

Public (1896) Department.

6-7

ORDINARY MS.

G.O., No. 6-7

Dated 6th Jan. 1896

INDEXED

[Despatch Abstract.]

WOUND GRATUITY.

Recommending to the Government of India that Surgeon-Major W.F. Thomas may be granted a----of three months' pay in consequence of the severe injuries sustained by him in an encounter with dacoits, and that the few days deficient in his continuous service in the Civil Department to entitle him to the minimum furlough pay of \$ 500 per annum may be condoned.

23rd Jan

PRINTED IN G.O., dated

4 Dec 1897 No 1592

பாதுகாப்பு பிரதி-1

செய்துள்ளவர் பெயர் டாக்டர். வி. சி. சுவாமிநாதன்

செய்துள்ளதற்காக எடுத்த 12/07
தொடர்ச்சிப்பட்ட தாள்

செய்துள்ள தாள் 5/08

செய்துள்ளவர் பெயர் டாக்டர். வி. சி. சுவாமிநாதன்
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தொடர்ச்சிப்பட்ட தாள்

24 June 1895
6-7
Surgeon Major W. F. Thomas, M.D.
District Medical Sanitary Officer, District
Madras
The Hon^{ble} Financial Secretary
to the Government of Madras
Madras and

Sir,
I have the honor to forward true copies
of my Case with the Proceedings of the Standing Med-
ical Board, Madras, for the favorable consideration
of the Government of Madras.

2. It will be seen that while travelling on a tour
of inspection (to inspect Hospitals & Dispensaries, & to
make Sanitary Inspection of Towns & Villages), & that
while on duty, on the night of 21st Feb^y 1895 I was
attacked by a large gang of dacoits & received
severe injuries. I was hoping to get well & go on with
my work, but instead the internal injuries in-
flicted on me compelled me to go before a Medical
Board. It will be seen that this Board recommended
me a year's leave on M.C., & in doing so pointed
out that my present mental & physical disability
were entirely due to the injuries I received during
the dacoity mentioned above.

3. Had it not been for this dacoity I should have
remained on duty, but now I am compelled to go to
Europe, & to go on a great loss of pay, & with just
7 days more waiting for me to complete 3 years
continuous service in the Civil Department.

4. Had I remained on duty till 5th Feb^y 1895, when
I would have completed 3 years continuous service
in the Civil Department, instead of having to make it
on 28th June 95, I would have been entitled to the

7/17

The Principal Medical Officer,
Madras Command.

With reference to the claim of Surgeon
Major Thorensen para 5 of his letter
favour is requested of your obtaining
and forwarding the opinion of the
Medical Board regarding the extent of
the injuries sustained by him (Vide
Articles 1431 and 1433 I. A. R. Vol. I
Part I.) to enable me to submit my
recommendation to Government.

Return requested.

Yours faithfully,
C. J. S. S. S.

Surgeon Major Genl.
Surgeon-General
17th July 76 with the Govt. of Madras

Ed

256995
3

Forthore the 17 July 1895

No. 408-A

31-3-
CND

The Principal Medical Officer

Madras District

By: No. 2735
19-7-95

Forwarded for favor of necessary
action.

2. Surgeon Major Thomas having appeared
before a Medical Board on 21st June 1895,
which pronounced his present condition
to be the result of injuries inflicted
while on duty, it is presumed that
the president and members of this
board are in a position to report on
this affair on Army form A 2 in the
terms laid down in para 1363.
Army Regulations, India, Volume VI.

Return requested

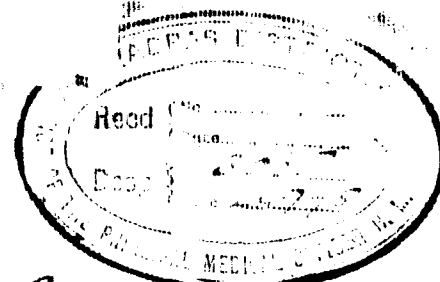
J. B. Russell

Surgeon Captain

For P. M. O. Madras Command

IN NO. 1

6/6



To The P. M. O. Madras Command
For the
Proceedings of Board
Medical.

