

ORDINARY, PRINTED.

Public Department

G.O., dated 22-4-90

No. 307

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Returned for signature. 4/5

Despatched in print. 7/5

[Despatch Abstract.]

Allowances.

Communicating letter
from the Govt of India regard-
ing the adoption of the
views of the Secretary of
State which point out that
incumbents of offices to
which are attached specified
salaries ~~cannot~~ ^{cannot, without very} ~~without~~ very
exceptional reasons, be permitted
to receive an allowance in
excess of the authorized rate,
or to advance such a claim
after the lapse of time.

No. ⁴ 191

FROM

C. J. LYALL, Esq., C.I.E.,

Offg. Secretary to the Government of India.

CHIEF SECRETARY
27 MAR 90

To

The Chief Secretary to the Government of

Madras.

Home Department.

Medical.

Calcutta, the 21 March 1890.

SIR,

A case recently occurred in which a Commissioned Medical Officer was appointed, for administrative convenience, to act temporarily as Resident Surgeon of a Hospital—a post carrying a fixed rate of pay. Some months after he had ceased to act in this appointment he applied that he might be granted pay at the rate which he would have been entitled to draw by his standing in the service had he been placed in charge of a civil station instead of being attached to the post in question. The Local Government recommended that he might be allowed to draw pay at the rate which he would have actually drawn if in charge of a civil station for the period during which he acted as Resident Surgeon. The question was referred to Her Majesty's Secretary of State, and His Lordship has observed in reply that the proposal raises two points of some importance, namely, (1) whether an officer, who, for administrative reasons, is not granted an appointment of a particular character, has the right to claim the salary of such an appointment by reason of his standing in the service; and (2) whether such a claim should be admitted nearly twelve months after the circumstances occurred. His Lordship is of opinion that the principle involved in the first question is one capable of large application, and that it ought not to be admitted. It is pointed out that specified salaries are attached to offices and that the incumbents should understand that they cannot, without very exceptional reasons, be permitted to receive an allowance in excess of the authorized rates. Nor is it, in His Lordship's judgment, reasonable that an officer, who was at the time aware of the salary attached to an appointment and took no exception to it, should be permitted to advance subsequently a claim for an allowance in excess of the salary.

2. In communicating these views of the Secretary of State I am to express the hope of the Governor General in Council that they may be adopted in any similar case which may come under the consideration of His Excellency the Governor in Council.

I have the honour to be,

SIR,

Your most obedient Servant,

C. J. Lyall

Offg. Secretary to the Govt. of India.

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23/4

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Public Deph.

H.M.

+circulate

P.S. 22 April / 1900 No. 307.
Order H.M. 16 April. 19/10

Communicated to the Departments
of the Secretariat and all Heads of
Departments.

28/5/4

To. The Dep^{ts} of the Sect.
all Heads of Dep^{ts} } Dep^t 1
7/5/90.

Cl. 13.4.90. x including Chief Secy's Dept

Dr 21 } margo
R 27 }

7th

No 4
1291

Comd Secy. of State's ruling
that incumbents apply to posts with
specified salaries should, ^{without} ~~exception~~
very exceptional reasons be permitted
to receive an allowance in excess of
authorized rates.

37 1

DEPARTMENT.

List showing the distribution of the Proceedings of Government,
dated 22 April 1900. No. 207

Revenue Department	..	..	..	21
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Do. of Jails	..	..	..	21
Do. of Registration	..	..	..	21
Chief Presidency Magistrate	..	..	..	21
Commissioner of Police	..	..	..	21
Judges of the Madras Court of Small Causes	..	..	..	21
Advocate-General	..	..	..	21
Government Solicitor	..	..	..	21
Administrator-General	..	..	..	21
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PUBLIC.				
Surgeon-General with the Government of Madras	..	..	..	21
Sanitary Commissioner	..	..	..	21
Meteorological Reporter	..	..	..	21
President, Board of Examiners	..	..	..	21
Private Secretary to the Right Honorable the Governor	..	..	..	21
Government Astronomer	..	..	..	21
Superintendent, Government Central Museum	..	..	..	21
Chemical Examiner	..	..	..	21
Superintendent of Stationery	..	..	..	21
Protector of Emigrants	..	..	..	21
Superintendent, Government Press	..	..	..	21
Tamil Translator to Government	..	..	..	21
Telugu do. to do.	..	..	..	21
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British Consular Agent, Pondicherry	..	..	..	21
POLITICAL.				
Resident in Travancore and Cochin	..	..	..	21
Paymaster, Carnatic Stipends	..	..	..	21
Government Agent at Tanjore	..	..	..	21
Political Agent at Pudukota	..	..	..	21
Special Agent, South Arcot	..	..	..	21
Political Officer, Vellore	..	..	..	21
ECCLIASTICAL.				
The Right Reverend the Bishop of Madras	..	..	..	21
Venerable Archdeacon of Madras	..	..	..	21
Senior Chaplain of the Church of Scotland	..	..	..	21
MARINE.				
Presidency Port Officer	..	..	..	21
Chairman, Harbour Trust Board	..	..	..	21

21/5/90

FINANCIAL.

