

Public (1895) Department.

ORDINARY MS.

G.O., No. 18

Dated 8-1-97

INDEXED.

[Despatch Abstract.]

Ordered that the Govt of India be addressed in regard to the claims of Mr. H. Moberly I.C.S for certain allowances.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.
C No 2214 of 97						

[G.O.]

DEPARTMENT.

844: 28-10-95
381.2: 13-5-95
D.O. 33: 22-1-95
1059: 3-12-94
1001: 19-11-94
607-A: 8-8-94

From

A. Mahony Esq. & C.S.

Wallace

No.

Dated 12th April 1896

Received 15th

Registered 16th

Enclosures

SUBJECT.

Requesting Govt to direct
the acct^{ts} to furnish him with
a statement of salary and Exchange
Compensation allowance drawn
by J. S. Dawson and himself from
July 1892 to 30th Nov^r 1894

Cml
10/14

* Slip A.

* Slip B.

② Slip B.

SJ. EVD. O. No. 265.

For Orders

Mr Moberly's case was threshed out in the papers in G.O's. 60 ~~and~~ 61, Financial, dated 24-1-94, and in letter No. 382 Financial, dated 13-5-95.

This Government, in forwarding his memorial, appealing against the refusal of the Secretary of State to sanction any addition to his allowance as Settlement officer, strongly recommended the payment to him of Rs. 7000.

2. ~~In~~ ⁷ para. 3 of letter No. 382 Financial, dated 13-5-95, contained a statement showing the salaries drawn by Mr. Moberly and Mr. Rawson, his immediate junior, during the period 16th July 1892 to 16th August 1894—the period during which Mr. Moberly was Special Settlement officer. It was pointed out in para. 4 of that letter that the difference between these figures viz, Rs. 6173-12-2 was lower than the figure at which Mr. Moberly placed his losses, viz, Rs. 7000; but that he had arrived at that sum by including the loss alleged to have been sustained by his having been treated under rules (since altered) as a 2nd grade Collector and as a junior officer after his return to the regular line. The Government added that it was impossible to state for how long Mr. Moberly, had he remained in the regular line, would have been a 2nd grade or a 1st grade officer under the rules in

force prior to December 1894.

3 The Secretary of State's sanction of the payment of the sum of Rs.6173-12-2 to Mr. Moberly was communicated to that officer in G.O. No. 844 Financial, dated 28th October 1895.

* Slip C.

* No. 265

4. In his present D.O. Mr. Moberly states that, whereas the Government of India referred to the period between 16th July 1892 and 16th August 1894 as that during which he drew less pay than Mr. Rawson, he explained in his memorial (vide para 5 slip E) that from 16th August 1894 to 30th November 1894 he lost pay in consequence of being Settlement officer. He enquires (I) whether he may address Government on the point or again memorialise the Secretary of State (II) whether the sum of Rs.6173-12-2 includes exchange compensation allowance or is the sum of the difference in salary, and requests (III) that Government will direct the Accountant General to furnish him with a statement showing clearly month by month the sums drawn by Mr. Rawson and himself (1) as salary and (2) as exchange compensation allowance. In a statement at the end of his letter he points out that during the period 16th August 1894 to 30th November 1894 his pay (exclusive of exchange compensation allowance) was nearly Rs.1400 less than it would have been had he not been Settlement officer.

5. As regards (I), it is submitted that the matter should be treated as

Slip B.

4 hrs. Mr. Moberly's letter No. 970 dated 22 April 1895

6100

closed. Mr. Moberly's case was placed clearly before the Government of India and the Secretary of State and the latter is unlikely to re-open the matter. Mr. Moberly calculates his losses after he returned to the regular line. These losses were considered by this Government (vide notes in original of G.O. No. 381/2 dated 13-5-95 flagged F and para 4 of letter No. 382 Financial dated 13-5-95 flagged B); this Government recommended a round sum of Rs.7000 and the Government of India and the Secretary of State cut it down to Rs.6173. In regard to request (II) the statement given in para 3 of letter No. 382 Financial, dated 13-5-95, does include exchange compensation allowance. A compliance with request (III) will only carry the discussion further.

C.B. I submit that there is but little chance of his actually having anything more out of the Govt. than he has. It seems a matter for regret that the recommendation of this Govt. that he should have Rs.7000 was not accepted. If he actually had for this he would have probably left his office.

Mr. Moberly evidently thinks that the Rs. 6100 which he has received was calculated without taking into consideration exchange compensation. This however is not the case and this he might be told. There can be no doubt that up to the 16th August 1894 he has received in full the amount which he lost through being in the Settlement Dept. (plus exchange compensation being included).

up to that date there is no valid
privilege.

Then, he has some privilege in
in the past that had he never
been a Brit. Officer he would
between the 15th Aug. and the
30th Nov. 1894 have drawn
his pay there he did. This privilege
is practically dealt with in G.O. No.
923 dated 4th Dec. 1894. (marked
with red tape). It is nothing like many
others full a victim to rules (cases
abrogated) & Govt. said that it could
not make his case a special one.
It is made out that he lost 1894-1895.
but it cannot be said without
reference to the Act. But what he
lost was not. His calculation does
not appear to be correct as he seems
to have overlooked the fact that
his return from leave on or about
the 25th Aug. 94 would make the
the date then existing have placed
him in the position of an ably 2nd grade
Colt. He has based his calculation
on the assumption that he would all
along have been an ably 1st grade
Colt. It is just possible but highly
unprobable that he would have been.
The actual state of matters could be
found from the Act. But books.

5/5/96

I don't think we can do
anything more for him

6/5/96

There is no reference to the Act. But it is the
actual loss suffered by Mr. Moberly. A14

14.5.96

Mr. Moberly's Allowance as
Special Settlement officer,
Malabar & South Canara.

Hon'ble Mr. J. W. Bliss C.I.E.

J. E. The Governor

1/5/96

I would per the information sent 1/2
8/5/96

1/5/96

CS.
No. 265

Public Dept
Col. L. L. L. L.
23rd May 1896

My dear Harrison,
With reference to
accompanying G.O. from Moberly -
will you please let me know
the actual loss sustained by him,
as compared with Rawson, between
the 15th August and 30. Nov 1894. It
appears to overlook the fact that
the 15 days which
the privilege leave he took from 26th
March May 1894 would, if he had been
in the regular line, have thrown him
back on a 2nd grade Collectorship under
the rules then in force

(From Order)

5/5/96

2/5/96

J. C. Harrison Esq. recd

23/5

CHIEF SECRETARIAT, D. C. No. 265 Dated, 23rd May 1896

Order for
disposal of
the matter
simultaneously
1/5/96

D.O. N° 368.

ACCOUNTANT GENERAL'S OFFICE,
FORT ST. GEORGE.

the 20th of May 1896.

CHIEF SECRETARY
31. MAY. 1896
GOVERNMENT OF MADRAS

My dear Sir

I enclose a resume of the

what you want: and when it is
d.o. The privilege has been taken by
him if taken in the regular line
would not prejudice him provided
he had a line on the acting officer
which is true.

