

ORDINARY, PRINTED.

Public DEPARTMENT.
G.O., DATED 30. 11. 93.
No. 974

INDEXED.

First copy sent to Press. 1-12-98.

Returned for signature. 1-12-

Despatched in print. 12-12-

[Despatch Abstract.]

Mr. L. M. Weynch J.E.S.
Regarding letter from
the Govt of India inter-
mitting that the species
allowance sanctioned by
Secretary of State is to
be treated as a "local
allowance" should not
therefore form part of
the salary of —
By Director of Land
Records & Agenculture
declaring that it was
unfair to entrust him
with the duties of a
Secretary to the Comptroller
of Salt Abkari &
Safarali Kene besides
his own & permitting
him to draw Rs
1500 a month (exclus).

of tenure) for the period
he held charge of
both appointments.

FROM CIRCULATION
WITH REMARKS.

Sub. to C.S. for personal of

S.
1/11.

~~Treasury~~ Audit DEPARTMENT.

FORT ST. GEORGE,

Accountant-General's Office,

18 August 1893.

No. 2332

From

J. C. Cooke Esq.,
Offg. ACCOUNTANT-GENERAL TO THE

GOVERNMENT OF MADRAS,

To

THE Chief Secretary
to Government,
Public Department.

SIR,

With reference to the Proceedings of Government, dated 24 July No. 573 relating to the salary of Mr Wynne, Deputy Director of Land Records, while officiating as Secretary to the Commissioner of Salt and Akbari Revenue, I have the honour respectfully to invite the attention of the Government of Madras to the letter from the Government of India, Financial Department dated 22 April 1891 No. 1690 of which I attach a copy. It will be seen from this letter that the Government of India has instructed me that Mr Wynne is to receive a local allowance of Rs 250/ for the duties of Deputy Director of Land Records.

2. I have not failed to notice that in the
Secretary

Secretary of State's despatch of 7 November 1889 No 105
the allowance is mentioned as a special allowance,
which it is in an ordinary general sense. But the
distinction created under the order of the Govern-
ment of India between a special and a local al-
lowance was possibly not in mind at the time
the former word was used in the Despatch, and
as the Government of India has defined the
character of the allowance in the later orders
of 22nd April 1891 as a local allowance, it will
be readily conceded that it is not open to me
to treat it otherwise, and that the Order of the
Government of Madras dealing with the allowance
as a special allowance places my officer in a difficulty.

3. Taking the allowance therefore as a local
allowance, i.e., excluding it from calculation, the
salary of Mr. Wynne as Acting Secretary
would be Rs 1033-14-3 plus $\frac{2}{3}$ rd of the differ-
ence between Rs 1500 and Rs 1033 or Rs 310-11-10
making an aggregate of Rs 1344-10-1. It is of
course open to Government under Article 184, -
clause II of the Civil Service Regulations to increase
the amount to Rs 1500 by a special order.

4. Mr. Wynne's leave allowances will also be affect-
ed, if he should proceed on leave during his in-
firmity of the Deputy Directorship or any
other time within 3 years, by the additional al-
lowance.

allowance being taken as a local allowance.
This is unavoidable unless the orders of the
Government of India are modified.

I have the honour to be,

Sir,

Your most obedient servant.

W. C. C.

Offg. Accountant General

W. C. C.

Revenue 1893 Sept

(1893) DEPARTMENT.

From

THE ACCOUNTANT-GENERAL,

MADRAS,

To

THE

Chief Secretary to Govt.
Public Department

No. 2332

Dated

18

Aug 1893.

Received

14

Ans 2.

No.

21 AUG 93

Subject
Inviting the attention of the
Government of Madras to
the accompanying copy of a
letter from the Government of
India No 1690 of 22nd April 1891
instructing one that Mr. Wynne
is to receive a local allowance
of Rs 250/- for the duties of
By Director of Land Records.

Recd 40 10068 24-10-91
775-762720 8-9-91
No 40.7-6-93 No 1118 R

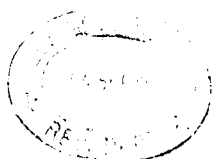
No 1616

Transferred to the Revenue
Department [with the original notes
of Honorable Members]

Frederick
Chief Secretary

C.
11/9.

Ootacamund
13th September



Public Department

C. No. 2278

For Orders with reference to G.O. of
24.7.93, No 573.

