

Public (1898) Department.

ORDINARY MS.

G.O., No. 1040

Dated 15-8-98

1-1-100.

[Despatch Abstract.]

Coming to the L.E. & the
A.E. letter from the Govt for W.S. for
information copy of certain correspondence
regarding the ineligibility of military Asst
Surgeons of the 2nd class serving in the
civil dept to increased salary in
consequence of the ten per cent promotion
of their juniors in the military dept.

17/8/98

BACK PAPERS.

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

FURTHER PAPERS.

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

[Pub. 29]
500-22-2-08.

Public (1898) Department.

CURRENT No.

C.S.

From

*The Govt of India
Home Dept*

Order No 1040, 15th August 1898.

*Communicated to the
S. G., & to the A. G.*

No. 1053

Dated 5th Aug 98

Received 12. " "

Registered

Enclosures 2

Spare copies of Back of Current Enclosure.

In the

*S. G. } S. C. of current.
A. G. }*

Copy of current to the Secy. to Govt.

*Recd
13/8/98*

X

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SUBJECT.

Forwarding copy of correspondence with the Govt of the Punjab regarding the ineligibility of military Asst. Surgeons of the 2nd class serving in the Civil Dept. to increase salary in consequence of the temporary promotion of their functions in the Military Dept.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 1250, dated the 15th October 1897.

From—H. J. MAYNARD, Esq., Junior Secretary to the Government of the Punjab and its Dependencies,

To—The Director General, Indian Medical Service.

In reply to your letter No. 5821, dated the 10th of September 1897, I am directed to forward herewith a copy of the correspondence noted in the accompanying list relative to the grant of increased salary to 2nd class Military Assistant Surgeon C. A. Owen, who is now serving in the Civil Department of the Punjab.

HOME (MEDICAL AND SANITARY) DEPARTMENT.

List to accompany letter No. 1250, dated 15th October, from the Junior Secretary to the Government of the Punjab, to the Director General, Indian Medical Service.

1. Letter No. $\frac{G. A.}{1372}$, dated the 30th January 1896, from the Accountant General, Punjab, to the Chief Secretary to the Government of the Punjab, with one enclosure.
2. Letter No. 68, dated the 21st February 1896, from the Junior Secretary to the Government of the Punjab, to the Accountant General, Punjab.
3. Letter No. $\frac{G. A.}{737}$, dated the 22nd April 1896, from the Officiating Accountant General, Punjab, to the Junior Secretary to the Government of the Punjab, with two enclosures.
4. Letter No. 279, dated the 27th May 1896, from the Junior Secretary to the Government of the Punjab, to the Accountant General, Punjab.
5. Endorsement No. 280, dated the 27th May 1896, from the Junior Secretary to the Government of the Punjab, to the Inspector General of Civil Hospitals, Punjab.
6. Letter No. 749, dated the 25th of February 1897, from the Inspector General of Civil Hospitals, Punjab, to the Junior Secretary to the Government of the Punjab, with two enclosures.
7. Letter No. 328, dated the 6th of March 1897, from the Junior Secretary to the Government of the Punjab, to the Inspector General of Civil Hospitals, Punjab.
8. