

ORDINARY, MS.

Sub DEPARTMENT.
G.O., DATED 31 Oct 1894
No. 218

INDEXED

When given for copying. 21/10

[Despatch Abstract.]

Recording letter from the G.O.
I requesting that Mr.
Murdock may be appointed
as to officiate for the
D.O. House in the appoint-
ment of D.O. Court of Sessions
and also as Revenue and
not to hold it substantiated
and letter from the G.O.
stating that he
has made a report to the
G.O. D.A. to whether Mr.
Murdock may be allowed
to act in areas as D.O.
Court up to the 31st July

PRINTED
IN
956
G.O. 1894-1895

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

ENCLOSURES.

CURRENT No.

STATEMENT WITH DITTO.

ORDER OF GOVERNMENT.

LETTER OF GOVERNMENT.

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.

RE, No.

3405

OF 1894

956

15-12

CHIEF SECR
17 SEP-1894
GOVERNMENT OF INDIA

GOVERNMENT OF INDIA.

FINANCE AND COMMERCE DEPARTMENT.

LEAVE AND LEAVE ALLOWANCES.

THE CHIEF SECRETARY TO THE GOVERNMENT OF MADRAS.

Simla, the 10th September 1894.

SIR,

WITH reference to the correspondence ending with your letter No. 522, dated 17th July 1894, I am directed to convey the following remarks and orders in regard to the arrangements made by the Government of Madras during the absence on furlough of Mr. W. O. Horne, late Deputy Commissioner of Salt and Abkari Revenue.

2. Mr. Horne, who held the permanent appointment of Deputy Commissioner of Salt and Abkari Revenue (pay Rs. 1,200—1,400), was granted furlough from the 31st March last. In view of the facts that his contemporaries in the service held permanent appointments as Head Assistant, that he was certain not to return to the Salt Department on the expiry of his leave, and that if he held the permanent appointment of Deputy Commissioner when he proceeded on furlough it would be impossible for the Government of Madras, under the restrictions laid down in Article 242 of the Civil Service Regulations, to confirm the officer acting in that appointment without transferring Mr. Horne to a substantive appointment of not less pay, the Government of Madras appointed, with effect from the day before Mr. Horne proceeded on leave, Mr. Murdoch to be Deputy Commissioner of Salt and Abkari Revenue, transferring Mr. Horne at the same time to the substantive Head Assistantship held by Mr. Murdoch, the pay of which is Rs. 768-5-4 a month.

3. I am to point out that the arrangement made by the Government of Madras is contrary to the intention of the rule in Article 242 of the Civil Service Regulations. That rule is based on the orders of Her Majesty's Secretary of State for India who, I am to explain, conceded the existing rates of furlough allowances on the specific ground that they would be (wholly or approximately) met by the savings which would accrue by filling up, by acting arrangements only, the appointments vacated by the officers proceeding on leave. It is obvious that Government fails to secure the saving which results from paying acting allowance, if the absent officer is transferred to an office on less pay the day before he takes leave. Thus, in the case of Mr. Horne, the payment to the officer appointed in his place as Deputy Commissioner in the Salt Department of the substantive pay of that appointment, instead of the salary admissible under rule, deprives Government of the saving which might otherwise accrue and which might be taken as a set off against the cost of Mr. Horne's leave allowances.

4. In these circumstances I am to say that the Governor General in Council regrets that he is unable to sanction Mr. Murdoch's permanent appointment to the post of Deputy Commissioner of Salt and Abkari Revenue during Mr. Horne's absence on furlough, and I am to request that, if possible, the arrangement may be reversed, that is, that Mr. Murdoch may be appointed to officiate in the appointment and not hold it substantively. I am, however to add that the arrangement need not be revised with retrospective effect.

I have the honour to be,

SIR,

Your most obedient Servant,

Offg. Under-Secy to the Govt. of India.

Copy, with copy of the letter to which it is a reply, forwarded to the Home* Department and to the Accountant General Madras, for information.

* With copy of notes when printed.