Unroy

Surgeon Major
for P. M. O. Madras

MADRAS COMMAND,
MEDICAL DIVISION.

Cotacamund, the 19 July 1895

No. 470-A

To
The Surgeon General with the sub of letter
Cotacamund.

Forwarded with reference to

Minute No. II.

C. M. V. S.

Surgeon Major-General,
Principal Medical Officer Madras Command

B. F.

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No. 379

Encl.

From

SURGEON MAJOR-GENERAL F. SIBTHORPE, F.R.C.P.S.

SURGEON-GENERAL WITH THE

GOVERNMENT OF MADRAS,

To

THE HONORABLE THE CHIEF SECRETARY TO GOVERNMENT,

Public DEPARTMENT.

SIR,

I have the honour to transmit the accompanying letter dated the 24th June 1895 to your address from Surgeon Major W. F. Thomas, I. M. S., late acting District Medical & Sanitary Officer, Aistua.

2. This letter was received in my office on the day he left for Europe on leave and I had therefore no opportunity of drawing his attention to the irregular mode of the address.

3. It will be seen from this letter that on the 21st February 1895, while travelling on a tour of inspection in the District, Surgeon Major Thomas was attacked by a large gang of decoits and sustained very severe injuries. The information was first communicated to me by wire by the Medical Officer of

of Bezawada and at once, wrote and informed Surgeon Major Thomas that if necessary he could place himself on the sick list and submit an application for leave. He, however, expressed a wish to continue at work hoping to get well, although practically he was on the sick list.

4. On the 4th June 1895, he reported that he was so prostrated mentally and physically that he could not go on with his work any longer and applied for long leave to Europe. He was brought before a Military Medical Board in Madras, who recommended him for one year's leave with permission to proceed in anticipation of sanction. He accordingly left Madras on the 25th June 1895.

5. In his present letter, para 5, Surgeon Major Thomas applies for an injury gratuity under Articles 78 & 76, Civil Service Regulations and Article 1435, India Army Regulations, Volume I.

6. Before submitting this letter to Government, I considered it necessary to obtain the opinion of the Medical Board

67/7

Board who examined him regarding the extent of the injuries sustained by him, as they did not touch on this point in their Proceedings recommending the leave. The Board now record their opinion that Surgeon Major R. F. Thomas sustained severe "injuries to the head and chest causing" "concussion of the brain and rupture" "of the right lung - also fractures of" "the scapula - from which he has" "partially recovered. The effects of the" "injuries may be permanent although" "not nearly equivalent to the loss of" "a limb". A copy of this Certificate is now attached to his letter.

7. Article 1435, India Army Regulations, Volume I, says that an officer who shall have received, when in the execution of Military duty otherwise than in action, an injury reported by a Military Medical Board as severe and permanent, although neither equivalent nor

nearly

equivalent to the loss of a limb,
may be allowed a gratuity of from three
to twelve months' pay of the appointment
held by him at the date of his wound;
and article 780. a, Civil Service Regulations
lays down that in special cases when
an officer is wounded in an encounter
with dacoits, the Government of India may
relax the condition of Article 778 as
service with a Military Force. As
Surgeon Major Thomas fulfils the conditions
contained in the above rulings, he appears
in my opinion to be eligible for an injury
gratuity of from three to twelve months'
full pay of the appointment of acting District
Medical and Sanitary Officer, Pistoia and
request that Government will be pleased
to strongly recommend his case for the
favourable consideration of the Govern-
ment of India with a view to Surgeon
Major Thomas being granted such an
injury gratuity as in their opinion his
case may seem to deserve.

