Public (1896) Department.

ORDINARY MS.

G.O., No. 430

Dated 30th Mar: 1896.

INDEXED

[Despatch Abstract.]

MR.R.C.C.CARR.

Informing---that the orders of the Government of India preclude this Government from complying with his request that he may be confirmed as Secretary to the Commissioners of Land Revenue.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Do	303		1896				

For Sir. Scott
22nd Lawrence 1/96

Do

My dear MacCartie

I return Carr's Do.
requesting that he may be appointed
Secretary to the Commissioners of
Land Revenue permanently.

The request is inadmissible.
Please see the letter from the
Govt. of India in Sec. No. 211 Pub
D 31st Oct 1894 wherein it objected to
Murdoch's appt as permanent
Dy. Comr. of Salt and Abkari with
effect from the day before Hon'ble,
who held that post, proceeded on
leave. Carr's case is quite
parallel to Murdoch's.

CS 20.1.96. 25/1/96

27
22.1.96

C.T. MacCartie Esq. ICS. with Do ack

480 Pub. R 388 A 14-4-94, 336-7 16.5.94, 521-2 17-7-

Mr Carris appt. a
Secy. Board

[G. 9 — 5,000—28-1-95.]

D.O. 103

Current No.

REVENUE DEPARTMENT.

Pub Fo No 9563, 15-12-94 Mr
818, 31-10-94
1531-22 D 17-7-94
386-37 D 15-8-94
Jud 3384 D 10-11-94 Rev
1280, 13-5-94 R
1080, 12-12-93 R
429 D 31-5-93 Rev
1067 D 18-11-93 R
652, 23-1-94 Rev
1530, 19-2-94 R
176, 3-2-96 Rev
280 D 22-2-96
Jud 278/93

From

W.S. Meyer Esq. C.S.
Rajahmundry

No.

Dated 18
Received 18 } 2-'96.
Registered 18

Enclosures nil.

SUBJECT.

Requesting that he may be restored to the permanent footing of Secretary to the Commissioners of the Land Revenue with effect from the date he was gazetted as if it or else that he may be given some other permanent appointment of equal standing.

Note for S.A.

CS. has removed the G.O. 818 Pub. from CO 458

W. Meyer was certainly born unlucky but the exceptional treatment of Mr. Meyer is due, and is to some any change of policy on the part of Govt, but to the fact that in an exactly similar case the late G. of I. objected to Mr. Homes being overlooked when going on furlo' - vide G.O. 818 Pub. 31. 10. 94 - Mr. Meyer's case was accepted by the Accl. Govt. Mr. Homes' case which occured a couple of months afterwards, was challenged by him. Judicial had to be addressed and ten days were lost - Mr. Meyer lost nothing whilst on furlo' thus secured, after to in accordance with para 2 of G.O. No. 429 Pub. 31. 5. 93

CS. 21.2.96.

Indian Civil Service Rules
Govt No. 878 dated 31-8-94
Rule 1894 & subsequent changes
1 de[illegible] and nothing can change
[illegible]

D.O. 183

Revenue

CHIEF SECRETARY'S
18 FEB 1896
GOVERNMENT OF MADRAS

Rec'd 1067
18/2/96

My dear Sir

In November 1893
Jones confirmed as Secretary
to Govt, Revenue & Agricultural
Department, after having acted
as such officiated in the
appointment, & in the
corresponding period of absence on
the Separate Revenue side of the Board
for about 5½ years
on 1st Feb 1894 Jones went on furlough,
& just before having any leave
was appointed Secretary to Govt
Revenue & Agricultural Department

Mr. Meyer has no doubt put forward an ingeniously contrived statement but there is really nothing much in it for he would have, seeing that he had not been appointed a Sub Coll[r] when proceeding on furlough not have drawn a single more of leave allowances than he did and when he came out he would undoubtedly have gone back to the post of Sub-Collector-ship [illegible] and sent out to an Acting Collectorate. He has not lost seniority and it was he who deputed and it was he who took an active part in making up his mind with regard to the question of "the man who does the work should draw the pay"

24/2/96.