Yours sincerely
J. H. Harris

1894
 Sept 1894
 Oct 1894
 Nov 1894

1994-7
 1994-9
 1994-12

The [illegible]

734 - 10 1/2
 754 - 2 1/2
 811 - 1 1/2
 162 - 4
 162 - 1 1/2

Nov 1894

This [illegible] [illegible]
 [illegible] [illegible] [illegible]
 [illegible] [illegible] [illegible]
 it would [illegible] [illegible]
 [illegible] [illegible] [illegible]
 [illegible] [illegible] [illegible]

1894

CHIEF
15. APR. 1896
DEPT. OF THE INTERIOR
BUREAU OF LANDS
Washington, D.C.
Dear Sir,
I have the honor to acknowledge the receipt of your letter of the 28th October 1895, in relation to the financial communication to the Secretary of State, dated the 27th of the same month, and in reply to inform you that the same has been forwarded to the proper authorities for their consideration.
Very respectfully,
Your obedient servant,
J. M. Smith, Jr.
Acting Secretary of the Interior

Nov 1894
I have been very busy along
with the Government and the
Assessment Commission
and have not had time to
write you. I am sorry to
hear that you are not
well. I hope you will
soon be better. I am
very much interested in
the work of the
Commission and hope
to see you soon.
I am, dear Sir,
Very truly,
Your obedient servant,
J. H. Ransom

Salary and Exchange Compensation allowance drawn between 17 August and 30 Nov 1944

For the month of	Mr H. Hobbs			Mr E. L. Rawson		
	Salary	Exchange	Compensation	Salary	Exchange	Compensation
17-31 Aug 1944	717	11	11	940	13	9
Sept "	1536	1	9	1944	7	1
Oct "	1588	14	3	1944	7	1
Nov "	1588	14	3	1944	7	1
Total	5431	40	2	6774	30	1239

Mr Hobbs - Salary - Exch. Comp. allow Total
 5431-40-2 - 994-2-10 = 6425-13-0
 " Rawson - 6774-3-0 - 1239-4-0 = 8013-7-0
 Difference 1587-10-

[4]
4,000-28-1-08

Current No. 368

DEPARTMENT.

From

J. C. Harrison Esq. & Co.
Madras.

No.

Dated 29th May 1896

Received 31st

Registered 1st June

Enclosures Two

SUBJECT.

Forwarding a memo showing the salary and Excesses compensation allowances drawn between 17th August and 30th Nov. 1895 by Messrs J. C. Harrison and Co. B. Harrison and Co. relating to Mr. Mackenzie D.C.

Public Dept

DO. NO. 265 + 368

My dear Harrison,

In your DO. of the 29th ultimo
regarding loss sustained by ~~him~~

probably you say that "the
"privilege have taken by him if
"taken in the regular line would
"not prejudice him provided

"he had a lien on the acting appt.

"while on leave". ^{But} It appears from

that prior leave would have

prejudiced ~~him~~ in ^{Clause} para ii

of GO. NO. 226 Public of 17 March 93
it was ruled that ^{in determining the second} and ^{and had been} in the case

of acting incumbents, the officer
with the least continuous service
as of Coltr or Judge "should be
considered as ^{the} junior officer - being
spent on joining time or transfer
from one post of judge or collector
to another were not to be held
to be interruptions to be to
continuous service, but periods
spent on furlo & priv leave
would have been interruptions
to such service - This GO. was
amended

CS 10
2696 4/8/96

J. C. Harrison Eng. res. 08/05/11

SECRETARIAT, W

DOC

No. 295

Dated, 6.6.1896.

ACCOUNTANT GENERAL'S OFFICE

FORT ST GEORGE

the 9th of June 1896

My dear Pia

history's can

I put the case this way. That it was
~~let~~ for his work he ~~was~~ has been
 acting. Mr. for his punin was
 acting. Let us therefore assume
 he was acting. Then he goes on p.
 leaves. If during that period his
 punin was acting, then he has a
 line (art 292 CM) and still acts and
 gets the pay of an acty man.
 There is a break in his acty period.

Mr A
Feb 1966

As regards furlough you are right
for there is no law on an act
applicable during furlough.

Yours sincerely
J. H. Quinn

20. 1. 1918
J. H. Quinn

10. 1. 1918
J. H. Quinn

[G.]
[25 A.]
1,000-20-1-90.

Current No.

DEPARTMENT.

From

J. C. Harrison Esq. J.C.S.
Madras.

No.

Dated 9th June 1896

Received 10th — — —

Registered 11th — — —

Enclosures

SUBJECT.

Stating with reference to
Mr. Moberly's case that there
is no lien on an agt's appointment.

[G.]
[25 A.]
1,000-21-3-90.

Public DEPARTMENT.

No. 265, 368, 4389.

FOR ORDERS.

The Accountant General
places the difference of salary
and Exchange Compensation
allowance drawn by Messrs.
Rawson & Moberly ^{from 17th August to 30th Nov 1894} at Rs. 1587-10-0.
He states that the two months
and 15 days priv. leave taken
by Mr Moberly from 26th May
1894 if taken in the regular
line would not have prejudiced
him provided he had a lien
on ^{an} acting appointment.
It is, however, submitted that
under clause ii of G.O. No. 226 Pub.
S. 17-3-93 which laid down
a rule for determining 1st &
2^d grade collectors ~~and which~~
~~rule was in force until it was~~
~~abolished~~, periods spent on
joining time or transfer from
one post to another were not
to

to be held to be interruptions to continuous service, but periods spent on privilege leave were to be interruptions. That this was clearly the intention of Govt. will be seen from the note of Sir Harry Stokes marked with slip M in the original of G.O. no 226 Pub 9 17.3.93. Mr Moberly would have come under the operation of this order had he been in the regular line and his privilege leave in May 1894 would have interrupted the continuity of his service as an A. First Grade Collector.

There seems to be some doubt on this point but the A.G. will not be convinced. Another D.O. to him is submitted.

My dear Harrison,

Yours D.O. of the 9th re Moberly's pay. I think we are a bit at cross purposes. There can be no doubt that if Moberly had taken leave in the regular line plus junior app^d. to act as C.M.

Mr Moberly

Law.

FOR ORDERS.

H. M.

J. H.

Moberly would have, during his privilege leave, ~~been~~ drawn the salary of an A. First Grade Collector but what I contend is - and the only original order - bears me out - that that on his return from P.C. he would have reverted to a 2nd grade (C.M.). Will you please look into the point again.

C.S.
1891

For [unclear]

It seems to me that
it would be as well
let Mr. H. know
what the views of the
Hon. Sec. are.

There are no other
points. There is
no doubt about what
was meant.

1/5
Please [unclear]
cl 17/6
17/6
17/6

Public [unclear]

Ottawa
22nd June 1896.

20.

My dear Harrison,

Your [unclear] of the 9th re
Moberly's pay - I think we are a
bit at cross purposes - There can
be no doubt that if Moberly
had taken leave in the regular
line and his junior ^{had been} appointed
to act as Collector, Moberly
would have, during his priv.
leave, drawn the salary of an
Ag. First Grade Collector, but
what I contend is that on
his return from priv. leave
he would have reverted to
second grade Collector. The
notes of the ~~double~~ Sir Henry
~~Storer~~ in the original of 90.
sub
no. 226 & 17. 3-93 bear out
out in this contention. ^{They} ~~He~~
~~wrote~~ that furlough & priv.
leave ought to count as
interruptions for the purpose
of grading and that if
off.

For Molecular
loss

CS
Do

Further Cms 2033 of 95 Pub.
L.D. 418 of 96

SiCl₄ 100

1990

322

ms. 24.6.1896

J. C. Harrison Secy ad esp'd.

[illegible]

100

[$\frac{a}{b}$]
4,000-20-1-00.

Current No. 4/8

DEPARTMENT.

From

F. C. Harrison Esq. F.C.S.
Madras.

No.

Dated 29th June 1896

Received 30th _____

Registered 1st July _____

Enclosures

SUBJECT.

Regarding Mr. Moberly's

Audit Department.

Fort Saint George
Accountant-General's Office
20th April 1896.

No. 1162.

