	800
Pay sanctioned in Budget	2401 14 5
Pay actually drawn	1800
Saving per month to Govt.	601 14 5

Signature Francis Day
Surgeon
Medical Stores

Office of Controller of Mil. Accts;
Fort Saint George, 7th November 1866

+ 3
23

A.

From the Controller of Military Accounts,
Fort Saint George,
To the Secretary to Government,
Public Department,
Fort Saint George

Sir,

I have the honor to acknowledge receipt
of Order of Government, dated 16th October 1866
No 1058, referring for the report of this Office the
claim of Surgeon J. Day to Military Pay and
Allowances.

Para 3.

2. In the letter of that Officer, dated
24th August last, recorded in the Proceedings
of Government under acknowledgment, Dr. Day
appears to claim consolidated salary at
Rupees 890 per mensem while employed on
special duty at Ootacamund, and compensa-
-tion for loss of Staff salary as Medical
Storekeeper at Madras, which appointment
he has not as yet taken up.

Para 8.

Public Department,
No 243 of 11th March
1866.

3. With regard to Dr. Day's first claim,
it is observed that the Order of Government
directing him to proceed to Ootacamund
declared that while there, he would be entitled
to

to the "Medical pay and allowances of his rank," which under Proceedings of Government in the Public Department, dated 2^d October 1865, No 1022, cannot be held to be the consolidated rate of pay attached to the Medical charge of a Regiment - Rs. 800. plus horse allowance for a Regiment of Cavalry, which Dr Day appears also to claim. -

4. With reference to Dr Day's second claim, I would observe that Staff Officers withdrawn from their appointments for employment on special duty continue entitled under para 8, page 463, Pay Code, to their full Staff salary, but Dr Day not having taken up his Staff situation has no claim to its salary, and does not therefore come under the provisions of the above quoted para: of the Pay Code. Compensation for loss of Staff Salary is not authorized by regulation. -

5. Surgeon Day, it is understood, has been appointed to the Medl. charge of the 28th Regt. M.I., at Kurnool, and even if he had before assumed charge of his duties at the Medl. Stores, he would under regulation have no claim to Staff salary, as he would have been in the position of Officers remanded to their Corps. -

I have, &c.,
Signed J. McCoun, Colonel,
Comd. of Milly. Accts.
True Copy
Signed J. McCoun, Col.
Comd. of Milly. Accts.

P. 70.

Para 2, Page 462,
Pay Code

Para 38, Page 104,
Pay Code.

Para 12, Page 463
Pay Code.

Appended (F)

Proceedings of the Madras Government
Public Department 11th March 1866. + 5
25

Read the following letter from the Adjutant General, to the Chief Secretary to Government, Fort St George, dated Fort Saint George 9th March 1866, No 155. With reference to Memorandum No 77, communicated to the Commander in Chief, under date the 9th March 1866, I have the honor, by order of His Excellency, to state, for the information of Govt. that the services of the Officer named in the margin are available for employment under Govt. as proposed.

35. Order thereon 11th March 1866. No 243.

In continuation of the Proceedings of Govt. under date the 6th Instant, No 229, the Governor in Council directs that Surgeon J. Day will proceed to Polacannund, in charge of the boxes containing Frant Crs, which he has brought out from England and make such further arrangements as may be necessary for the effectual carrying out of the experiment. While employed on this duty Dr Day will draw the Milly. Pay & allowances of his rank. On his return to Madras, he will submit a bill for his actual travelling expenses, and for such charges as he may have

Surgeon Francis Day
Medical Department

have incurred in transporting the boxes of Trout (to Fort
Polacommund). Meanwhile, he will be furnished with a
Treasury order for an advance of \$4.300 which will be
adjusted hereafter. (True Extract)

(Sgd) A. J. Arbutnot,
Chief Secretary
To Surgeon T. Day, with Treasury order.
To The Accountant General
" Examiner of Claims
" Military Department
" Asst Insp Genl Ind^l Dep^t

Military Department
No 1011.

Communicated to the Commander
Chief and Military Account Department.
To Fort Sanit George }
16th March 1866. } (Signed) H. Marshall Napier
Secretary to Government

The Accountant General
" Cont^r of Military Accounts. (A True Copy)
" Military Accountant.
" Asst Insp Genl Ind^l Dep^t (Sgd) J. E. Greenfield
Asst Pay Examiner.

71
Referred to the Public Department.

Marshall Major General.
Secretary to Government.

To Fort Sanit George
23rd January 1867.

To The Public Department

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following
letter from the Principal Super General
medl Depar^t to the mil^y Dept.

Recd letter 5th Decr 1866 No 426.

Order thereon 28 Feb^y 1867 No 223.

The Government
have already sanctioned
the disbursement to Dr. D.
of the difference between
the pay and allowances
actually drawn by him
from the date of his
appointment as medical
Storekeeper up to the date
of his departure from the
Nilgerry Hills to assume
medical charge of the
28th Regiment M.I. at
Munnool, and the salary
of

[Handwritten signature]

20/10 Aug 1867 No 10-102.
16 Oct 1866 - 136-137
28 June - 159-116
11 March - 34-38
6 - 21-
29 Oct 1865 - 172.

Recd 1867 Oct
from
Dr. D. 5th Decr 1866
No 426

15 Dec 1866
No 426

No 378

No 91

Referring a letter from
Dr. D. claiming certain
compensation during the
time he was engaged on a
field expedition for food.

of his appointment as
Medical Storekeeper.

The Governor in Council
now directs that for the
period which elapsed
from his arrival at
Madras in charge of the
Front Coa up to the
date of his appointment
as Medical Storekeeper

Dr Day shall receive
the salary ~~which he~~

~~would have drawn if~~
attached to the

Medical charge of a
Regiment viz, Rs 800 per
mensem.

From the date
of Dr Day's departure from
the Hills to assume Medical
charge of the 28th Regt.
N.I. his allowance must
be regulated by the pro-
visions of para 38 page
14 of the Pay Code.

and from the date of his departure
from the Hills to assume charge of
the 28th Regt. N.I.,

when held by a Medical Officer of Dr. Day's rank,

in many cases, letters of the Govt. are
not in accordance with the provisions of the
Pay Code. 16th Nov 1902. Letter to Council
written under para. 16 of the Pay Code. Council
has simply negative Dr Day's claim
to staff salary - viz. his allowance is only that of Surgeon Major mentioned
in the Pay Code.

To the Pl Supr Genl head Dept }
Cont of milly Accounts }
Accountant Genl } 2/3.
Milly Dept.

Pulle 1864. Department.
No. 223.

PROCEEDINGS OF GOVERNMENT.

Dated. 20th February 1864

792 378

163-164.