We seem somehow to have got into a vicious circle over this business. We have now stopped the Secretaries to the Board who go out to higher appointments carrying off any of their pay as Secretaries with them – and letting their successors get the pay of the office, and that seems right. But our good intentions in this respect seem to be frustrated by India. The men who really suffer now are those who act for the permanent Secretaries when these go away on furlough. All would be well if we could depute them to another appointment, but the A.G. has jumped on this method – and India has enforced this.

As to Mr. Meyer I do not see that we can do anything. He has done much better for a great part of his service than his contemporaries – and his bad time will be a short one, as I suppose he will soon get among the Acting Collectors. He worked hard to bring about the new state of affairs against which he complains – & I am afraid he has been forced by his own petard. He is intolerable unbearable, as it looks as if he is going to be the only man caught in this way. If I am correct in this, perhaps a special appeal might be made to India – but I do not well see how we can get over the C.S.R.

W
27 Feb

Mr. Meyer has no doubt put forward an ingeniously contrived statement but there is really nothing much in it for he would have, seeing that he had not been appointed a Sub Coll[r] when proceeding on furlough not have drawn a single more of leave allowances than he did and when he came out he would undoubtedly have gone back to the post of Sub-Collector-ship [illegible] and sent out to an Acting Collectorate. He has not lost seniority and it was he who deputed and it was he who took an active part in making up his mind with regard to the question of "the man who does the work should draw the pay"

24/2/96.

I am sorry for it. But I do not see what we can do. I would not make any proposal to India.

4/3/96

Sir Judicial Dept
Sir Public Dept

80

65

intimation approved [illegible] gazetted out of my permanent appointment of 1886 and, in which I was then drawing Rs 1500 a month (which wd. have gradually risen by annual increments to Rs 1800), and made a Sub. Collector on Rs 1166 — I made no protest against this arrangement at the time — though since my return to duty in Nov. last it has had the effect of putting me in a worse position than I had occupied since March 18[illegible] — because I was given to understand that it was the commencement of a new policy — which I had myself advocated — under which the man who was doing the

5

actual work of Board's Sec. was in future to draw the full pay of the appointment. But now I understand that this is not to be the case, & that my successor, Wynch, is to go on leave retaining the pucka Secretaryship. The result is that I alone have been treated with exceptional hardship; for my predecessors were permitted to hold the permt. appointment of Board's Secretary (both in the Land Rev. & Separate Rev. Departments) not only when on furlough, but while acting in other [illegible], whilst my successor is similarly allowed to retain the

interests, as well as my [illegible] in the Service which cannot [illegible] suffer if I can be [illegible] the one man who, having been confined in the Board's [illegible] after years of work there, was ignominiously deprived of the fruits of his labour.

I very respectfully request, therefore, that I may be restored to the permanent position of Secretary to the Commissioners of Land Rev. with effect from the date on which I was gazetted out of it, or else that I may be given some other permanent appointment of equal standing.

I remain

Yours sincerely

W. S. [illegible]

Hon'ble [illegible]
Chief Secy to Govt.

Mr W S Meyer

√

H.E. the Governor &
Civ.

C 21/2
1896
Encl 3

Public Dept

Fort Forest Camp
31st March 1896.

D.O. 103.

My dear Meyer,

With reference to your D.O. of the 15th ultimo I am to express the regret of Govt. that it is unable to accede to your request & that you may be restored to the permanent position of Secretary to the Comrs. of Land Revenue with effect from the date on which you were gazetted out of it or else that you may be given some other permanent appt. of equal standing

(Proceedings forwarded)

Govt. has not as yet considered the Board's proposals. The matter has continued this same course as was followed in your case

W S Meyer Esq. DCS
Asst. to Comrs. Land Revenue
Bijapur

Collector, Belgaum

that the Govt. is unable to accede to your request & that you may be restored to the permanent position of Secretary to the Comrs. of Land Revenue with effect from the date on which you were gazetted out of it or else that you may be given some other permanent appt. of equal standing