From

F. C. Harrison Esquire
Officiating Accountant-General to the
Government of Madras,

To

A. Moberly Esquire,
Acting Collector of Tanjore,
Vallam.

Sir,

With reference to your letter dated the 12th April 1896, I have the honour to inform you that the Government of India has stated that the amount paid to you under the Government of India Resolution No. 4669, dated 30th September 1895, not being salary but compensation for loss of salary, it cannot be reckoned in calculating future allowances.

The question whether compensation should be given for loss of absentee allowances, is one, which if raised, should be raised through the local Government. I have the honour to be,

your most obedient servant
(Signed) F. C. Harrison
Officiating Accountant-General

(True Copy)

James M. Smith

Acting Collector.

50

2

In a Letter

From

The Collector of
Tanjore.

To

The Chief Secretary to Government,
Public Department

Thru

The Secretary to the
Commissioners of
Land Revenue,
Madras.

Dated 2nd May 1896

Refer encs. No. $\frac{102}{\text{Four}}$ 996.

Abstract

Copy of Accountant General's
letter No. $\frac{1162}{20.4.96}$ stating that the
question of granting compensation
for loss of absence allowances
should be raised through the
Local Government.

Genl N. 2318796

MAJESTY'S SECRETARY OF STATE
TANJORE COLLECTOR'S OFFICE

Ref. No. $\frac{102}{\text{Four}}$ 996

Camp, Tiruthurai, 2nd May, 1896.

FROM

H. Moberly ESQUIRE,
Acting COLLECTOR,

Tanjore,

The Chief Secretary to Government,
Public Department,
Thru The SECRETARY TO THE COMMISSIONERS
OF Land Revenue,
Madras.

SIR,

In his despatch dated 29th August 1895,
No. 572 Revenue, the Right Honourable Her
Majesty's Secretary of State for India
sanctioned that a sum of Rs 6,173-12-2
should be paid to me "as an addition
to the allowances" drawn by me while
Special Settlement Officer, Malabar and
South Canara. In my memorial dated
27th February 1895 to the Right Honourable
the Secretary of State, I pointed out that
his original refusal to sanction any
addition to the allowances I drew as a
Special Settlement Officer would cause
a considerable reduction in my actual
allowances.

2. When I reached home in October 1895
I called at the India Office and asked
for

for a personal interview with the Under-Secretary of State in connexion with my memorial. I was then instructed to see Sir Charles Bernard who informed me of the Secretary of State's order on my memorial. In reply to a question I asked regarding my absentee allowance, Sir Charles Bernard said that my claim that

the additional allowance sanctioned should be taken into consideration in calculating absentee allowance was reasonable, but that I had better address the Accountant-General of Madras or the Local Government. Accordingly, I addressed the Accountant-General of Madras, who referred the question to the Government of India. The result of the reference is given in the Accountant-General's letter No 1162 dated 20th ultimo (Copy of which I beg to enclose).

3. I most respectfully submit that both the Government of Madras and the Secretary of State intended that I should be put on exactly the same footing with Mr. C. L. Rawson as regards absentee allowances as well as pay. The promise made to me in August 1892 was that the Government would save me not from loss of pay only but from any loss; and the phrase

as an addition to the allowances with the Secretary of State's despatch shows, I submit that the Secretary of State intended the Rs 6,173-12-2 to be treated as "salary" and not as compensation for loss of salary. Moreover

28/10/95
the Government of India in para 3 of its Despatch, dated 16th July 1895, No 196 to the Secretary of State admitted that the Government of Madras had given a distinct pledge that I should not be a loser by my employment on Settlement duty. If, however, the Rs 6,173-12-2 is not taken into consideration in calculating my absentee allowance, I shall most decidedly be a loser by my employment on Settlement duty.

4. In these circumstances, I have the honor to request that the Government of Madras will be pleased to move the Government of India that "the addition to the allowances drawn by me as Special Settlement Officer sanctioned by the Secretary of State may be taken into consideration in calculating my absentee allowances. I must mention that the Accountant-General treated the Rs 6,173-12-2 as salary for he made deduct

for

for it on account of Income tax and
Muniversity and Civil Funds.

I have the honour to be,

Sir,

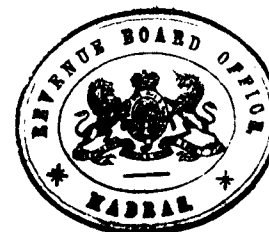
Yours most obedient servant.

Quintanilla

Acting Collector

CURRENT No. 1579

5,000
1-5-96.



Proceedings of the Board of Revenue

(Land Revenue),

Dated 12th May 1896.

No. 2178

Mis.
Routine.

READ — Letter from H. Mohan, Esq., Acting
Collector of Tanjore, Ref. on C. No. 102 dated
2nd May 1896, to the Chief Secretary to Govern-
ment, Public Department, through the Secretary
to the Commissioners of Land Revenue, Madras.

Resolution:-

Forwarded.

(See extract)

Recd

By Secretary

The Chief Secretary to Govt.,
Public Department, ✓
with letter & its encs. in origl.

1896
Encls. No. _____
To _____

CURRENT No. 1078

1896. Public Dept.

Board of Revenue

(Land Revenue),

MADRAS.

To

The Chief Secretary to Govt.,
Public Department.

CHIEF SECRETARY
15 MAY 1896
GOVERNMENT OF MADRAS

Recd 15
May 16 } May 26

Order - 2

Proceedings, dated 12 May 1896
No. 2178

Subject.

Forwarding to Government -
Application from the Collector
of Sargur requesting to move
the Govt. of India that the ad-
dition to the allowances drawn
by him as Special Settlement
officer may be taken into con-
sideration in calculating his
absentee allowances.

S/
18/5/96



Public Dept.

CN. 1679

Letter No 1078

Referred to the Accountant
General for remarks & of
as to the actual loss sustained
by Mr. Inoberty in his furlough
allowances.

Hedrickes

Chief Secretary

CS.
19.5.96

As recommended
22nd May 1896

W.S.

TO BE RETURNED
WITH REPLY.

CURRENT No. 1874

Sanctified audit DEPARTMENT.

FORT ST. GEORGE,
Accountant-General's Office,
20th June 1896.

No. 1874

From

A. C. Harrison Esquire,

Offg. ACCOUNTANT-GENERAL TO THE

GOVERNMENT OF MADRAS,

To

THE Chief Secretary to Government,
Public Department.

SIR,

With reference to your endorsement No. 1078, Public, dated the 23 of May 1896, referring for my report as to the actual loss sustained by Mr. Moberly in his furlough allowance, I have the honour to state that the actual loss sustained by Mr. Moberly in his leave allowances for the period viz 5 months and 24 days during which he was on special leave (not furlough) is Rs 82-2-5 per mensem as shown in the margin.

The sum of Rs 6173-12-2 was liable to the

From 16 Sept 1892 to 16 August 1894	Mr. Harrison's Salary	Mr. Moberly's Salary
16 Sept 92 to 15 Dec 93 - Rs 5206-6-10		6546-6-10
16 Dec 93 to 15 March 94 - Rs 1275-1-10		1232-9-8
16 March 94 to 31 March 94 - 970-11-4		670-15-6
1 April 94 to 16 August 94 - 30312-2-3		23399-7-4
		31849-7-4

Mr. Harrison - 37764-4-7
" Moberly - 31849-7-4
3 months x 2 = 72 | 5914-13-3
82-2-5 additional allowance due to Mr. Moberly for a month while on special leave.

deductions made on account of Income Tax,
Annuity and Civil Fund Subscription
irrespective of the question whether the Compensation
should be treated as salary or not.

I have the honour to be,

Sir,

Your most obedt: Servt:,

A. Harris

Offg: Accountant General.