The Accd. Genl points out
that the Govt of India has instructed
him to treat the Rs 250 p^r m^o
drawn by Mr. Wynne as a local
allowance. His pay is therefore only
Rs 1033.14-3 and his salary as
acting Secy to the Commr. of Salt
Revenue, Rs 1344-10-1. This the Govt.
can, under clause (ii) of article 184 of
the Civil Service Regulations, increase
to Rs 1500 by a special order.
Instructions are solicited whether this
should be done.

not until after India
has been referred to
J. H.

There is however, as stated by
the A.G. another in para 4 of his
letter, another ^{point} question involved in
the treatment of the Rs 250. as a
local allowance. Since a local
allowance is not included under Salary
- article 47 (3) of the C. S. R. and
the basic allowances of an officer
on furlough are, under § 346, calculated
on his average salary (as defined in
article 18(a)], Mr. Wynne will
not be entitled to take into account

the Rs 250. in calculating his
furlough allowances should be
proceed on leave during his
incumbency of the Dy. Directorship
and his leave allowances will be affected for
or within three years of the date
from which he may cease to hold
that appointment. Orders are solicited
whether the question should be
referred to the Govt. of India. As the
the subject of Mr. Wyuch's salary
has hitherto been dealt with in
the Revenue Dept it is thought
that the letter should come from
that dept.

LD
6/5/93

C.L.
5/9.

LD 7/9.

I think India should be referred to.
If the Rs 250 is not pay, it will be
paid on to Wyuch in what
of furlough allowance. And then
work done is not of a kind which
it usually provided for by a local
allowance.

I don't think it matters from what
department the reference goes.

Wto
7/9.

Mr. Wyuch's Pay

The Hon'ble Sir H Stokes K.C.S. I
The Hon'ble Mr. Garstin C.S. I.

The Secy to Govt, Revenue Dept
for favor of counter initials

LD
2/9

Despatches to Secretary of State No 44
dated the 18th February 1891
Extract paras 1 and 2 from Despatch
from Secretary of State No 350 dated
the 26th March 1891

No 1690
Government of India
Finance and Commerce Department

(Copy) Simla, the 22nd April 1891

To
The Accountant General
Madras

Sir,
I am directed to forward a copy of
correspondence with the Secretary of State
regarding the appointment of an assistant
to the Settlement Commissioner in Madras,
who will perform the duties of a Director
of Land Records, and to say that his salary
will be regulated as follows:-
(1) he will receive the pay substantive or officiating
of the officer next below him in the regular
line of the service, who does not hold a
special appointment, plus a local allowance
of Rs 250/- a month, provided that his aggregate
of pay and allowances will not exceed Rs 1500/-
a month;
and (2) he will draw travelling allowance under
the ordinary rules.

I have the honor to be
Sir,
Your most obedt. servant
(sd) A. Kensington.
Deputy Secretary to the Govt. of India

(True Copy)

Ans
Chief Superintendent

No. 2702
238

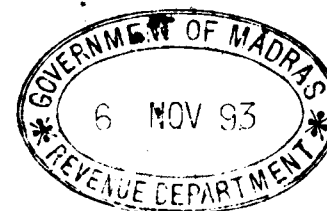
FROM

E. D. MACLAGAN, Esq., C.S.,

Under-Secretary to the Government of India,

TO

The Secretary to the Government of Madras.



Simla, the 31st October 1893.

Revenue and Agricultural
Department.
(Revenue)

SIR,

In acknowledging the receipt of your letter No. 3502 dated the 17th instant, I am directed to say that the special allowance sanctioned by the Secretary of State in his despatch No. 105 dated the 7th November 1889 is intended to be treated as a "local allowance" and should not therefore form part of the "salary" of Mr. Wynch, the Deputy Director of Land - Records and Agriculture, Madras.

I have the honour to be,

Sir,

Your most obedient servant,

A handwritten signature in cursive script, appearing to read "E. D. MacLagan".

Under-Secretary.

(1893.)

REVENUE DEPARTMENT.

Current Number. 8143.