As regards para 6 of letter under

67/8 disposal, this depends on a question now
under reference to the Principal Medical
Officer, Madras Command, who permanent-
ly filled the Regiment on which Surgeon
Major Thomas had a lien before he had
completed 3 years continuous service in the
Civil Department or was permanently
posted to a Civil Appointment. It was
owing to this action that Surgeon Major Thomas
has been subjected to such a heavy monetary
loss as regards his leave allowances. I have
sent a reminder to the Principal Medical
Officer and on receipt of his reply will
further address Government on the subject.

9. I regret to say that the band of dacoits,
who attacked Surgeon Major Thomas, is
still at large and the Superintendent of
Police, writing on the 10th July 1895, reports
as follows. -

"Endeavours have been made to detect
the case but without results; enquiries are
now being continued."

I have the honour to be,

Sir,

Your most obedient Servant
C. St. John

Surgeon Major General
Surgeon General with
the Govt. of Madras

Public

(1895) DEPARTMENT.

From

SURG. MAJOR-GEN. C. SIETHORPE,
SURGEON-GENERAL WITH THE
GOVERNMENT OF MADRAS,
Madras,

To

*Resubmit the Chief Secretary's
Government*

CHIEF SECRETARY
13 SEP 1895
ENCLOSURES
GOVERNMENT OF MADRAS

Dated

Recd.

Sender

No.

Subject.

*Recommending with re-
marks the grant of an injury
gratuity to Surgeon Major
H. F. Thomas, I.C.M., who
was attacked by a large
gang of dacoits while
travelling on a tour of
inspection in the Pudukkottai.*

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Public Dept

Sub: C. 3013

Ref. S. 2296

26-9-95

*Met. G. is requested
to expedite the further
con- promised in
para 6 of his letter. Mean-
while the papers will
be forwarded to the
Controller of Military
Accounts for report
with reference to J. A. C.
1894, Clause 143, Section
IX, Rule 1, I, (ii).*

7.5.13
23/9/95

24/5/95

*Mark the papers for
C. A. C. "To be
returned with report"*

*To the Surgeon Genl.
.. Controller of Military Accts.
Madras Command
with S. G.'s letter and enclosures to be sent
in reply to be sent to Genl.*

2/10/95

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10
No. 434

Encl.

From

SURGEON-MAJOR-GENERAL C. SIBTHORPE, F.R.C.P.I.,

SURGEON-GENERAL WITH THE

GOVERNMENT OF MADRAS,

To

THE HON'BLE THE CHIEF SECRETARY TO GOVERNMENT,

SIR,

Public DEPARTMENT.

With reference to Public Department Memorandum No 2296 dated the 26th September 1895, I have the honour to state that, in reply to a reminder from me, the Principal Medical Officer, Madras Command, states that the question of Surgeon Major W. F. Thomas retaining a lien on his Military appointment has been referred to the Principal Medical Officer in India and will be replied to as soon as a decision is received.

I have the honour to be.

Sir,

Your most obedient Servant,

C. Sibthorpe

Surgeon-Major-General,

Surgeon-General with the Govt. of Madras.

Public (1895) DEPARTMENT.

From
SURGEON-MAJOR-GENERAL C. SIBTHORPE, F.R.C.P.I.,
SURGEON-GENERAL WITH THE
GOVERNMENT OF MADRAS,
Madras,

No. 434
ENCLOSURE.

Dated 5th October 1895.
Received

7 OCT 1895
GOVERNMENT OF MADRAS
No.

SUBJECT

Stating that the question
of Surgeon Major R. Thomas
retaining a lien on his mil.
Appointment is under reference
to the M.D. in India.

is agreed with from C. S.

Chubb 23.10.1895

Pension & Gratuity
Wounded Pension

6-7
11

No.

802

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From

The Controller of Military Accounts,
Madras Command,

To

The Chief Secretary to Government,
Fort Saint George

Madras, the 31st of October 1895.