MR 20/6

CURRENT No.
Paritadansit (1896) DEPARTMENT.
Public Dept.

From

THE ACCOUNTANT-GENERAL,

MADRAS,

To

Chief Secretary to Govt.
Public Department

CHIEF SECRETARY
21. JUN. 1896
GOVERNMENT OF MADRAS

1874

Dated *20th June 1896*

Received 21

Rego 22-6-96

Enclos - C. no. 1697 with inclos. *etc.*
No. to the endorsement
on it *etc.*

Subject.

stating that the actual loss
sustained by Mrs. Suberley
in her leave allowances
is Rs 82-2-5 p. m.
24/6

CS

To await recall general
reply to DO 322
24-6-96

Cor. - 5,000 - 8-8-96

24/6

CS
24/6

D.O. *deep no 322 24-6-96*

Final 992 21-12-95 m

844 28-10-95 m

381-2 13-5-95

D.O. 33 22-1-95

Final 1059 23-12-94 d.c.

1001 219-11-94 d.c.

Pub. 923 24-12-94 m

804 210-7-94 d.c.

Final 60-61 24-1-94 m

Pub. 455 213-6-93 m

226 217-3-93

704 210-10-92

D.O. 276 225-8-92

Final 776 227-7-92 m

758 21-7-92 m

Pub. 458 21-7-92 m

Final 668 225-6-92

1180 214-11-91

FOR ORDERS.

I think we had better go by
what the A.G. says. I don't
think we can go up to India
and the small loss now shown -

11/7/96

According to the A.G. Mr. Moberly
lost by having been Settlement Officer
R 1587-10-0 (minus deductions
which would have been made on
account of Income Tax &c), from
the 16th Aug to the 30th Nov 1894,
at about 492.14.6 (at R 22.2.5

i.e. immediately before his
reversion to the regular line

as he was for 6 months) during his
special leave. I am promised him
that he will lose nothing by being
Settlement Officer & the 3 of 3 &
Sec of State have recognized the
fact & acted on it. I think we

Cancelled by G.O. No 928
Pub. 7 4 Dec 1894

might ask the 3 of 3 to give him
R 1750 as payment in full of all
demands. 11/7/96

With reference to the matter
marked with H, it is submitted
that the Accountant General
^{between the}
places the difference of salary
and exchange compensation
allowance drawn by Messrs.
Lawson and Moberly from 1st
August to 30th Nov 1894 at the
1587-10-0. He states that the
two months and 15 days' period
have taken by Mr. Moberly
from 26th May 1894, if taken on
the regular line, could not have
prejudiced him provided he had
a lien on an acting appoint-
ment. It is, however, submitted
that under clause (ii) of G.O. No.
Pub. 8 17-3-93, which laid down
a rule for determining 1st and
2nd grade Collectors, periods spent
on joining time or transfer from
on

on post to another were not
be held to be interruptions
to continuous service, but
periods spent on privilege leave
were to be interruptions. That
this was clearly the intention of
Govt. will be seen from the
note of Sir Henry Stokes marked
with slip M in the original of
No 226 Pub D, 17-3-93. Mr.
Noblerly would have come under
the operation of this order had
he been in the regular line and
his priv. leave in May 1894 would
have interrupted the continuity
of his service as an Asst. First
Grade Collector. He would, on
his return have reverted to a
second grade Collectorship on
his pay. The Accountant
General does not, however,
seem to have looked upon
his leave as an interruption.
Nos 1679 and 2033 relate
to the loss sustained by Mr.
Noblerly in his absence
allowances during 5 months
and 24 days' special leave.
The accountant General places
this

FOR ORDERS.

H. M.

that we should accept the A. G.'s recommendation,
and that in pursuance of it, we should not
have to pay Mr. Noblerly the full amount
of the arrears under that recommendation.

this at Rs: 82-2-5 per ^{month} ~~month~~
- i.e. at less than Rs 500 for the
whole period.

C.S.
9.7.96

12
9/7/96

Mr. Moberly's day

G.
25 A.
1,003-21-3-96.

Public DEPARTMENT
Nos 265, 368, 389, & 418
C. Nos 1679 & 2033.

HM
~~to the Government~~

FOR ORDERS.

The papers are resubmitted
as H.E. and H.M.'s ~~domestic~~
~~expenses~~ appear to hold different view

The Honble Mr. Bliss would
make no recommendation to the
Govt. of India on behalf of Mr.
Moberly. - The Honble Mr. Grose
would ask that Govt. to give
Mr Moberly Rs 1750 as payment
in full of all demands. - H.E.
the Governor is prepared to
recommend the payment of
the amounts arrived at by
the Accountant General. - It
are as follows:-

- (1.) difference between the
salary and exchange
compensation allowance
drawn by Messrs Rawson
and Moberly from 17th Augt
to 30th November 1894 = Rs 1587.

Rs 1587-10-0.

Loss sustained by Mr. Moberly in his leave allowances for 5 months and 24 days during which he was on special leave at Rs. 82-2-5 p. m. = Rs. 476-7-7

Total = Rs. 2064-1-7 H. M.

FOR ORDERS.

In his D.O. of the 12th April (No. 265) Mr. Moberly inquired (i) whether he might address Govt. as regards loss (i) [Rs. 1587-10-0] or again memorialise the Secy. of State, (ii) whether the sum of Rs. 6173-12-2 awarded by the Secy. of State included exchange compensation allowance, and (iii) requested that Govt. ^{would} direct the Accountant General to furnish ^{him} with a statement showing clearly month by month the sums drawn by Mr. Rawson and himself as salary and as exchange compensation allowance.

As regards (ii) it is submitted that Mr. Moberly may be told that the sum of Rs. 6173-12-2 did include exchange compensation

allowance. In regard to (i) and (iii) it is submitted that, if it is decided that the Govt. of India should be addressed, Mr. Moberly may be furnished with a copy of the Accountant General's statement and requested to write officially. This would avoid Mr. Moberly making any further demands hereafter.

As to Mr. Moberly's loss in his leave allowances it is submitted that this question may lie over until he writes officially regarding his other loss. It would be more convenient to write to the Govt. of India on both the subjects at the same time, and this course would make the case stronger.

Cb. 17.7.96 No. 221/96

Vergwell
13/7/96

I have been asked to
do
25/7/96

Public Dept.

No. 265, 368, 369. & 418

CRP 1679 & 2033 - *of account*
6th August 1896.

My dear Motherly,

With reference to your
~~statement~~ of the 12th April
last, I write to say that
the sum of Rs 6173-12-2.
awarded by the Secy. of State
as compensation for the loss
sustained by you from the
16th July 1892 ^{to} until the 16th
August 1894 does include
exchange compensation
allowance. You will see
this from statement A. ~~the~~
^{is} I append ~~to this letter~~ and
~~which was furnished to the~~
~~Govt. of India~~

As regards the difference
between the salary and
exchange compensation
allowance drawn by Messrs
Rawson and you ^{from} from the
17th August to the 30th Nov. 94
I ~~enclose~~ ⁺ enclose a statement
B prepared by the Accountant
General, which places ^{it} the difference.

* This to correct of the
stat. on page 2 of
go 381-2 ^{fill} without
13-5-95
the two notes.

* Flag

G.
9
300-24-7-57

(1896) Department.

D. O. No.

From

H. Mollerby Esq. L.C.S.

Rajahmundry

No.

Dated 22nd Aug 1896

Received 27th _____

Registered 28th _____

Enclosures

Spare copies.

SUBJECT.