Rev. G. O. 3801-2817-10-93
Pub. 573 24-7-93
" 444-5226-4-93 Rev.
" 5498 9-8-92 Rev.
" 88 5-2-92 Rev.
From 1006226-10-91 orig.
" 775-762 20-8-91 "

The Government of India,
Revenue and Agricultural
Department.

ABSTRACT.

Enclosurement No. 4122 mis.

Transferred to
the Public Department.

M. J. King
Under Secretary to Govt.
Fort Saint George.
13th November 1893

Recd. 16th Nov 93.
Rep. 17th do.
Enc. 1006226-10-91

Dated 31st October 1893

Received 6th November ..

Enclosures nil.

CHIEF
NO. 2702
16 NOV 93
REVENUE

SUBJECT.

To

The Public Dept. with
original papers and notes returned
copy to the Accountant-General
.. .. Commissioners of
Revenue Settlement, &c.

Intimating that the special
allowances sanctioned by the Sec-
retary of State for the Dy. Direc-
tor of Land Records and Agriculture,
Madras, should be treated as a
local allowance and should not
therefore form part of the latter's
salary.

Enclosurement.

(1893 .)

REVENUE DEPARTMENT.

ABSTRACT.

Current Number. 6869.

From

The Accountant General

No. 1616

Transferred to the Revenue
keeps with the original notes
of Honorable Members.

(Signed) J. F. Price
Chief Secretary

Copy.
13 Sept. }

Dated 18 Aug: 1893

Received 14 Sept: 1893

Enclosures 2.

No. 2332

SUBJECT.

Inviding the attention of the
Govt of Madras to the accompanying
copy of a letter from the Govt. of
India No. 1690 of 22nd April 1891, instructing
me that Mr. Wynch is to receive a
local allowance of Rs 250 for the
duties of the Deputy Director of
Land Records.

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

ENCLOSURE.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT

A A

STATEMENT WITH DITTO.

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

N.B.—

A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.

Papers to be read in Proceedings:—

REVENUE DEPARTMENT.	
G.O., DATED	17/11/1883
No.	350

Again G.O., dated 24-7-1893, No. 573.

Again G.O., dated 1893, No.

Current No. 2278 of 1893, dated 18. Aug 1893 from Accl. Gnd (A).

Quadr. of 13th Sept 1893, No. 1616. — (A)

Qd. of 17. October 1893, No. 3801-2. Revenue — (A)

Current No. 3086 of 1893, dated 13 Nov from The Rev. Dept (A).

When given for copying

[Despatch Abstract.]

Addressing Govt. of
India on the subject of
salary to Mr. Wynne C.S.
Dy. Director of Land
Records

Note With ref. to para 2 of the
draft please see para. 3 of C. No.
2278 & the motion No. 573
14.7.93

C.S.

WJ
24/11/93

Mr. W. is a lucky
man!

ORDER. 30 Nov 93 A 974

Recorded.

2. With reference to rule 1, article 184
of the C.S. Regs., H.E. the Gov. in
Council is pleased to declare that
it was necessary on public grounds to
exhibit to Mr. D. M. Wynne, Dy. Director
of the Dept of Land Records & Agriculture,
besides his own duties those of aq.
Secretary to the Commr. of Salt & Ahar
Separate Revenue, during the absence
of Mr. W. O. Hume on leave. Mr. Wynne
will be permitted to draw a salary of
Rs 1500 p.m. for (exclusive of mileage)
for the period during which he held
charge of both apts.

C.S.
28.11

28/11/93

Revenue Dept with ref. to 11/11/93

Accl. Gnd

Bras of Rev (Seps. Rev)

(Rev. Secy)

Despatch 11/11/93

Puts for 974-30-11-93

Mr. Wynch

30TH NOVEMBER 1893, No. 974, PUBLIC.

The Hon. Mr. W. B. C. 25
The Hon. Mr. W. B. C. 25

Print

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—again the following paper:—

G.O., dated 24th July 1893, No. 573, Public.

ABSTRACT.—Directing that Mr. L. M. Wynch, I.C.S., shall draw a salary of Rs. 1,500 for the period he was in charge of the appointments of Deputy Director of Land Records and Agriculture and Acting Secretary to the Commissioner of Salt, Abkari and Separate Revenue, as also a tentage allowance of Rs. 35.