Sir,

In returning the enclosures of memo no: 2296
dated 26 September 1895, Public Department, I have the
honour to state that article 1435, Army Regulations, India,
volume I, part I, quoted by Surgeon Major Thomas with
regard to his claim to wound gratuity, does not apply to his
case, as it applies only to officers wounded in the
performance of military duty, as he was wounded by
accident while in the performance of civil duties
i.e. while proceeding on inspection duty in the district
district while employed as acting District Medical
and Sanitary Officer of the district, his claim to
wound gratuity should apparently be disposed of in the
civil department. A reference to the Assistant-Quartermaster
at Madras, is therefore suggested.

I might add for your information that a case
 which occurred in Bombay in 1886 an officer while
 travelling on inspection duty was attacked and
 wounded by dacoits, and, in consequence of injuries
 received, was granted a period pension, but in
 this case the officer was employed in the Military
 Department, and the pension was consequently borne by
 the Military Department.

I have the honor to be,

Your most obedient servant

Wm. S. de C. Lieut. Colonel,
 Offg. Controller of Military Accounts

From

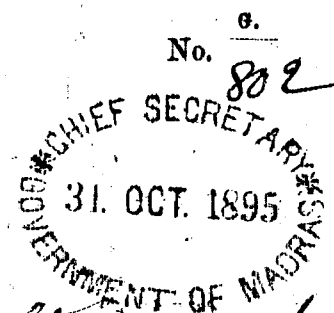
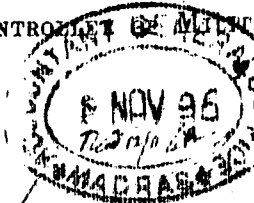
THE CONTROLLER OF MILITARY ACCOUNTS.

To

THE SECRETARY TO GOVERNMENT,

MILITARY DEPARTMENT.

Madras,



Dated

Received

C-NO 3013 ret

ENCLOSURES

Major Major Thomas Chann to
 receive gratuity.

6/2 Endt 557
 No 2671 of 7-11-95

Referred to the
 Accountant General
 for favour of report.

Reddish
 Chief Secretary

6-7
13

(189) DEPARTMENT.

From

THE ACCOUNTANT-GENERAL,

MADRAS,

To

THE Chief Secy to Govt
Public Works

No.

Sal
383

Dated

29 Nov 95

Received

3-12-95

Publ nos 3667, 3304

Encl: 2296, + Publ no 3013

with enclosures returned

No.

Subject.

Reporting on the claims
for a wound gratuity
preferred by Surgeon Major
W. F. Thomas formerly
employed in the Civil
Department as a
medical & Sanitary
Officer Retired.

Pension

DEPARTMENT.

Fort St. George,

Accountant-General's Office,
29th November 1895.

No.

3a2
383

From

J. E. Harrison Esq.,

Offg. ACCOUNTANT-GENERAL TO THE

GOVERNMENT OF MADRAS,

To

THE Chief Secretary to Government,
Public Department.

SIR,

With reference to your endorsement No. 2671 dated the 7th of November 1895 referring to me for report certain papers relative to the claim to a wound gratuity preferred by Surgeon Major W. F. Thomas, formerly employed in the Civil Department as Acting District Medical and Sanitary Officer, District, I have the honour to report as follows:-

The case apparently does not come within any of the rules contained in the Civil Service Regulations. The only sections which can bear upon such cases are Sections I and II of Chapter XXXIV of the Regulations. Section I refers to wounds on Military Service and is extended to encounters with decoits. By this is, I think, meant decoits hunting or at any rate service of a character essentially though not technically military. In this case

injury was received and
sent no analogy whatever to

Nor can Section II be held
as it applies to a duty attended
bodily risk (Vide Article 782) -
perhaps apply, but presumably
be considered an insufficient award

So far then as the Civil
we concerned the case, if the
it to make a recommendation,
to the Secretary of State through
India as one which is not provided

I must also point out that
V. F. Thomas officiated in the
from 5th July 1892 to 31st June 1895
was less than three years he was
received these injuries in permanent
Rule 2 Article 42 of the Civil Service
Edition.