Re his absentee allowance.

at Rs. 1587-10-0. Please
write officially ~~concerning~~
~~the~~ with regard to this

In your letter Ref Cno
102 of 96 dated 2nd May last
you request that the Govt.
of India may be moved to
grant compensation ~~you~~ for the
loss sustained by you in
your absentee allowances.
The Accountant General
places this at Rs. 82-2-5
per ~~manseem~~ for the 5 months
& 24 days you were on
special leave. When you
write officially as to your
loss between the 16th August
to and 30th Nov 1894, the
question of addressing the
Govt. of India ~~about this~~
^{regarding} ~~and also about~~ your absentee
allowances will be considered.

from D.D. 1/

4/8/96

Further D.O. 512 of 96

CONFIDENTIAL
SECRETARY
D. O.
278
Date. 27. 1896

Filed as final disposal
in the present and add
the d. to the relevant file
in the Reference Dept.

21/7/96

31.7.96

L

H. Mollerby Esq. L.C.S.
with statement

BACK PAPERS.

G.O.	No.	Department.	Date.
50	379	Pub	6-8-96

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Mr. Moberly's loss in
allowances

Hudson

Public Deptt

DD 265, 368, 389, 418 & 512

Cuo 1679 + 2033

For orders

Please see the note for orders
flagged. On it it was decided
that the question of Mr. Moberly's
leave allowances should lie over
until he wrote officially about
his loss in salary from the 17th
August to 30th Novr. 1894. He
now asks:-

(1) that the Govt. of India
may be addressed at once
about his absentia allowances
as requested in his letter

N^o. 102
Dowr 22-5-96

(2) Whether he should write
to Govt. Officially on the
subject of his other loss or
memorialise the Secretary
of State.

As regards (1) he says that
Mr. Harrison considers that this
question can be settled by the
Govt. of India without reference
to the Secy. of State. It is
doubtful whether that Govt.

will do so as all previous
cases of the compensation of Rs 6175-
12-2 was sanctioned by the Secy.
of state.

As regards (2) it will be
seen that Mr. Mohanly claims
Rs 3400 in addition to the Rs 6175-
12-2 already sanctioned & in
addition to his loss from the
17th August to 20th Nov 1994. How
he has arrived at this figure is
not evident.

(It is submitted that Mr.

Mohanly memorialised the Secy.
of state on the former occasion
he may be told to do so now
also

It would have been more
convenient and would also
have made his case stronger
if he were to include the
question of his absentee allowances
in the memorial. Orders are
solicited whether Mr. Mohanly
may be so told or whether
the Govt of India may
be advised at once about
the absentee allowances

CB

There seems to be no reason for
going back on what has been decided

14.10
1994 31/9/6

CHIEF
SECRETARIAT,

D. C.

No. 408

Dated, 4-9-1996.

nor does it appear to be necessary to
correct this. Mr. Mohanly's calculation
of Rs 3400 is incorrect. The following
D.O. is submitted for approval:-

20/9/96
4-9/96

My dear Mr. Mohanly,

In reply to your D.O.

of the 22nd ultimo, I write to say
that as both questions - your loss in
leave allowances & loss in salary -
must go up to the Govt. of India it
has been decided to send them up
together. It will suffice if you
write officially to this Govt. regarding
the second loss - I may say
that I am unable to follow
your calculation as to the Rs 3400,
but you will probably set it out
clearly in the letter

Yours sincerely

C.B.
11/9/96

2/9/96

It is hereby Regd. (Sd/-)

Regd. (Sd/-) 4/9/96

Judicial (1896) Department.

CURRENT No.



From

The Dy. District Judge,
Godavari
through the Registrar of the High
Court of Judicature,
Madras.

No. 4658.

Dated 10th September 1896.

Received 21 }
Registered 21 } Do

Enclosures *Att. one*

Spare copies. -

SUBJECT.

Requesting the Government to
recommend payment to him of
Rs 4304-4-1 in addition to Rs
6173-12-2 already sanctioned
by the Secretary of State as
an addition to the allowance
drawn by him as Special
Settlement Officer Malabar
and South Canara.

Order *22156*
23-10-96.

Referred to the
Accountant General for
furnish of report as to the
effect of granting the
request in para. 8 of Mr.
Mabuly's letter, viz: that
the loss of pay incurred
by him between the 16th
August & 1st December 1894
should be taken into consi-
deration in calculating his
subsistence allowance.

(By Order)

MA

21. 10. 96

CS.
20. 10. 96

To be accepted with effect from

21. 10. 96

G.O.	No.	Department.	Date.
802 sep	408	Park	7-3-98
G.O.	379	Finch	11-12-95
	992	"	22-10-95
	844	"	23-5-95
	881-2	"	22-9-95
800	83	Park	1-12-94
	923	Finch	3-12-94
	1059	"	19-11-94
	1001	"	24-1-94
	60-61	"	

276 28-8-92

G.O.	No.	Department.	Date.

Current No. 4879 1896

District Court Godavari
10-8 September 1896.

rom

H. Maherly Esquire,
Acting District Judge,
Godavari.

140

The Honorable Mr. J. F. Price C.S.D.,

L. C. S.

Chief Secretary to Government.

Through the Register of the High Court
of Judicature, Madras.

in

In June 1892, when I was acting as Sub Collector, South Arcot, I was gazetted to be Special Settlement officer, Malabar and South Canara. In July I learned that the pay of the appointment had been fixed at Rs 1300 per mensem rising to Rs 1900 by annual increments of Rs 150. At a personal interview kindly accorded to me by H. E. Lord Wenlock, then Governor of Madras, I explained that it was not worth my while to take up

up the appointment as although I should draw increased pay for a few months, I should, before the end of a year, lose in pay very considerably. His Excellency asked me to send him a memorandum of my case. I did so and in reply received a letter, dated 25 August 1892, from D.O. 276 A the Chief Secretary in which he said: "As your figures shew that the pay recently sanctioned protects you from any serious loss during the next five years, Government does not see its way to again addressing the Government of India on the subject." The letter then continued thus, "If at the end of the above mentioned period, or even before that, you should be found to suffer, there will be little objection to your reverting to the regular line; if, however, your services are still required for the Special Appointment, you may rest assured that, if you have turned out satisfactory work, the Government of the day will be prepared to treat you fairly and save you from any loss." The italics in this extract are mine, but I would invite special attention to the words italicized. In July 1893, as six of my juniors were acting

as Collector or District Judge, I asked for and obtained a personal interview with H. E. Lord Wenlock, when I requested to be allowed to revert to the Revenue line. His Excellency admitted that I had just cause for complaint, but said that he could not allow me to revert to the Revenue line, that my services were required as Special Settlement officers, and that I might rest assured that the Government would abide by the promise made to me in August 1892 and save me from any loss. On the strength of these assurances I consented to remain Special Settlement officers of Malabar and South Canara. At His Excellency's request I submitted a memorandum of my case in August 1893. In January 1894 the Government of Madras addressed the Government of India on the subject of my pay, and recommended that from 1st April 1893 I should be allowed the pay of a Sub Collector acting as 1st Grade Collector, i.e. Rs 1944-7-1 a month. Had this recommendation been accepted, I should have had no cause for complaint. The Government of India did not support the

not on record in the
Appendix

Indigo 60-61 flagged B
24-1-94

the proposal, and the Secretary of State for India refused to sanction any addition to the allowances I had already received. (G.O. 3rd December 1894, No 1059 Financial)

3. In February 1895 I submitted a memorial to the Secretary of State for India, who in August 1895 directed that a sum of Rs 6173-12-2 should be paid to me as an addition to the allowances drawn by me while Special Settlement officer. The Government communicated this to me by G.O. 28th October 1895 No 844 Financial, but, as I was on Special leave at the time, I did not receive the order till after I returned from leave in March this year. As, according to my calculations, I had lost considerably more than Rs 6173 by being Special Settlement officer I wrote to you in April 1896 asking you to favour me with the figures on which the order of the Secretary of State for India was based. You kindly supplied me with those and some additional figures last month, and asked me to write officially on the subject. I therefore, most respectfully submit the following remarks for favourable consideration.

