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1-10-12

ORDINARY, MS.

Public DEPARTMENT.

G.O., DATED 23-6-93

No. 481

INDEXED.

~~When given for copying~~

[Despatch Abstract.]

Recording per this
dept. com. decision of the
Govt of India regarding
the pay of an officer sub-
stantiated promoted in
the place of one who
has been appointed to
another office with effect
from the date of assump-
tion of charge with
same

GOVERNMENT OF MADRAS.

MILITARY DEPARTMENT.

Pay and Allowances.

Read the following :—

No. . *Extract from the Proceedings of the Government of India, Finance and Commerce Department; dated Simla, the 13th May 1893, No. 2041-P.*

Read the following papers :—

From A. F. COX, Esq., Accountant-General, Bombay, to the Secretary to the Government of India, Finance and Commerce Department; dated Bombay, the 31st January 1893, No. 29801-GA.

I have the honour to ask for instructions in the following case.

2. Surgeon-Captain Baker, Resident Surgeon of the European General Hospital, Bombay, has, by Government of India notification No. 2062-G, dated 21st December 1892, been appointed Residency Surgeon, Turkish Arabia, with effect from the date of assuming charge. He made over charge of his appointment here on the 25th December 1892, P.M., and I have no information at present as to his taking charge at Bagdad. Surgeon-Captain Grayfoot, who receives substantive promotion in consequence of Dr. Baker's transfer, having applied for the pay of his new appointment from the date of Dr. Baker's giving over charge, I informed him that the pay will not be available until Dr. Baker has assumed charge at Bagdad. He questions the accuracy of my view of the matter, and I find that Mr. Jacob, when Accountant-General here, was inclined to think that in such cases substantive promotion can be given as soon as charge is relinquished. Mr. Jacob had under his consideration some cases which occurred in 1888. Mr. Dosabhoj Framji, Presidency Magistrate, retired from 1st January 1889. Mr. Hamilton, appointed to succeed him, gave over charge of his office on the 20th December 1888, and the Oriental Translator who succeeded Mr. Hamilton gave over charge of his office on the 11th December 1888. Substantive promotion was given in these cases from 11th and 20th December, respectively, and Mr. Jacob was of opinion that this was correct.

3. I am inclined to think that it was wrong, and that, in the case which I am now referring, Dr. Baker must have a substantive appointment during transit, and the only substantive appointment which he can have is the Bombay appointment, which consequently cannot be held substantively by any other officer until Dr. Baker has assumed charge of his new substantive appointment. Any other view of the matter would, I think, produce a difficulty in the case of officers who do not belong to an organised service, such as the Indian Civil Service or the Indian Marine Department, for two men cannot count service for pension by reason of the same appointment, and the new man in a chain of appointments could not therefore put in service for pension until the vacancy which gave rise to his appointment has actually taken place.

During the various transit periods he must, I apprehend, be treated as an officer without a substantive appointment and draw only acting allowances, which, for the same reason, would alone be admissible to other officers who are promoted from a lower to a higher substantive appointment.

4. The practice in this office has always been not to give substantive promotion in the case of a Covenanted Civilian while he is on leave preparatory to retirement.

From E. N. BAKER, Esq., Deputy Secretary to the Government of India, Finance and Commerce Department, to the Accountant-General, Bombay; dated Calcutta, the 24th March 1893, No. 1229-P.

I am directed to acknowledge the receipt of your letter No. 29801-GA, dated the 31st January last, enquiring whether Surgeon-Captain Grayfoot, who has been substantively promoted in consequence of the appointment of Surgeon-Captain Baker, Resident Surgeon of the European General Hospital, Bombay, as Residency Surgeon, Turkish Arabia, with effect from the date of assuming charge of the latter office, should be allowed the pay of the new appointment from the date of Dr. Baker's giving over charge at Bombay, or from the date of the latter's receiving charge at Bagdad.

2. In reply I am to say that the practice hitherto obtaining in Bombay, viz., to allow substantive promotion to be given in such cases from the date on which each officer in the chain of appointments assumes charge of his office, should be followed in Dr. Grayfoot's case.

Ordered, that a copy of these letters be forwarded to the several Accountants-General and Comptrollers for information.

Ordered also, that a copy be forwarded to the Public Works and Military Departments of the Government of India, for communication to the Account officers under those departments.

No. 1762-F.

Pay and Allowances.

Copy forwarded to the Secretary to the Government of Madras, Military Department, for the information of His Excellency the Governor in Council.

* * * *

(By Order.)

SIMLA,
25th May 1893.

(Signed) H. F. S. RAMSDEN,

Asst. Secy. to the Govt. of India

CHIEF SECRETARY
20 JUN 93
GOVERNMENT OF INDIA

No. . ORDER THEREON, 17 June 1893, No. 4002
Communicated to departments of the Secretariat.

(True Extract.)

M. H. S. Brigdr.-Genl.,
Secretary to Government.

To the Public, &c., Departments.
" Revenue Department.
" Public Works Department.
" Controller of Military Accounts, for information.

Exd. T. K. Narayana Aiyangar.

Govt. of {1893} Madras.
MILITARY.

To THE PUBLIC DEPARTMENT,
&c., &c., &c.

Dated June,

Issued

Recd.

Encl.

G.O., 19 June 1893, No. 4002

JUNE.
Nos.

Pay and Allowances.

Officer.—Decision of the Government of India regarding the pay of an — substantively promoted in the place of one who has been appointed to another office with effect from the date of assuming charge of the same, communicated to departments of the Secretariat.

WITH ORDER

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This

CS
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23/6/93

RECEIVED 23 June 193, No. 4002.
Recorded..

READ AGAIN ORDER OF GOVERNMENT, DATED
18, No. , MISCELLANEOUS.

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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