The endorsement under reply
are herewith returned.

I have the honor to be,

Sir,

Your Most

Offg.

circumstances which
tary service.

reply, inasmuch
the extraordinary
le 787 it might
Rupers would
in this case.

Regulations
ment thinks
ould be submitted
Government of
for by the rules.

Surgeon Major
Department
As this period
at the time he
with Employ of
Regulations 2nd

its inclosures

to be,

Respectful Servant,

Respectful

Assistant General

No. 545

Encl.

From

SURGEON MAJOR-GENERAL G. SIBTHORPE F.R.C.P.J.

SURGEON-GENERAL WITH THE
GOVERNMENT OF MADRAS,

To

THE Honorable the Chief Secretary to Government
Public Department.

SIR,

With reference to para 8 of my
letter No. 379 dated the 10th September 1895,
I have the honor to state that on the 13th Nov.
1895, I received a reply from the Principal
Medical Officer, Madras Command, drawing
my attention to the Madras Command Order
No. 358 dated the 1st Nov. 1895. which runs
as follows:-

"The Lieutenant General Commanding the
forces is pleased to direct that the following
addition be made to the notification contained
in Madras Command Order No. 55 of 3rd May
1895, regarding the appointment of Surgeon
Captain J. O. Pinto, to the Medical Charge
of the 17th Regiment Madras Infantry:-

"With effect from 1st July 1895 vice
Surgeon Major W. F. Thomas vacated."

Surgeon Major W. F. Thomas
was relieved of his military duties in 1892

on the 30th June and the Principal Medical Officer, Madras Command, calculates his absence from the Military Department from that date - but as he did not join his civil appointment until 5th July 1892, and as he availed himself of his leave this year from the 25th June, I made a reference to the Accountant General to ascertain if Surgeon Major Thomas can be considered to be in permanent Civil employ, under the provisions of note 2 to article 42, Civil Service Regulations. That officer reports that "as Surgeon Major Thomas did not act in the Civil Department for three years, he cannot be considered to be in permanent Civil employ."

B. It will be seen from the above paras that the period wanting to complete the three years is only 5 days, reckoned from date of relief or 10 days if calculated from the date of his actually joining his civil appointment. In either case the period is so short that it ought not in my opinion to be allowed to affect him so seriously in a pecuniary sense; but as there is no civil appointment at present vacant to which he could be gazetted, the question of his rejoining the Civil Department should be

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lies over until his return from leave.

I have the honor to be,

Sir,

Your most obedient Servant,

Chibthorpe

Surgeon-Major General

Surgeon-Major General

with the Comd. of Madras

Public (1895) DEPARTMENT.

Pub. No. 4063-795 ab

From

SURGN. MAJOR-GENL. C. SIBTHORPE, F.R.C.P.I.,

SURGEON-GENERAL WITH THE

GOVERNMENT OF MADRAS,

Madras,

To

The Hon'ble the Chief Secy to Govt.
Public Department.

No. 545

ENCLOSURES.

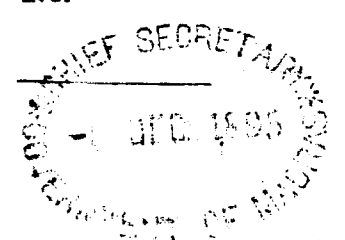
Dated

Recd

Regd

7th } December 1895.
8th }
9th }

No.



Subject.

Detailing the circumstances under which the Accountant General holds Surgeon Major M. J. Thomas as not in permanent Civil Employment and stating that the question of his rejoining the Civil Dept should be decided upon his return from leave.

[G]
69
1,000-18-8-85.

17

Judicial DEPARTMENT.