READ—also the following papers:—

G.O., dated 17th October 1893, No. 3801, Revenue.

Read—the following letter from J. E. COOKE, Esq., Officiating Accountant-General, to the Chief Secretary to Government, dated Fort St. George, 18th August 1893, No. 2332:—

With reference to the Proceedings of Government, dated 24th July 1893, No. 573, relating to the salary of Mr. Wynch, Deputy Director of Land Records, while officiating as Secretary to the Commissioner of Salt and Abkari Revenue, I have the honour respectfully to invite the attention of the Government of Madras to the letter from the Government of India, Financial Department, dated 22nd April 1891, No. 1690, of which I attach a copy. It will be seen from this letter that the Government of India has instructed me that Mr. Wynch is to receive a local allowance of Rs. 250 for the duties of Deputy Director of Land Records.

2. I have not failed to notice that in the Secretary of State's despatch of 7th November 1889, No. 105, the allowance is mentioned as a special allowance, which it is in an ordinary general sense. But the distinction created under the order of the Government of India between a special and a local allowance was possibly not in mind at the time the former word was used in the despatch, and as the Government of India has defined the character of the allowance in the later orders of 22nd April 1891 as a local allowance, it will be readily conceded that it is not open to me to treat it otherwise, and that the order of the Government of Madras dealing with the allowance as a special allowance places my office in a difficulty.

3. Taking the allowance, therefore, as a local allowance, *i.e.*, excluding it from calculation, the salary of Mr. Wynch as Acting Secretary would be Rs. 1,033-14-3 plus two-thirds of the difference between Rs. 1,500 and Rs. 1,033, or Rs. 310-11-10, making an aggregate of Rs. 1,344-10-1. It is, of course, open to Government, under Article 184, Clause II, of the Civil Service Regulations, to increase the amount to Rs. 1,500 by a special order.

4. Mr. Wynch's leave allowances will also be affected, if he should proceed on leave during his incumbency of the Deputy Directorship or any later time within 3 years, by the additional allowance being taken as a local allowance. This is unavoidable unless the orders of the Government of India are modified.

ENCLOSURE.

From A. KENSINGTON, Esq., Deputy Secretary to the Government of India, Finance and Commerce Department, to the Accountant-General, Madras, dated Simla, 22nd April 1891, No. 1690.

I am directed to forward a copy of correspondence with the Secretary of State regarding the appointment of an Assistant to the Settlement Commissioner in Madras, who will perform the duties of a Director of Land Records, and to say that his salary will be regulated as follows:—

(1) He will receive the pay, substantive or officiating, of the officer next below him in the regular line of the service who does not hold a special appointment *plus* a local allowance of Rs. 250 a month, provided that his aggregate of pay and allowances will not exceed Rs. 1,500 a month; and

(2) he will draw travelling allowance under the ordinary rules.

No. 1616.

Transferred to the Revenue Department.

OOTACAMUND,
13th September 1893.

(Signed) J. F. PRICE,
Chief Secretary.

Order—dated 17th October 1893, No. 3801, Revenue.

Ordered that the Government of India be addressed.

(Signed) E. GIBSON,
Ag. Secretary to Government.

To the Public Department.

Copy to the Accountant-General.

Letter—to the Secretary to the Government of India, Revenue and Agricultural Department, dated 17th October 1892, No. 3802.

A question having arisen as to what should be considered to be the salary of Mr. Wynch, the Deputy Director of Land Records and Agriculture (Land Records branch), the sanction to the creation of whose appointment was communicated in your letter, No. 1450—99, dated 25th June 1891, I am directed to request that His Excellency the Governor in Council may be informed of the exact meaning of the expression "special allowance" made use of in the Secretary of State's despatch, No. 105, dated 7th November 1889, a copy of which was furnished to this Government with Mr. Lyon's letter, No. 1628—99, dated 14th July 1891.

2. It will be seen from paragraph 2 of Mr. Galton's letter, No. 776, dated 20th August 1891, that this Government was under the impression that the allowance in question was in the nature of a special allowance which would form part of the officer's salary as the term is defined in the Civil Service Regulations, and it would appear from the Government of India's despatch to the Secretary of State, No. 44, dated 18th February 1891, in paragraph 5 of which the word "salary" is expressly made use of, and from the general tenor of your letter, No. 2183—99, dated 26th September 1891, that the Supreme Government shared in the above view.