In your case you might have obtained (it was thought) by your Bill but such steps as there was no Asst Collectorate at

Judgeships to which you could be
appointed
~~Sub~~, when you would have been
Gazetted to the first Sub-Collectorate
- or would have been kept open for
available - you overlooked and Such act-
ion
on ~~h~~ - ack. Yes will be brought to
as soon as he returns and it is
what happens with Registrars
of the High Court when they
go on promotion and Sundry
will be treated in the same way
when he gets an AS Collectorate or
Judgeship - so with all future
Secretaries to the Bd. in either Dept.
What has occurred has not in the
least damaged your reputation;
the facts are very widely known
all through the Service and there
is no one who thinks a whit the worse of you

LD
27/3/96.

Hon W.S. Meyer &c

CS
D.C.

27/3/96

(From orders)

Pub G.O. No 176 dd 3-2-96 Mis
D.O. dep No 27 dd 22-1-96
" 273 dd 15-7-93
No 426 dd 31-5-93 Myl
117 dd 11-2-93 Mis
818 dd 31-10-94 Mis attch

No. 762 Pol

From

R.C.C. Carr. Esq. I.C.S

Ag. Secretary to the Commissioner
of Land Revenue.
Madras.

Dated 28 } 2.96
Recd 28 }
Regd 2.3.96. Encl. nil.

Subject.

Re: his appointment to act
as Secretary to the Commissioner
of Land Revenue during the absence
of Mr L. M. Wyndh.

Commr Ks

SA
To answer the notice of Proceedings
which he omitted to make with his report of
15
2/3.

Board of Revenue
[Land Revenue]
Madras: 28. February 1896.

From R. C. C. Carr - Esq. I.C.S.
Acting Secretary to the
Comm^rs of Land Revenue.
Madras

CHIEF SECRETARY
28 FEB. 1896
GOVERNMENT OF MADRAS

To

The Hon'ble Mr. J. F. Price, C.S.I., C.S.,
Chief Secretary to Government.
Public Department.

Sir,

I have the honor to address you on the subject of my appointment to act as Secretary to the Commissioners of Land Revenue during the absence of Mr. L. M. Wynch on 18 months' furlough.

2. It will be remembered that in 1893 a reference was made to the Government of India proposing to compensate the two officers who were then acting as Secretaries to the Board on the

the Land Revenue and Separate Revenue Sides respectively, by an arrangement which would have given them the full permanent pay of the appointments. The Government of India did not accept this proposal, but raised no objection to a rule being laid down to the effect that when a substantive incumbent of either of the appointments in question was appointed to act in another appointment, the earliest opportunity should be taken to transfer him to a suitable post in the regular line."

3. The Government thereupon issued its order no. 429 Public dated 31st May 1893 prescribing a rule as suggested by the Government of India and from this it appears to follow that the Government is willing to confirm, as soon as possible, any officer who is called upon to hold either of the above appointments for a lengthened period.

4. Shortly after the issue of the above order, Mr. Meyer who had been acting as Land Revenue Secretary for some years was confirmed in the appointment, but early in 1894 he applied for furlough for 28 months [which he subsequently extended by one week] and Mr. Wynch who was selected to succeed him started at once as permanent secretary. Mr. Meyer was at the same time given a permanent ~~appointment~~ appointment as Sub-Collector on Rs 1166 per mensem, and when he returned to duty in November 1895

1895 was ordered to take up the duties of his substantive post.

5. Mr. Wynch has now been granted furlough for 18 months and I have been appointed to succeed him, but in my case the Government has not seen fit to confirm me in the appointment. I understand that the reason why my case has been treated differently to that of my predecessor is that the Government of India has since taken objection to certain arrangements, made for the appointment of Mr. Murdoch as Deputy Commissioner of Salt and Abkari Revenue in the place of Mr. Horne, who had proceeded on furlough. The Government of India then pointed out that the present furlough allowances had been granted "on the 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."