17 Dec 1895

Memorandum. No. 2998

7th 12. 95

Read the following

It is observed that no occurrence report of the serious dacoity ~~in~~ in the Krishna St. on the 21st Febry. last, in which Surgeon Major M. J. Thomas Esq., late of the Medical & Sanitary Officer, Krishna, was wounded was submitted to Govt. The Secy of Police is now requested to obtain & forward a report of the particulars of the ^{matter} accident.

(Yours order)

MK
13.12.95

13.12.95

Note

Please see Mr. Thomas's remarks against in the Pub file of accounts (No. 4063 etc.) put up. No report has been received in the office. A memo to the Secy. is subd. for approval as directed by Mr. L.

MK
13/12

The Secy. of Police. Secy to Govt.

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Public Currents 3013, 3304, 366,
and 4063

For Orders

Surgeon Major W. F. Thomas
J.M.S. late acting D.M. & San'y.
officer, Kistna Dist. was wounded
while on a tour of inspection
by dacoits on the 21st Feb
last, resulting in rupture of
the right lung, concussion
of the brain & fractures of the
scapula.

The serious nature of
his injuries compelled him
to desert from his duties ^{six}
days before completing three
years' continuous service in the
Civil Dept. On the 25th of Jan
he left for Europe, the Mil'y
Medl. Bd which examined
him at Madras having
recommended him for one
year's leave on M.C.

Surgeon Major Thomas still
suffers from periodical Hæmop
tysis & insomnia & requests
that he may be granted
a wound-gratuity under Arts
780A & 780B of the C.S.R. &
with ref. to Art 1435 J.R.R. Vol I
He also begs that Govt will
grant him the additional seven
days req'd to complete the three
years' service & so entitle

I think the A.G. is right
that, when an encounter
with dacoits is spoken
of, an expedition against
them, as on the part of the
Police, is contemplated,
at a casual meeting with
them and consequent injuries,
such as might have happened
to a traveller totally unconnected
with the public service. So far
as the rules go, therefore, Surg.
Maj. T. does not seem entitled

i.e. 7 days before he is
restored as in permanent
Civil Employ.

to any gratuity. The case is, however,
a very hard one - I would send
it up to India with the recom-
mendation that he be granted
a gratuity of 3 years' pay
and be also allowed to
draw full pay during
his absence on this leave, which
he was obliged to take in
consequence of these injuries,
at the same rate at which he
would have drawn if he had
completed 3 years' service
in the Civil Dept.

It is curious that, so far
as I can recollect, the A.G.
of India did not report the

in to the minimum ~~pay~~,
£500 per annum, as otherwise
he will get from £250 to £300
only.

The Surge Genl explains that
as Surge Major Thomas left Madras
the day his letter was received
there was no opportunity to
correct the irregular mode
of address. vide J. A. C. 1894,
Cl. 143, Section IX, Rule 1, I, (II).
The Controller of Milly Accounts,
to whom the papers were therefore
forwarded, states that Art
1435 A. R. I. quoted by Surge Major
Thomas does not apply to
his case, as he was wounded
whilst in the performance of
civil & not military duties,
& that the claim shd. therefore
be dealt with in the civil
dept. He suggested a reference
to the Acet Genl.

The case according to the
Acet Genl does not come within
the scope of the C. S. R., except
it be under Art 787 A, which
however limits the gratuity
to Rs 1000. In this connection
attention is invited to
para 2 proviso (3) of
India's Res. No. 5702 - En
d/25th Oct 95.

The Acet Genl considers
that the Extension under Art 787 A
to an encounter with dacoits

contemplated

occurrence of this
serious dacoity, as
think he should have done
anything know of it
in the office? Just, please
ask the S. J. for particulars

No objection
J. A. C. 1894,
Cl. 143, Section IX,
Rule 1, I, (II).

12/12/95

Jagm

89

14/12/95

* C. 3667.

