

[7]

ORDINARY, MS.

<i>Public</i> DEPARTMENT.	
G.O., DATED	<i>27. 2. 89</i>
No.	<i>201.</i>

When given for copying

[Despatch Abstract.]

*Considering Mr. Roberts's
claim to daily allowance
via despatchable.*

READ AGAIN ORDER OF GOVERNMENT, dated
188 , No. , MISCELLANEOUS.

BACK PAPER, No.

OF 188

FURTHER PAPER, No.

OF 188

Desp 27/2/89

ENCLOSURES.

CURRENT No.

*B.O. of Govt. 9
Recd from report at*

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

A A

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL (not paged).

*with serials
to be sent to*

N.B.—

A = Copy in full.
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order 27/2/89 No 201

*Comm. Id. to the Ad.
of Res. for the infor.
nation of Mr. M. B. Bell.
whose claim the Govt.
Committee in London.
Lib. 18/2*

*Ad. of Res. 27/2/89
Aut. publ. 18/2*

*C. 22/3
R. 25/3.*

Indie (1889) DEPARTMENT.

From

THE ACCOUNTANT-GENERAL,

Madras,

To

THE Chief Secy, to Govt.
Public Department.

No. 426

Dated 1/3
Received

February 1889

No.



Subject.

*Re mandating the Government
Proceedings of the Board of Revenue
L.R. No 598 of 2-2-89 with the re-
mark that Mr. M. B. Bell is
not under the revision, entitled
to daily allowance for the work
made at Bell's on the 4-2
April 1888.*

*The
rec*

N^o 436

Forwarded: Mr. Moberly, who was Acting Sub-Collector, Nellore, having been appointed to act as Collector of the District, left Ongole - the Sub-Collector's Head-quarters on the 1st April 1888, and reached Nellore the Head-quarters of the Collector - on the 3rd idem. At that place, on the evening of the 4th, he made over charge of the Sub-Collector's Office and assumed charge of the Collectorate. He now claims daily allowance at Rs. 15 per diem for the halt made at Nellore on that day, which was disallowed by the Office on the ground that Nellore became his Head-quarters from the 4th and that daily allowance is inadmissible for halts made at that station from that date inclusive.

2. Mr. Moberly's contention is that, as he took charge of the Collectorate of Nellore on the afternoon of the 4th April 1888, Nellore became his Head-quarters only from the forenoon of the 5th idem, and under Rule 15, Section 165 of the Civil Service Code, he is entitled to daily allowance for the 4th.

3. This rule, however, does not apply to the grant of "travelling allowance" which is limited by the definition of the term "day" - as "a calendar day beginning and ending at Midnight" - and under which Mr. Moberly's claim to "daily allowance" as Sub-Collector Nellore, for the 4th April 1888 would have been admissible only had he remained at that station, as Sub-Collector, from midnight to midnight. As this, however, was not the case, his claim to daily allowance for the 4th is inadmissible.

Fort St. George,
Actg. Secy's Office
12 February 1889.
Sd/-
Accountant General

To The Chief Secretary
to Government
Public Department.

1889.

Board of Revenue

(Land Revenue)

MADRAS.

16

The Secretary to
Govt. R. D.
through the
Accountant General

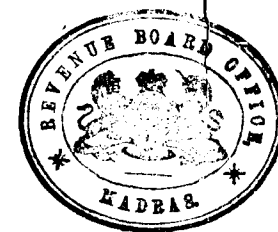
5 FEB 20

Proceedings, dated 22 February 1889.
No. 598. Mis. Routine. Enclosures.

Subject.

Submitting for the
orders of Government
through the Accountant
General, letter from Mr.
Moberly Esq., ag. Sub-
Collector, Godavari,
regarding his travelling
allowance; and
agreeing with the
Collector that his
contention is correct.

1889



Proceedings of the Board of Revenue

(Land Revenue).

Dated 2^d February 1889

No. 598 M.S.

W. S. Whiteside Esquire.

The Honorable J. Gole. M.A.

READ

Endorsement of the Collector of
Godanari, dated 18th January 1889,
No 190 letter from his Sub Collector,
dated 21st December 1888, No 594.

Resolution:-

Submitted for the orders
of Government through the Account-
ant General.

2. The Board agree with the Collector
that Mr. Moberly's contention is
correct.

(True Extract)

[Signature]

So the Secy: to Govt. A.D. Secretary
two to the Acct. General, with
letter in origl. to be returned.
Copy to Collector of Godanari.

[Signature]

- (1) பக்கங்களின் எண்ணிக்கை 3-5
(2) புதுக்கித் திருப்பிய நாள் _____
(3) ஆதாரக் குறிப்பவர் கருக்கொப்பம் _____

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

பெருது தலை

அரசாணை எண். <u>201</u> மு. கோப்புத் தாள் எண்.	அச்சகம் பலவகை
நாள் : <u>14-3-1890</u>	<u>1890</u>

⑥

மடிக்கவேண்டிய கையாளலோ கூடாது.

5 sheets

ஆவணக் கா. 1-18,006-69-90.

C. No. 675



No. 132

FROM

C. J. Syall Esq. CSE,
Offy. Secretary to the Government of India.

TO

THE SECRETARY TO THE GOVERNMENT OF THE PUNJAB.