336-37 18-5-94 Mr
383 14-4-94 Routine
236 13-3-94 Routine
429 1-5-93 A.C.
1166 12-12-93 Routine

GOVERNMENT OF INDIA.
FINANCE AND COMMERCE
DEPARTMENT.

LEAVE AND LEAVE ALLOWANCES.

To

THE GOVERNMENT OF MADRAS.
COPY TO HOME DEPARTMENT AND AC-
COUNTANT GENERAL, MADRAS.

No. 4536-P.

Dated Simla, the 10th September 1894.

Recd 17th
Encl. 6-5-94

Declines to confirm the arrangements made by
the Government of Madras during the absence
on furlough of Mr. W. O. Horne, late Deputy
Commissioner of Salt and Abkari Revenue.

G. C. Press, Simla.—No. 763 C. F.—10-9-94—55.

considered to have been

C. No. 2631.

FOR ORDERS.

Mr. Horne was appointed to be
Head Asst of S. Canada & Mr. Murdoch
to be Dy. Commr of Salt Revenue with
effect from the 30th March 1894. The
last para of the L. of I's letter is
not so clear as it might be but
the intention ^{clearly} ~~apparently~~ is that
the arrangement shall be reversed.
The L. of I. says that the arrange-
ment need not be revised with
retrospective effect. The Dy. has
all along refused to recognise
the appt. & has shown Mr. Mur-
doch as permanent Head Asst
of S. Canada & Mr. Horne as
permanent Dy. Commissioner (vide
Ag. Cont. list for July). Mr. Mur-
doch ^{has been appointed} ~~was appointed~~ to permanent
Secy. ^{to the Commr of Salt Revenue & Dy. of} ~~in the Douglas's vacancy~~
with effect from the 31st July
1894. On the analogy of § 292
of the C. S. R. it would appear
permissible for Gov. to rule that
Mr. Murdoch's appt. as permanent
Dy. Commissioner should be
considered to have extended to

Appls. of Mr. Home's Services

Home
FOR ORDERS.

C No. 2631

Memo: No. 1945.

Dated 26th September 1894.

FOR ORDERS.

The Government of India intimate that the arrangement under which Mr. Home was appointed to be Head Assistant of South Banara and Mr. Murdoch to be Deputy Commissioner of Salt Revenue from the 30th March 1894 need not be revised with retrospective effect. Mr. Murdoch has been appointed permanent Secretary to the Commissioner of Salt, Abkari and Opium Revenue with effect from the 31st July 1894. On the analogy of § 292 of the Civil Service Regulations it would appear permissible for this Government to rule that his appointment as permanent Deputy Commissioner should be considered to have extended to the 10th September 1894. But as he was confirmed as Secretary on the 31st July the arrangement need not be continued beyond that date. The Accountant-General is requested to report whether under the circumstances there is any objection to Mr. Murdoch being considered to have held the permanent appointment of Deputy Commissioner from the 30th March to the 30th July 1894 inclusive.

To The Accountant-General.

Despd
26/9/94.

the 10th September 1894. But as he was confirmed as Secy. on the 31st July there is no objection in continuing the arrangement beyond that date. Orders are pointed on the point. If Mr. Murdoch be considered to have been permanent by Commr. from the 30th March to the 30th July 1894 he will benefit as his acting allowance during that period will be calculated on Rs 1200 & instead of on Rs 768. 5. 4. Looking to the salary drawn by his contemporaries & some of his juniors the above appears to be a fair solution of the question.

RS
22/9/94

Despd
26/9/94

Cs
199

gazette and DEPARTMENT.

FORT ST. GEORGE,

Accountant-General's Office.

6th October 1894.

No. 3059

1894

From

R. Morris Esquire,
OFF ACCOUNTANT-GENERAL TO THE

To

GOVERNMENT OF MADRAS,

THE Chief Secretary to Government,
Public Department.

SIR,

With reference to your memorandum
N^o. 1945 dated the 26th of September 1894, Public,
I have the honor to report that I have made a
reference to the Government of India as to whether
Mr. Murdoch may be allowed pay in arrears as
Deputy Commissioner of Salt and Alkari Revenue
up to 30th July, and that the result will be communicated
to you on receipt of its orders.