* C. 4063

* G.O. No. 911 Dated 21.11.95 in
span copy put up.

17/6

contemplated "dacoit hunt",
or at any rate service ~~which~~
if not technically military,
that this case presents "no
analogy whatever to military
service". He suggests that if the
Govt thinks fit to make a
recommendation, the matter
should be referred to the Secy
of State thro' the Govt of India,
as one not provided for
by the C. S. R.

vide para 8 of his letter of the 10th Sept
Current No. 3013.

With reference to the con-
donation of service asked for
by Surge Major Thomas, it was
pointed out by the Surge Genl
that this depends on a question
now under reference to the Prin-
cipal Medl. Officer, Madras
Command, who permanently
filled the Regiment on which
Surge Major Thomas had a lien
before he had completed three
yrs' continuous service in the
civil dept or was permanently
posted to a civil appointment.
From the S. G.'s letter of the 5th Oct
it will be seen that the matter
has been referred to the
P. M. O. in India. No reply
has, as yet, been received.
In this connection attention
is invited to Art 465 A (1)
under wh. the local Govt may
con done a deficiency, if the day
be provincial, of three months
and, if Imperial, four months.

* C. 3304

* Sube. that this
article does not
apply.

Rule 2 Art 42 of the Civil Service Reg. No. 10. To which the Act of Genl. refers says "it is only an officer who has officiated in the Civil Dept continuously for not less than three years is considered to be in permanent Civil employ."

Orders are requested as to whether the case should be submitted to India as suggested by the Act. Genl.

It is noted that the case is an exceptional one and may be subd. to India. There is a "military" precedent. The para. 2 of the Comdr's report. Orders are requested as to the records to be made to India on Surg. Major Thomas' behalf. The S. G. may be asked whether the S. M. O. in I. has applied for the condonation of a 7 days service requisite to complete three years.

3013 This case seems to be one in which a reference might fairly be made to India

12
11/12/95

*note his letter in C. 4063

Wound Gratified

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20
go. M 6 d/6 Jan 96

The G. of I. will be addressed.

The S. G. will be addressed.

Public dept.

C. Nos. 3013, 3504, 5667 & 4063.

LETTER No 7 d/6 Jan 96

To

The Secy. to the Govt. of India

Home dept.

Sir,

I am directed to submit for the following case for the orders of the Govt. of India

2. Surgeon Major W. F. Thomas, D., Medical and Sanitary Officer, Bistun, while on a tour of inspection in his

district was on the night of the 31st February last attacked by a gang of dacoits ^{who inflicted upon him} and received severe injuries.

He continued his duties ^{until} for a time ^{but} in the month of June was obliged, owing to mental and physical prostration, to appear before a Medical Board ^{which} recommended him for one year's leave. The Board found that he was suffering from rupture of the lungs and from the effects of concussion of the brain and considered that it was absolutely necessary for him to proceed to Europe in anticipation of his leave being formally granted. The same Board subsequently found that the effects of the injuries sustained by Surgeon Major Thomas might be permanent although they were not nearly equivalent to the loss of a limb.

3. Before leaving India, Surgeon Major Thomas submitted an application for

for a wound gratuity with reference to Art. 782 (A) and (B) of the C.S.R. and para 1435 of the Indian Army Regulations, Vol. I. ^{and the} The S.G. submitted the case for favourable consideration.

4. On a reference ^{to} the Controller of Mily. Accounts ^{he} reported that Art. 1435 of the Indian Army Regulations, Vol. I, ^{does} not apply ~~to the case~~ as it governs only the cases of officers wounded in the performance of military duty, but ^{he} added that in a case which occurred in Bombay in 1886 an officer, ^{who} while travelling on inspection duty was attacked and wounded by dacoits ~~and in consequence of injuries received he was granted a wound pension.~~ In that ^{case} the officer was employed in the Mily. dept. and the pension was consequently borne by that dept.

