

Public (1897) Department.

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G.O., No. /333

DATED 8. 10 97

[Despatch Abstract.]

Presidency House-rent Allowance.

Recording Copies of Correspondence
between the A.G. and The G. & I
on the subject of the grant of
— in the case of certain
medical officers.

110/97

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

G.O.	No.	Department	Date	G.O.	N.	Department	Date
C.M.O. 1647/98 (The 8 th message from the author)							

<i>Recd.</i>	} 1897.	<i>Enclosures</i>
<i>Regd.</i>		<i>Spare copies</i>

G.O., No. 1333, 8th October 1897.

OCTOBER.

Presidency House-rent Allowance.

Regarding copies of correspondence between the Accountant-General and the Government
India on the subject of the grant of — in the case of certain medical officers

GOVERNMENT OF MADRAS.

PUBLIC DEPARTMENT.

READ—again the following paper:—

G.O., No. 1168, Public, dated 3rd September 1897.

ABSTRACT.—Passing orders on the subject of the grant of presidency house-rent allowance to medical officers debarred from the right of private practice.

READ—also the following paper:—

From F. C. HARRISON, Esq., Officiating Accountant-General, to the Chief Secretary to Government, dated Fort St. George, 30th September 1897, No. 3034.

With reference to G.O., No. 1168, dated 3rd September 1897, and in continuation of my letter, No. 2152, dated

• Letters to Government of India, Nos. 2175 and 2265, dated, respectively, 15th and 24th July 1897.

Letter from Government of India, No. 4052-Ex., Financial, dated 9th September 1897.

Lieutenant-Colonel H. D. Cook has been allowed presidency house-rent from 2nd June 1897, when he joined the appointment of Surgeon, Third District.

ENCLOSURES

From F. C. HARRISON, Esq., Officiating Accountant-General to the Government of Madras, to the Secretary to the Government of India, Finance and Commerce Department, dated Fort St. George, 15th July 1897, No. 2175

With reference to your letter, No. 2763-Ex., Financial, dated the 25th of June 1897, ruling that an officer, who has lost a presidency town appointment by transfer to the Mofussil or otherwise, cannot claim, on afterwards entering another presidency appointment, the special privilege allowed in paragraph 2 of the resolution, No. 2987, Financial, dated 6th June 1888, I have the honour to inquire whether the officer can draw presidency house-rent in the event of his re-entering the same presidency town appointment which he held substantively on the 6th June 1888. This inquiry would not be made but for the word "another" being italicised in the letter above quoted. The point has arisen in the case of Surgeon-Lieutenant-Colonel Cook.

From F. C. HARRISON, Esq., Officiating Accountant-General to the Government of Madras, to the Secretary to the Government of India, Finance and Commerce Department, dated Fort St. George, 24th July 1897, No. 2265.

With reference to your letter, No. 2763-Ex., Financial, dated the 25th June 1897, regarding the house-rent of certain medical officers, and in continuation of my reference, No. 2175, dated the 15th July 1897, relating to the same subject, I have the honour to address you further. There are in this presidency three officers who are affected by the question here raised—Surgeon-Lieutenant-Colonel Maitland, Surgeon-Lieutenant-Colonel Cook and Surgeon-Major Pope.

The first-named was Second Surgeon, General Hospital, Madras, on the 6th June 1888. He was then appointed Surgeon to His Excellency the Governor and then transferred to Cocanada—the latter appointment was a paper one—he never joined it but took privilege leave, and, on its expiry, was appointed to Ootacamund as Civil Surgeon, after serving the prescribed two years there, he was transferred to Madras as Senior Surgeon, General Hospital.

The second was Surgeon, First District, on the 6th June 1888. He was transferred to Ootacamund for two years as Civil Surgeon, and on his return was transferred to act in the Third District, Madras.