I have the honor to be,

Sir

Your Most Obedient Servant.

R. Morris

Off Accountant General.

Public (189) DEPARTMENT.

From

THE ACCOUNTANT-GENERAL,

MADRAS,

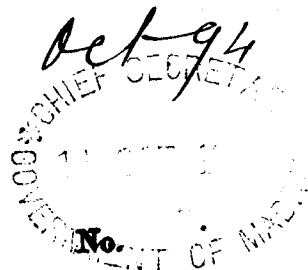
To

THE Chief Secy to Govt.
Public Deptt

No. 3059

Dated

Received



SUBJECT.

Reporting that a reference
has been made to the Govt.
of India enquiring whether
Mr. Murdoch may be allowed
 arrears of pay as Dy. Commr.
 Salt & Abkari Revenue & that
the result will be communicated
on receipt of orders

Read again

Rs 336/7
18.5.94

521/2

17.7.94

C. No. 2631 + 2960 - B.

14th June
Order 431-10-94
No 878

Recorded

C.S.
12.10.

DESPATCHED

B³ of Govt (Sep Ref)
with 480000 45360

5 NOV 94

IN M.S.

GOVERNMENT OF INDIA.

FINANCE AND COMMERCE
DEPARTMENT.

LEAVE AND LEAVE ALLOWANCES.

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THE GOVERNMENT OF MADRAS.
COPY TO HOME DEPARTMENT AND AC-
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G. C. Press, Simla, — No. 763 C. F. — 10-9-94 — 80.

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2. Mr. Horne, who held the permanent appointment of Deputy Commissioner of Salt and Abkari Revenue (pay Rs. 1,200—1,400), was granted furlough from the 31st March last. In view of the facts that his contemporaries in the service held permanent appointments as Head Assistant, that he was certain not to return to the Salt Department on the expiry of his leave, and that if he held the permanent appointment of Deputy Commissioner when he proceeded on furlough it would be impossible for the Government of Madras, under the restrictions laid down in Article 242 of the Civil Service Regulations, to confirm the officer acting in that appointment without transferring Mr. Horne to a substantive appointment of not less pay, the Government of Madras appointed, with effect from the day before Mr. Horne proceeded on leave, Mr. Murdoch to be Deputy Commissioner of Salt and Abkari Revenue, transferring Mr. Horne at the same time to the substantive Head Assistantship held by Mr. Murdoch, the pay of which is Rs. 768-5-4 a month.

3. I am to point out that the arrangement made by the Government of Madras is contrary to the intention of the rule in Article 242 of the Civil Service Regulations. That rule is based on the orders of Her Majesty's Secretary of State for India who, I am to explain, conceded the existing rates of furlough allowances on the specific ground that they would be (wholly or approximately) met by the savings which would accrue by filling up, by acting arrangements only, the appointments vacated by the officers proceeding on leave. It is obvious that Government fails to secure the saving which results from paying acting allowance, if the absent officer is transferred to an office on less pay the day before he takes leave. Thus, in the case of Mr. Horne, the payment to the officer appointed in his place as Deputy Commissioner in the Salt Department of the substantive pay of that appointment, instead of the salary admissible under rule, deprives Government of the saving which might otherwise accrue and which might be taken as a set off against the cost of Mr. Horne's leave allowances.

4. In these circumstances I am to say that the Governor General in Council regrets that he is unable to sanction Mr. Murdoch's permanent appointment to the post of Deputy Commissioner of Salt and Abkari Revenue during Mr. Horne's absence on furlough, and I am to request that, if possible, the arrangement may be reversed, that is, that Mr. Murdoch may be appointed to officiate in the appointment and not hold it substantively. I am, however to add that the arrangement need not be revised with retrospective effect.

I have the honour to be,

SIR,

Your most obedient Servant,

H. J. MCINTOSH,

Offg. Under-Secy. to the Govt. of India.

COPY, with copy of the letter to which it is a reply, forwarded to the Home Department and to the Accountant General Madras, for information.

• With copy of notes when printed.

By order,

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