3. From a separate letter, No. 1690, dated 22nd April 1891, addressed to the local Accountant-General by Mr. Kensington, Deputy Secretary to the Government of India (a copy of which has just been furnished by the former officer for the information of this Government), it appears, however, that the Finance and Commerce Department of the Government of India has placed a different interpretation on the Secretary of State's despatch above mentioned, the "special allowance" therein sanctioned being construed to mean a "local allowance," which would not, under existing rules, form part of Mr. Wynch's salary. If this new interpretation is acted upon, Mr. Wynch will suffer pecuniarily in various ways, especially so in the matter

of leave allowances, if he should proceed on furlough while holding the appointment of Deputy Director or at any time within three years of his vacating that appointment. Presumably, this was not intended by the Secretary of State or the Government of India, and I am further to point out that the duties performed by Mr. Wynch are not of such a kind as are usually provided for by a "local allowance." If the presumption of this Government is correct, I am to request that the necessary orders may be issued to the Accountant-General of Madras modifying the terms of Mr. Kensington's letter above referred to.

(Signed) E. GIBSON,
Ag. Secretary to Government.

From E. D. MACLAGAN, Esq., C.S., Under Secretary to the Government of India, Revenue and Agricultural Department (Revenue), to the Secretary to the Government of Madras, dated Simla, the 31st October 1893, No. 2702—338.

In acknowledging the receipt of your letter, No. 3802, dated the 17th instant, I am directed to say that the special allowance sanctioned by the Secretary of State in his despatch, No. 105, dated the 7th November 1889, is intended to be treated as a "local allowance" and should not, therefore, form part of the "salary" of Mr. Wynch, the Deputy Director of Land Records and Agriculture, Madras.

No. 4122, Mis.

Transferred to the Public Department.

FORT ST. GEORGE,
13th November 1893.

(Signed) E. GIBSON,
Ag. Secretary to Government.

ORDER—dated 30th November 1893, No. 974, Public.

Recorded.

2. With reference to Rule 1, Article 184, of the Civil Service Regulations, His Excellency the Governor in Council is pleased to declare that it was necessary, on public grounds, to entrust to Mr. L. M. Wynch, Deputy Director of the Department of Land Records and Agriculture, besides his own duties those of Acting Secretary to the Commissioner of Salt, Abkari and Separate Revenue, during the absence of Mr. W. O. Horne on leave. Mr. Wynch will be permitted to draw a salary of Rs. 1,500 per mensem (exclusive of tentage) for the period during which he held charge of both appointments.

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the Revenue Department.
" Accountant-General.
" Board of Revenue (Separate Revenue).
" " " (Revenue Settlement).

Encl. A. Baith.

Gobt. of {1893} Madras.
PUBLIC.

Issued

Recd.

Encl.

G.O., 30th Nov. 1893, No. 974.

NOVEMBER.

Mr. L. M. Wynch, I.C.S.

Recording letter from the Government of India intimating that the special allowance sanctioned by Secretary of State is to be treated as a "local allowance" and should not therefore form part of the salary of —, Deputy Director of Land Records and Agriculture; declaring that it was necessary to entrust him with the duties of Acting Secretary to the Commissioner of Salt, Abkari and Separate Revenue besides his own; and permitting him to draw Rs. 1,500 a month (exclusive of tentage) for the period he held charge of both appointments.

READ AGAIN ORDER OF GOVERNMENT, DATED
18 No.

BACK PAPER, No.

OF 18

FURTHER PAPER, No.

OF 18

ENCLOSURE.

CURRENT No.

Print all these papers.
Print all these papers.

STATEMENT WITH DATED.

ORDER, &c., OF GOVERNMENT—A.

PAPERS KEPT OUT OF FILE FOR DESPATCH IN ORIGINAL
(not paged).

NUMBER OF COPIES
REQUIRED. { Order complete. 80.
Letter only.
Order complete with Letter.

N.B.—

A = Print in full.
B = Not to be printed.
P = Print abstract only.
Q = Print heading only.
R = Print, but not for monthly volume.

Handwritten notes and signatures in the bottom right corner of the page.