Accountant-General
Commissioner of Paper Currency

EDUCATIONAL.

Director of Public Instruction
Commissioner for the Uncovenanted Civil Service Examinations

THE DISTRICT MAGISTRATE OF

Anantapur
 North Arcot (Chittoor)
 South Arcot (Cuddalore)
 Bellary
 South Canara (Mangalore)
 Chingleput (Saidápet)
 Coimbatore
 Cuddapah
 Ganjam (Chatrapur)
 Godavari (Cocanada)
 Kistna (Masulipatam)
 Kurnool
 Madura
 Malabar (Calicut)
 Nilgiris (Ootacamund)
 Nellore
 Salem
 Tanjore
 Tinnevely
 Trichinopoly
 Vizagapatam

DISTRICT AND SESSION JUDGE
OF

North Arcot (Chittoor)
 South Arcot (Cuddalore)
 Bellary
 South Canara (Mangalore)
 Chingleput
 Coimbatore
 Cuddapah
 Ganjam (Berhampore)
 Godavari (Rajahmundry)
 Kistna (Masulipatam)
 Kurnool
 Madura
 North Malabar (Tellicherry)
 South Malabar (Calicut)
 Nellore
 Nilgiris (Ootacamund)
 Salem
 Tanjore (Tanjore)
 Tinnevely (Palamedottah)
 Trichinopoly
 Vizagapatam

22ND APRIL 1890, No. 307, PUBLIC.

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—the following paper:—

From C. J. LYALL, Esq., C.I.E., Officiating Secretary to the Government of India,
 Home Department (Medical), to the Chief Secretary to the Government of
 Madras, dated Calcutta, the 21st March 1890, No. 4—191.

A case recently occurred in which a commissioned medical officer was appointed, for administrative convenience, to act temporarily as Resident Surgeon of a hospital—a post carrying a fixed rate of pay. Some months after he had ceased to act in this appointment, he applied that he might be granted pay at the rate which he would have been entitled to draw by his standing in the service had he been placed in charge of a civil station instead of being attached to the post in question. The Local Government recommended that he might be allowed to draw pay at the rate which he would have actually drawn if in charge of a civil station for the period during which he acted as Resident Surgeon. The question was referred to Her Majesty's Secretary of State, and His Lordship has observed in reply that the proposal raises two points of some importance, namely, (1) whether an officer, who, for administrative reasons, is not granted an appointment of a particular character, has the right to claim the salary of such an appointment by reason of his standing in the service; and (2) whether such a claim should be admitted nearly twelve months after the circumstances occurred. His Lordship is of opinion that the principle involved in the first question is one capable of large application, and that it ought not to be admitted. It is pointed out that specified salaries are attached to offices, and that the incumbents should understand that they cannot, without very exceptional reasons, be permitted to receive an allowance in excess of the authorized rates. Nor is it, in His Lordship's judgment, reasonable that an officer, who was at the time aware of the salary attached to an appointment and took no exception to it, should be permitted to advance subsequently a claim for an allowance in excess of the salary.

2. In communicating these views of the Secretary of State, I am to express the hope of the Governor-General in Council that they may be adopted in any similar case which may come under the consideration of His Excellency the Governor in Council.

ORDER—dated 22nd April 1890, No. 307, Public.

Communicated to the Departments of the Secretariat and all Heads of Departments.

(True Extract.)

Chief Secretary.

To the Departments of the Secretariat.
 „ all Heads of Departments.

Exd. A. Raitt.

Gobt. of {1890} Madras.
PUBLIC.

Issued

Recd.

Encl.

G.O., 22nd April 1890, No. 307.

APRIL.

Allowances.

Communicating letter from the Government of India regarding the adoption of the views of the Secretary of State which point out that incumbents of offices to which are attached specified salaries cannot, without very exceptional reasons, be permitted to receive an allowance in excess of the authorized rates, or to advance such a claim after the lapse of time.

GOVERNMENT OF MADRAS, SECRETARY, GENERAL

No. 307.

Madras, 22nd April, 1890.

Forwards, please, No.

Enclosure

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RECEIVED BY THE SECRETARY

RECEIVED BY THE SECRETARY

RECEIVED BY THE SECRETARY

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- A = Print in full.
- B = Not to be printed.
- C = Print attached only.
- D = Print heading only.
- E = Print but not for monthly review.