5. In his report d./ 29th Novr. last, the ^{Acting} S.G., Madras, states that Surgeon Major Thomas's case apparently does not come within any of the rules contained in the C.S.R. The only sections which ~~can~~ bear upon such cases are I and II of Chap. XXIV, the first of which refers to wounds received on military service, and is extended to encounters of dacoits. Mr. Harrison is of opinion that this means dacoit-hunting or at any rate service of a character essentially though not technically military. This section would therefore not apply, nor could section II inasmuch as it relates to a duty attended with extraordinary bodily risk (vide art. 782).

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6. He adds that Art. 787 ^{which} might perhaps apply ~~but~~ ^{but} presumably £.1000 would be considered an insufficient ^{sum} ~~sum~~ in this case. He is therefore of opinion that ~~the case~~ should be submitted as one which is not provided for by the rules. He also pointed out that as Surgeon Major Thomas officiated in the Civil dept. from 5th July 1895 to 14th June 1898, which is less than three years, he was not at the time he received the injuries in permanent civil employ. (vide note 3 to art. 45 of the C.S.R.)

7. This Govt. agrees in the view taken by the A.G. as to the application of the rules regarding dacoits ^{injuries inflicted by} ~~and considers they would apply to an expedition against them for the part of the Police, and also a casual meeting with them and consequent injuries such as might have been happened to a soldier totally unconnected with the Public service.~~ Surgeon Major Thomas's case is however a hard one and I am accordingly directed to submit the strong recommendation ~~of the~~ ^{that} the Government in Council that that officer may be granted a gratuity of three months pay.

8. In his application already referred to, Surgeon Major Thomas ^{stated} ~~pointed out~~ that had he remained on duty ~~on~~ ^{until} the 5th July 1895 instead of embarking as he was ^{obliged} ~~forced~~ to do on the 28th June, he would have completed the three years ^{of} ~~of~~ permanent Civil employ ^{and so} ~~and so~~ ^{we have been} entitled

entitled to the minimum ^{of} furlough pay of £ 500 per annum instead of between £250 and £300. He ^{is} begged therefore that the addition ^{of} 7 days required to complete the three years continuous ^{many} service ^{may} might be granted to him. The A.G. considers, however, that Surgeon Major Thomas's lien on ^{his} the Civil ^{appointment} employment ^{has} ceased on the 14th June or 21 days before the completion of the three years. On this ^{point} ~~point~~ the S.G. reports that Surgeon Major Thomas was relieved of ~~his~~ military duty on the 30th June 1895 but did not join his Civil ^{appointment} ~~employment~~ ^{at} until the 5th July and that he availed himself of his present leave from the 25th June 1895. He therefore reckons that the period ^{required} ~~wanting~~ to complete the three years is only five days if the date of his relief be taken, or 16 days if calculated from the date of his actually joining the Civil ^{dept-} ~~employment~~ ^{ment.} ~~ment.~~ ^{He S. G. is of opinion that in the service way that it should not be allowed to affect Surgeon Major Thomas ~~as seriously~~ ^{if remaining in, but} in a pecuniary way, but as there is no ^{appointment} civil employment at present vacant to which he could be gazetted the question of his rejoining the Civil ^{dept-} ~~employment~~ should lie over until his return from furlough.}

8. In consideration of the ^{very} peculiar ~~and very unusual~~ circumstances of the case, the Govt. of Madras would strongly recommend that if possible the short break may be condoned and Surgeon Major Thomas be declared to have been

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been in permanent Civil employ at the time he availed himself of leave in order that he may have the benefit of the higher rate of leave allowance.

9. Copies of the proceedings of the Medical Board ^{of 21st June and} ~~of~~ 23rd July 1895, together with a statement of Surgeon Major Thomas's case, are forwarded for reference and favour of return with ~~reply.~~

I have etc.

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19.12.95.

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31/12/95.

WOUND GRATUIT

(FROM ORDERS)

C. S.