818/31-10-94 [Govt of India Letter 4836. P. dt 10 Sept. 1894.]

6. I would now respectfully request that, if necessary, the orders of the Government of India may be taken in my case, for I submit that my appointment to act as Secretary to the Land Revenue

Revenue Commissioner

during Mr. Wynch's absence places me in a peculiarly unfavorable position and entails upon me a considerable loss of salary which I might fairly expect to draw. I am not entering for the first time upon the work of Land Revenue Secretary, for I have already acted in the appointment on two occasions. I was first appointed to act for Mr. Meyer during the hot weather of 1893, and again in the hot weather of 1895. I held the post for 3 months during the absence of Mr. Wynch on privilege leave. Moreover, in 1894 I was appointed, at the request of the Members of the Board,

on

on the Special Duty of revising the Madras Forest Code, a piece of work that would in the ordinary course fall to the share of the Land Revenue Secretary and which had been undisposed of for some years owing to pressure of other business. Mr. Wynch on the other hand had had no previous experience of the work in the Board's office, though he had been in charge of the Salt Secretary's duties in addition to his own for a short time in 1893. I think, therefore that I may, without undue presumption, claim to be treated in the same way as Mr. Wynch, and to be confirmed in the appointment which he has now vacated.

7. The period of 18 months furlough granted to Mr. Wynch expires in September 1897, and I am authorized by him to say that he intends to apply for an extension and will in all probability return to duty in November or December of ~~that~~ year. I understand that when Mr. Wynch does return he will in ordinary course be eligible for appointment to an acting Collectorate and it is therefore improbable that he will return to the Secretaryship of the Board. Even should no Collectorate or judgeship be vacant in December 1897, it is certain that Mr. Wynch could obtain such a post early in 1898, and it is improbable that he would ever be required to revert

revert to a lower appointment.

8. The result of the present acting arrangement will therefore be that in December 1897, which will be nearly 5 years from the date of my first appointment as Acting Secretary, I shall have put in 22 months continuous service in the post and 2¼ years total service counting the acting periods in 1893 and in 1895. For this I shall be entitled only to the acting allowances, which I am informed include some portion of the increments attached to the office. My predecessor, with only 2 years service in the post, 3 months of which he spent on privilege leave, has already qualified for a salary of Rs 1500 + Rs 120 per mensem.

9. I submit with all due respect that this arrangement is unfair to me, and that I shall not be compensated for the discharge of the duties

duties of an appointment which is admittedly a responsible one and which entails very heavy work. In the ordinary line I may myself expect promotion to an acting Collectorate either in 1897 or '98, and even if confirmed as Secretary in 1898, I should then most probably lose money by retaining the appointment.

I have the honor to be,
Sir,
Your most obedient Servant,

Mr. Wyneh appears to me to be the only man who gets well out of this business - Mr. Meyer goes home on furlough, and gives up his appointment - to which Mr. Wyneh succeeded - and when his time for furlough comes - instead of giving up his appointment - a letting the next man take it on the terms he did, he rides away with the full pay of the appointment while the man who acts for him can only draw the acting allowance. For this I see absolutely no remedy - and I am afraid we can do nothing for him, as the orders of India are so very clear - and there does not appear to be any back-hole.
As to Mr. Meyer - we can not possibly do what he asks - viz. turn and regret from the time he (Mr. M.) went on furlough; & keep him in the appointment. If this were done, Wyneh would have to give up all that he has been drawing over the acting allowance - not only while he was working as Secy but

Query loss

have

P.O. 103 of 1896.

Mr. Carr makes a request quite opposite to the one made by Mr. Meyer.