The last-named was Assistant Physician, General Hospital, on the 6th June 1880, since then he has held the following appointments:—

Station.	Sub-appointment.	Officiating appointment.	Date.
Madras	Assistant Physician	Surgeon, Fourth District ..	6th June 1888.
"	"	Chemical Examiner	15th June 1890.
"	District Medical Officer, South Arcot.	"	31st March 1891.
"	"	Superintendent, Ophthalmic Hospital.	7th March 1892.
"	Superintendent, Ophthalmic Hospital.		9th May 1892.
"			4th April 1894.

2. On getting letter, No. 2763, above quoted, I stopped the payment of house-rent to Drs. Maitland and Pope from the date of the order and to Dr. Cook since his return from Ootacamund. Reading it strictly, the word "another" being italicised, I take it to mean that house-rent can only be drawn in the appointment in which it was being drawn in June 1888.

3. All three officers are stoutly protesting. The following points are taken:—

(a) Is the right forfeited even if the officer never left the presidency town though his appointments changed? I held that it did, relying on the word "otherwise" in the order.

(b) Is the right forfeited if an officer accepts a temporary appointment such as the Ootacamund Civil Surgeoncy which is held for two years only—the holder retaining a lien on his substantive appointment. This is Dr. Cook's case who was Surgeon, First District, went to Ootacamund and came back as Surgeon, First District, acting in the Third District. I retrenched him on the ground he is holding "another" appointment.

(c) Whether the acceptance of a paper appointment such as Dr. Pope's to South Arcot and Dr. Maitland to Cocanada affects the question? This question only arises if the Government of India permit officers who have never abandoned their liens on presidency town appointments to continue to draw house-rent. Mr. Maitland drew this allowance as Second Surgeon, General Hospital, and as Surgeon to the Governor. He, however, accepted a paper transfer to Cocanada, thus abandoning his claim to a presidency appointment. I retrenched him on two grounds: first, that he is not holding the appointment he held in 1888, and, secondly, that he lost his rights on accepting the paper transfer.

Early orders are requested.

From R. M. DANE, Esq., Deputy Secretary to the Government of India, Finance and Commerce Department, to the Accountant-General to the Government of Madras, dated Simla, 9th September 1897, No. 4052-Ex., Financial.

In reply to your letters, Nos. 2175 and 2265, dated, respectively, 15th and 24th July 1897, regarding the admissibility of presidency house-rent to certain medical officers in Madras, I am directed to state that the principle which should be observed, in applying the orders contained in paragraph 2 of Finance and Commerce Department resolution, No. 2987, dated 6th June 1888, and in this department letter, No. 2763, dated 25th June 1897, is as follows:—

(a) If an officer returns to the presidency town to hold an appointment in which he obtains only the same allowances as he would have obtained if he had continued to act in the same appointment he acted in, on the 6th June 1888, or to hold the same appointment which he held

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CURRENT No. 3592

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No. 1333, PUBLIC, 8TH OCTOBER 1897.

on the 6th June 1888, the saving of existing rights should apply to him. Mere change of nominal appointment, not involving change of allowances, should not deprive him of the advantage of the reservation.

ORDER—No. 1333, Public, dated 8th October 1897.

Recorded.

(True Extract.)

for Chief Secretary.

To the Surgeon-General.
" Sanitary Commissioner.
" Accountant-General.

Read again

P.O. 1168 Subd. 3. 9. 97
C 3692 From

The Accountant General
Madras

Order No. 1333 of 8 Oct 97

A

Recorded

No. 3034

Dated 30th September 1897

Received

Registered

Enclosures

Spare copies

red 7.10.97

Surgeon Genl 3 } depts
Sany Com 2 } 27.10.97
Acct Genl 4 }

SUBJECT.

Forwarding for the information of Government copies of correspondence with the Government of India regarding the grant of house rent to Presidency Surgeon.

NUMBER OF COPIES REQUIRED. { Order complete. 50
Letter only.
Order complete with Letter.

BACK PAPERS.

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G.O. No.
189

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G. No.

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