Yrs. 12 m. 20.
38 2514.
13-5-95.
+ 1000
E in 1000
28-10-95

Passed F in 20
24th 11 379
6-8-96

80 408
4-4-96

consideration by His Excellency the Governor in Council.

4. The figures, on which, Her Majesty's Secretary of State for India based his decision are these:

Periods	Salary drawn by Mr. Rawson	Salary drawn by Mr. Moberly
16 th July 1892 to 15 th February 1893	Rs 7,290 - 13 - 3	Rs 7,000 - - -
16 th February 1893 to 15 th March 1893	1,275 - 1 - -	1,300 - - -
16 th March 1893 to 31 st March 1893	971 - 7 - 4	650 - - -
1 st April 1893 to 16 th August 1894 (including exchange compensation allowance)	33,658 - 12 - 10	25,972 - 6 - 3
Total	43,196 - 2 - 5	37,092 - 6 - 3

It will be seen that from 16th July 1892 to 15th March 1893 I drew higher pay than Mr. Rawson, and that this excess in pay has been set off against the loss from 16th March 1893 to 16th August 1894. The appointment of Special Settlement officer, Malabar & South Canara, was, and is, a special one, and all along the Government has recognized that the pay attached to it should be higher than a Sub-Collector's. Mr. Parsons the present Special Settlement officer

officer, is allowed Rs 150 more than the officer next below him in the list, who is acting as Sub Collector. I very respectfully submit that, in the circumstances, it is not right that my pay from 16th July 1892 to 15th March 1893 should be reduced below the pay of the appointment I was holding, yet this is really what has been done. I am surely entitled to the pay of the appointment I was holding; and the promise made to me in your letter of 25th August 1892 shows that the Government of Madras intended that my pay should be increased, if it was found to expose me to loss. I submit therefore, that I am entitled to the Rs 1854-1-9 (Rs 10400 - Rs 8545-14-3) the difference in my favour between Mr. Rawson's pay from 16th July 1892 to 15th March 1893 and my pay, and which difference has been set off against my loss in pay from 16th March 1893 to 16th August 1894.

5. In my memorial to the Secretary of State for India the following passage occurs.

"That on your memorialist reverting

" to the ordinary line on 17th August 1894 as acting
" Collector of Malabar he was treated as
" an acting 2nd Grade Collector, whereas,
" if he had never left the ordinary line
" he would have been treated as an acting
" 1st Grade Collector; that from the 17th August
" to 15th September 1894 your memorialist was
" regarded as acting in a privilege leave
" arrangement, his junior, Mr. Rawson,
" having taken leave, and was allowed
" only Rs 1518-5-4 a month instead of Rs 1944-7-1
" which he would have drawn as acting
" 1st Grade Collector; that from 16th September
" 1894 to 30th November 1894 your memorialist
" was allowed only Rs 1623-14-3 a month
" as Acting 2nd Grade Collector, whereas if
" he had never entered the Settlement Department,
" he would have drawn Rs 1944-7-1 per mensem.
Taking the loss of pay from 16th August 1894 to 30th November 1894 into consideration I estimated my loss in pay at Rs 7000. The Government of Madras supported my prayer, but apparently the Government of India and the Secretary of State overlooked this part of my memorial, for they only recognized the loss in

Note: This is a mistake. Tentage at Rs 35 was included. It should have been Rs 1588-14-3.

in pay I had suffered up to 16th August 1894. When I prepared my memorial I did not know what salary Mr Rawson had drawn from 16th July 1892 to 1st December 1894. The following table shows what salaries Mr Rawson and I drew from 17th August 1894 to 1st December 1894 -

Periods	Mr Mobery		Mr Rawson	
	Salary	Exchange compensation allowance	Salary	Exchange compensation allowance
	Rs. as p	Rs. as p	Rs. as p	Rs. as p
17 th to 31 st August 1894	717-11-11	126-6-6	940-13-9	165-10-9
September	1536-1-9	282-12--	1944-7-1	357-13-9
October	1588-14-3	292-8-2	1944-7-1	357-13-9
November	1588-14-3	292-8-2	1944-7-1	357-13-9
Total	5431-10-2	994-2-10	6774-3-0	1239-4-0

Thus from 17th August to 1st December 1894 Mr Rawson drew Rs 1342-8-10 + Rs 245-1-2 = Rs 1587-10-0 more pay than I did. I was not allowed to revert to the ordinary line in July 1893, and in my memorandum of August 1893 I pointed out to His Excellency that when I reverted to the Revenue line I should probably be treated as an acting 2nd Grade Collector. I had never been Special Settlement

Settlement officer I should not have lost pay from 17th August to 1st December 1894. The promise in August 1892 was to "save me from any loss" and this promise, I respectfully submit, entitles me to ask that the Rs 1587-10-0 I lost between 17th August and 1st December 1894 should be made good to me.

6. I would further point out that I lost pay from April 1893 till November 1894; and that the Rs 6173-12-2 sanctioned by the Secretary of State for India less income tax and Annuity and Civil Fund subscriptions was paid to me only on 16th December 1895. I respectfully submit that I can fairly ask that interest should be paid to me during the time I was losing pay. Not knowing the exact amount of salary and exchange compensation allowance drawn by Mr Rawson and myself during the months from 1st April 1893 to 16th August 1894 I am not in a position to say what sum I can claim as interest. Taking however the figures with which you have favoured me, I find that, on an average, Mr Rawson drew Rs 2039 ($\frac{33,568-12-10}{16\frac{1}{2}}$) every month from

1st April 1893 to 16th August 1894, whilst I drew Rs 1574 ($\frac{25,972-6-3}{18\frac{1}{2}}$). The difference is Rs 319. Interest on this sum from 1st May 1893 (when the salary for April 1893 was due) to 16th December 1895 (when the Accountant-General paid me what had been sanctioned by the Secretary of State for India) comes to Rs 50-3-10. If interest at 6 per cent be calculated on the loss in pay I incurred every month from April 1893 to 16th August 1894 it comes to Rs 673-3-9. I am entitled also, I submit, to interest on the loss of pay I incurred from 16th August 1894 to 1st December 1894, from the date on which my salary became due up to the date on which the loss may be recouped to me. From 16th to 31st August 1894 I lost Rs 362 - I am omitting fractions of Rupees - and interest on this from 1st September 1894 to 1st September 1896 at 6% comes to Rs 43-7-0. Similarly interest on Rs 483 loss of pay in September 1894 from 1st October 1894 to 1st September 1896 comes to Rs 55-8-9. On the whole, interest on the pay I lost from 16th August 1894 to 30th November 1894, calculated

calculated up to 1st instant comes to Rs 189-4-7

7. I therefore venture to beg His Excellency the Governor in Council that he will be pleased to recommend that Rs 4304-4-1, made up as follows, should be paid to me.

- (1) Rs. as. p. Difference between my pay and Mr. Rawson's pay from 16th July 1892 to 15th March 1893, and which sum was set off against subsequent loss (vide para 4.).
1854-1-9
- (2) 673-3-9 Interest on loss of pay from 1st April 1893 to 16th August 1894 calculated up to 16th December 1894 (vide para 6.)
- + (3) 1587-10- " Loss of pay from 16th August 1894 to end of November 1894 (vide para 5.)
- (4) 189-4-7 Interest on last item up to 1st September 1896.
- 4304-4-1 Total.