The former requests that he may be treated in the same way as Mr. Wyneh was in 1894 viz that he may be confirmed as Secretary to the Commissioner of Land Revenue. This is against the orders of the Govt. of India (vide Finance & Commerce dept. letter in Go. No. 818 B 31st October 1894) which ~~that~~ Govt. objected to Mr. Hosain having been created when going on furlough and appointed his successor (Mr. Murdoch), permanently to the post of Secretary to the Comr. of Salt and Abkari Revenue because ~~that~~ arrangement was opposed to the rule in Article 242 of the C.S.R. This rule, it was explained, was based on the orders of the Secretary of State who had corrected the existing rates of furlough allowances on the specific

dated that they would be
adly or approximately part
of the savings which would
ecrue by filling up by
acting appointments only,
the appointments vacated by
the officers proceeding on leave

This Govt., it is submitted,
has no power to comply with
Mr. Carr's request, and it is
very doubtful whether the
Govt of India will make
any concession in his favour.

Mr Meyer's request
is that he may be restored to
the permanent position of Secretary
to the ~~Secretary~~ Commissioners
of Land Revenue, with effect
from the date on which he was
gazetted out of it or else that
he may be given some other
permanent appointment of equal
rolling. Restoring Mr Meyer
to the Secretaryship to the Board
Revenue, Land Revenue, with
effect from the date on which his
re leave would accrue to be
in accordance with the orders of
the Govt of India referred to
above, but this would mean

his furlough allowance wd be
considerably reduced - while Mr
Meyer would only benefit for the
four months he has put in as
Sub-Collector. Considering that this
step has resulted from his own
action in stirring up this matter
and that Mr. Meyer wd be such
a heavy loser - I think we must
reject our inability to accede to
his request.

17/3/96

13 Mar

20/3/96

mean a heavy pecuniary loss
to Mr. Wynch who will have to
be only an acting Secretary
during Mr Meyer's furlough
whilst Mr. Meyer has lost
nothing during his furlough
by his reversion to a Sub Collect
He has, however, suffered some
loss since his return from leave. Even if
he was, had been not turned out of the
Board's Secretaryship before
went on furlough, he could no
have counted upon remaining
long in that appt on his
return from furl as his turn
for an acting Collectorate had
come and according to the
ruling embodied in para 2
B80. No 429 Pub B 31-5-93 a
approved of by the Govt of India
the he would have been
appointed a sub Collector. It
submitted, that in these
circumstances, there are no
grounds for making a special
appeal to the Govt of India.

11.5.96

I am afraid that nothing ca
be done certainly for Mr
Carr. As regards Mr. Meyer
he would have got the Acty Ship

Bd as best arg which he went on on promotion and then would have been transferred to permanent vacancy as Collectors.

10/3/96

Messrs Thompson Carr

Mr Carr

[G. 24.]
100—12-12-05.

Public DEPARTMENT.

Papers to be read in proceedings :—

Again G.O., dated 189 , No.

Again G.O., dated 189 , No.

Current No. 762 of 1896, dated 28 Feb, from Ree Carr Esq

" " " 189 , " , "

" " " 189 , " , "

ORDER. No. 430 of 30 March 96

Mr Carr will be informed that the Govt regrets that the orders of the Govt of India which are very clear (vide Finance & Commerce dept letter in ~~Ge No 218 Public 21st Feb 1894~~) preclude a compliance this Govt from ~~complying~~ with his request.

copy enclosed

(From orders)

CS 27.3.96

AD 27/3/96

Ree Carr Esq I.C.S. (W) dispd 31/3/96

X 3/3

C 1/2/3 | C 94/3

Mr. R. C. O'Connor

When given for copying ____
When copied ____
When examined ____
When signed ____
189

BAD AGAIN G.O., No. 189 DATED

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT	A A A A A A A
LETTER OF GOVERNMENT	
STATEMENT WITH DITTO	
FAILURE NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.	

N.B.—
A = Copy in full.
B = Not to be copied.
F = Copy abstract only.
Q = Copy heading only.

C.S.
mis

(From orders)

Two Drafts

Appd
Secy. G.O. 120.
Orders issued on 18 Dec.
Informer C.S.
3/8.