Home Department,
Madras.

Calcutta, the 27 February 1899.

SIR,

I AM directed to acknowledge the receipt of your letter No. 553 S., dated the 27th September last, submitting, for the orders of the Government of India, the following questions which have arisen in connection with a case in which the Staff Surgeon of the Umballa Cantonment claimed a fee of Rs. 16 for the *post mortem* examination of a body sent to him from outside Cantonment limits, namely,—

- (1) whether it is not the proper duty of Staff Surgeons of Military Cantonments, when addressed for the purpose by a Magistrate or Police Officer, to make medico-legal examinations and to conduct *post mortem* examinations not only in the cases of persons they are bound to attend professionally, but also in all other cases within the jurisdiction of the Cantonment Magistrate's Court;
- (2) whether they should get any fee for conducting the examinations referred to; and
- (3) whether they should not be included in the Notification of the Government of the Punjab, No. 1071 S., dated the 22nd August 1885, appointing certain classes of Medical Officers in that province to conduct *post mortem* examinations under section 171 of the Criminal Procedure Code.

2. In reply I am to say, with regard to the first of the above questions, that a Staff Surgeon of a Military Cantonment is bound to make *post mortem* and medico-legal examinations in cases coming within the jurisdiction of the Cantonment Magistrate's Court, provided that the subject of such examination also comes under his legitimate charge as laid down in paragraph 177 of the Army Regulations, India, Volume VI.

3. As regards the second question, I am to say that, if a Staff Surgeon is in receipt of an allowance for the medical charge of the civil population as a collateral duty, he is not entitled to any remuneration for conducting a *post mortem* or medico-legal examination, because such examination forms part of his legitimate duty in the capacity of Civil Surgeon. If, on the other hand, he is not in receipt of an allowance of the nature referred to, he is entitled to the fee prescribed in the Finance Department Resolution marginally noted, in the case of persons who do not come under his legitimate charge. As the Staff Surgeon of the Umballa Cantonment was in receipt of an allowance for performing the civil

செப்பன்குபவர் பெயர்
செப்பன்குபவர்காக எடுத்த
கொள்செப்பன் நாள் 12/07
செப்பன்கு முடித நாள் 2/08
சாபார்க்கு
மு. ந. பத. எ.
கையொப்பம்

duties of the Cantonment, he has no claim to a fee for conducting the examination which has given rise to this reference.

4. As regards the last point, I am to say that the Governor General in Council has no objection to the inclusion of all Staff Surgeons in the Local Government's Notification of 22nd August 1885, on the understanding that officers not receiving any allowance for the performance of civil duties will be entitled to a fee for conducting a *post mortem* or medico-legal examination in the case of persons who do not come under their legitimate charge.

I have the honour to be,

SIR,

Your most obedient Servant,

(sd) E. J. Lyall

Offg. Secretary to the Government of India.

No. 733

Copy forwarded to the other Local Governments and Administrations for information and guidance.

No.

Copy of correspondence forwarded to the ^{Military Department} for information.

By order,

J. P. Hewitt

Under Secretary to the Govt. of India.

To

The Government of Madras.

Pub. C. No 675

Order 14 March/90. No: 201

Comm. to the Sur.
geon General with
Govt. ~~for information~~
~~and to the Military~~
Department.

From 135
The Govt of India
Home Dept

No. 2
133

Dated 27th Feb 1890
Recd 5th March 1890
Enc. 7. S.C.

J.D.B.
10.3.90.

JG
11/3

Subject

For 1 Copy of letter to the
Govt of Punjab answering
Certain queries in connec-
-tion with a case in which
the Staff Surgeon of the
Amballa Cantonment
claimed a fee of Rs 16 for the
Post Mortem Exam of a body.

25
201

To the Surgeon Genl.
Military Dept.

BACK PAGE, No.

OF 15

FURTHER PAGE, No.

OF 15

IN AGAIN ORDER OF GOVERNMENT, PAGES
198 No. MISCELLANEOUS.

MENT No.

MENT WITH DITTO

OF GOVERNMENT

A A

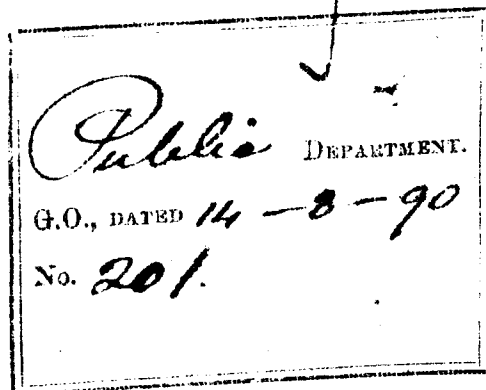
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ORDINARY, MS.



31-1-10
 2-4-14
 23/11/14
 14-11-16

When given for copying

[Despatch Abstract.]

Concomitant to the despatch
 & the Military Deptt. letter
 from the Govt of India to
 the Punjab Govt. replying to
 certain questions re the duties
 of Staff Surgeons of Military
 Cantonnments in connection
 with post mortem examinations
 & in cases referred to.