In 4.0 1059 721^x
Signed C.

8. In my memorial to the Secretary of State for India, I pointed out that his dispatch of 11th October 1894, No. 143 Revenue (which I prayed him to reconsider) not only amounted to a heavy fine but also entailed a considerable reduction in my furlough allowances. Sir Charles Bernard, whom I saw in October 1895, when at home on leave, told me that my request that the

the addition to the allowances drawn by me whilst Special Settlement Officer sanctioned by the Secretary of State should be taken into consideration in calculating my absentee allowance was reasonable, and that I had better address the Local Accountant-General or the Government of Madras. The result of my reference to the Accountant General. I have already reported to Government in my letter dated 2nd May 1896, Reference on Current No. ¹⁰²/_{Four} of 1896. I earnestly request that the Government, when forwarding that letter to the Government of India for orders, will recommend, not only that the request made in that letter should be granted but also that the loss in pay which I incurred between 16th August 1894 and 1st December 1894 should also be taken into consideration in calculating my absentee allowance.

I have the honour to be,
Sir,
your most obedient servant,

C. D. S. B.

In

Acting District Judge.

Flagged H in Ds.
27 9 96

Q.O. No 512 Resubmitted

22. viii. 20

Dear Sir,

I am sorry for some S.O
of 6th inst. giving me notice
of the per drawn by
H.M. for myself from 18th July 1894
to 3rd Nov. 1894. I am sorry
to find that the Secretary of
State has been so kind as to
draw upon me in memorial of
the sum of £1000 of my
about the allowances and
to be settled by the Court of Directors.

I am very much obliged, therefore, to the Secy of Special Settlement
 of Government in the matter of the above stated cases that
 later Ref. No. 102, Dns 25.2.21, of an Acting Settlement
 officer. The Government of India. If the Government does
 not wish to commercialize
 the Secretary of State, I
 shall feel I can fairly state that any case before
 the 34.00 3 odd for fines 2.52 2/6 but for favourable Coni-
 dition, please instruct me
 has allowed me only Rs. 1300 according to, I think then
 satisfaction for, although I have been to place all my
 the Secy of Special Settlements. I have been to the Government
 Office was Rs. 1300, nothing to be taken
 the Government has all
 along admitted: admit in

Yours sincerely
 C. S. S.

✓ 100.84.7.10
ACCOUNT FOR
the CHIEF, DEPT.
30 JUN. 1964
DEPARTMENT OF MAINT.

My dear Sir

You last as about the
I can find nothing in the paper
Support your view. The office says
when the G.O. in question was in fact
we did not treat p.l. as an interruption
to continuity. There is a pencil note by
Komer on the margin of the G.O.
against the word "interruption" in
para ii to this effect. "But perhaps
with G. I presume". Clearly he

Pratt
CURRENT

RECEIVED
GOVERNMENT OF MADRAS
27 SEP 1896

N.

Forwarded to the Chief Secretary to the
Government of Madras.

(By order)

Swg Comie

High Court of Judicature,

Madras, 18th September 1896.

Registrar.

*Refn.
10/9.*

RECEIVED
18 SEP 96

189.6
Public Dept.
Encls. No. 1
To
3078

Mr. Moberly's loss

H.M. and Circ.

Public Department

C.No.3078.

FOR ORDERS

In accordance with the instructions on the note for orders flagged *J*, Mr. Moberly was furnished with the statements he asked for and told to address Government officially regarding his loss in pay (Rs.1587-10-0) from the 17th August to the 30th November 1894. He was further informed that, on receipt of his communication, the question of addressing the Government of India regarding the loss sustained by him in his absentee allowance, which the Accountant General placed at Rs.82-8-5 per mensem for the five months and ~~22~~ ^{twenty-four} days of his absence on special leave, would also be considered.

2. In his reply (D.O.512) Mr Moberly requested that the Government of India might be addressed at once about his absentee allowance. He placed his loss in salary at Rs.3400, in addition to the Rs.6,173 already sanctioned by the Secretary of State.

3. He was told that as both questions his loss in leave allowances and that in salary would have to be referred to the Government of India, it had been decided to send them up together, and he was informed that his figure Rs.3400 was not understood.

4. In C.No.3078 he now asks that this Government will recommend the payment to him of Rs.4304 odd, made up as follows:-

(1) Difference between the salary of

Mr. Moberly

Mr. Moberly and of Mr. Dawson from 16th July 1893 to 15th March 1894 which sum was set off against subsequent loss"

(2) Interest on loss of pay from the 1st April 1893 to the 16th August 1894 calculated up to the 16th December 1894."

(3) Loss of pay from 16th August 1894 to 30th November 1894....."

(4) Interest on (3) up to the 1st September 1896

Total.....

1254-1-0 details in para 1 of current.

675-3-0 details in para 6 of current.

1527-10-0 details in para 3 of current.

125-4-7

154594-1-1

5. As regards (1) Mr. Moberly states that between the 16th ^{July} 1893 and the 15th March 1894 he drew higher pay than Mr. Dawson and that this excess (Rs. 10400 - Rs. 2545-14-3) Rs. 1254-1-0, has been set off against his loss between the 16th March 1893 and the 16th August 1894. He points out that the pay of the Special Settlement Officer is a special one, instancing Mr. Parson's case, and contends that the set-off was unfair. Mr. Moberly's argument is that Government should reimburse him whenever his emoluments fell ^{below} those of his contemporaries without taking into account his gains in the earlier portion of his service as Special Settlement Officer. This is a very questionable argument and it is extremely doubtful if it will carry any weight with the Government of India.

6. Claim (3) for interest on the loss for which the Rs. 6,175-12-0 was sanctioned by the Secretary of State in despatch No. 58, Revenue, dated 28th August 1895 (flagged E) and paid on the

The correct figures are
16th July 93 to Mr. Dawson 1254-1-0
15th February 93 to Mr. Moberly 1527-10-0
16th February 93 to 15th March 93 125-4-7
Total Rs. 2806-5-7
Difference Rs. 1254-1-0

This argument is I think unfair & ought not to be admitted.

No. but framed to save him from loss - not to him

This is a very impudent request, I think
We would not ask the Govt to grant him

I don't think so
I think we are bound to meet it as a distinct loss of the opportunity but best to pay him for loss of No. 102 Tour of 2nd May 1896.

I don't think that petty matters of this kind should be taken into account
This seems a perfectly fair request.

I think this, too, should be approved. This is a petty matter to him

This inquiry should be made whether a lump sum of Rs. 1750 is recommended in satisfaction of all demands.
8/10/96
This inquiry should be made.

16th December 1895 and claim (4) the interest on loss of pay from 16th August 1894 to 1st December 1894, i.e., from the date on which his salary became due up to the date on which the loss was recouped him, are, it is submitted, inadmissible.

7. The only item left is (3), that for Rs. 1527-10-0. This, it is understood, a majority of Government is in favour of recommending to the Government of India.

8. The question of absentee allowance is dealt with in the letter flagged H. Mr. Moberly therein asked that this Government would move India "that the addition to the allowances drawn by him as Special Settlement Officer" sanctioned by the Secretary of State, might be taken into consideration in calculating his absentee allowance. He now makes

a further request - viz that the loss of pay incurred by him between 16th August and 1st December 1894 may also be taken into consideration in the same calculation. The additional request appears to be reasonable, and it seems to be unnecessary to ascertain from the A.G. what the exact effect on Mr. Moberly would be, before India's order on the claim (3) in para 4 supra has been received

C.S.
3.4.96

Public (189) Department.

CURRENT No. 370

Order

From
*The Accountant General
Madras*

No. 3426

Dated 7 November 1896

Received 9 } H-26

Registered 10

Enclosures — Pub. C. no. 207 of 1896

Spare copies —

SUBJECT.

*Reporting upon the ad-
missibility of an additional
absence allowance to Mr.
W. H. Mobley.*



BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Cancelled Audit

DEPARTMENT.

FORT ST. GEORGE,

Accountant-General's Office,

7th November 1896.

No. 3426

From

F. C. Harrison Esquire,

OFF. ACCOUNTANT-GENERAL TO THE

GOVERNMENT OF MADRAS,

To

THE *Chief Secretary to Government,*
Public Department.

SIR,

With reference to your memorandum 2156 Public Department dated the 23^d of October 1896 requesting me to report as to the effect of granting the request in paragraph 8 of Mr. Moberly's letter viz that the loss of pay incurred by him between the 16 August and 1st December 1894 should be taken into consideration in calculating his absentee allowance, I have the honour to state

that

that Mr. H. Moberly will be entitled to an additional absentee allowance at Rs 15 10 4 per mensem as noted in the margin.

I would add that this sum is distinct from the sum of Rs 82. 2. 5 referred to in my letter No 1874 dated 20 June 1896 which would be added to the absentee allowance if the amount sanctioned by the Secretary of State for Exchange Compensation Allowance is also to be taken into consideration in calculating leave allowance.

Below given between the 15 August and 1st December 1894 (vide memo forwarded to H. Moberly with this office No 0 dated 29 May 96)

Mr. C. C. Rowland - salary	Rs 6744 3
" H. Moberly - do	5431 10 2
36 months x 2 = 72	Rs 13428 10
	Rs 18 10 15

I have the honor to be,
 Sir,
 Your most obedient servant,
 H. Moberly
 Off Accountant General

(189) DEPARTMENT.

From

THE ACCOUNTANT-GENERAL,

MADRAS,

To

THE

No.

Dated

Received

No.

Subject.

3

Public DEPARTMENT.

C. No's. 3078 & 3750.

SUBJECT.

Mr. H. Moberly's loss.

3. H. E. THE GOVERNOR.

1. THE HON'BLE MR. BLISS, C.I.E.

2. THE HON'BLE MR. GROSE, C.I.E.

FOR ORDERS.

Remain of the same opinion
above, that nothing more can
be done for Mr. Moberly
27/11/96

Disallowed.

Disallowed.

P. J. O.

Disallowed.

P. J. O.

In C.No.3078 Mr. Moberly asked that this Govt. would recommend the payment to him of Rs. 4,304^{odd} made up as follows:-

(1) Difference between the salary of Mr. Moberly and of Mr. Rawson from 16th July 1892 to 15th March 1893 "which sum was set off against subsequent loss"-----Rs. 1854-1-9.

(2) Interest on loss of pay from the 1st April 1893 to the 16th August 1894 calculated up to the 16th December 1894-----Rs. 673-3-9.

(3) Loss of pay from 16th August 1894 to 30th Nov. 1894----Rs. 1587-10-0

(4) Interest on (3) up to 1st September 1896-----Rs. 189-4-7.

(5) He also asked (a) that the additional allowances (Rs. 6173-12-2) sanctioned by the Secretary of State might be taken into consideration in calculating his absentee allowance and

(b) that the loss of pay referred to in (3) might similarly be taken into consideration.

Honourable Members are not prepared to support items (1), (2) and (4).

As regards item (3) Hon. Members appear to disagree. The Hon. Mr. Grose would make a recommendation to the Govt. of India on this point, but the Hon. Mr. Bliss does not seem to agree with him.

As to (5-a) i.e. loss sustained by Mr. Moberly in his leave allowances by the amount sanctioned by the Secretary of State not having been taken into consideration and which has loss the Accountant-General calculates at Rs. 82-2-5 per mensem or at Rs. 476-7-7 for 5 months and 24 days (period of Mr. Moberly's special leave), the Hon. Members disagree the Hon. Mr. Grose would make a recommendation, but the Hon. Mr. Bliss ^{apparently} would not.

His Excellency the Governor has not noted on any of these points. As regards (5-b) the Hon. Mr. Grose and His Excellency the Governor directed that the Accountant-General should be asked to report the additional absentee allowance to which Mr. Moberly would be entitled if the loss of pay incurred by him between the 16th August and 30th November 1894 were taken into consideration. The Accountant-General fixes this at Rs. 18-10-4 per mensem, or at

See note at top
by AS
See note at top
MS

Vide Notes at top

new line

C No 1780

Rs. 108-2-4 for 5 months and 24 days. This sum is distinct from the additional absentee allowance of Rs. 82-2-5 per mensem or of Rs. 476-7-7 for 5 months and 24 days referred to above in (5-a). The total additional absentee allowance would therefore come to Rs. 584-9-11.

Orders are now solicited on the several items.

I think a lump sum should be recommended in satisfaction of all demands. If it is not given in this way we shall have further applications & more trouble. I proposed to give Rs. 1750 in this way. On consideration of the facts Govt. last letter I think we might recommend Rs. 2000

JG
30/11/95

If I am right in understanding that Mr. Moberly has a joint claim to Rs. 2172.3.11, I think he should be paid that sum, -

454
3.12.95

Please see the notes by H.E. Mr. Grose at J(2). There was agreed by H.E. & the Hon. Mr. Grose that a recommendation should be made to India, which the Hon. Mr. Bliss dissented. H.E. & the Hon. Mr. Grose however were in quite in accord as to the amount of the sum to be recommended. H.E. proposed to pay Mr. Moberly the full amount recommended by the A.G. while the Hon. Mr. Grose suggested that he should be paid Rs. 1750 in settlement of all claims.

2. As there was not an entire agreement as to what action should be taken, the note was circulated and it was decided that Mr. Moberly should be asked

to state finally what his claims were. May I.

2. Mr. Moberg then made the claims detailed in the note

4. The question raised in reference to the claim S.C. was sent to the A.F. for remarks. ^{The working was up} the reference being made by the (Hon. Mr. Stone) seems to imply that the H.C. is prepared to agree with H.E. as to the amount to be recommended. (May 22(a))

5. If this view is correct the same to be recommended also.

No. 1587. 10. 0. { Loss of pay from 16. Aug. 94 to 30. Mar. 94

No. 584. 9. 1. { Loss sustained while on leave fr. 5 Dec. 94 days at No. 100-12-9 for work

Item (3) abt

That is (5Xa) and (5Xb) abt

Phil. No. 2172 3. 11.

a.f.h. 24/1/10

HA 26.11.96

Settled in C. No 2172-3-11 to be recom. for permanent to be in final disposal of all demands.

HA 12.9.6

No. 100-12-9 for work

No. 1587 10. 0. 16. Aug. 94 to 30. Mar. 94		No. 584 9. 1. Loss sustained while on leave fr. 5 Dec. 94 days at No. 100-12-9 for work		Phil. No. 2172 3. 11.	
Item (3) abt		That is (5Xa) and (5Xb) abt		a.f.h. 24/1/10	
Settled in C. No 2172-3-11 to be recom. for permanent to be in final disposal of all demands.		HA 12.9.6		No. 100-12-9 for work	

No. 1587
 10. 0.
 16. Aug. 94 to 30. Mar. 94

No. 584
 9. 1.
 Loss sustained while on leave fr. 5 Dec. 94 days at No. 100-12-9 for work

Phil. No. 2172 3. 11.

Item (3) abt

That is (5Xa) and (5Xb) abt

a.f.h. 24/1/10

Settled in C. No 2172-3-11 to be recom. for permanent to be in final disposal of all demands.

HA 12.9.6

No. 100-12-9 for work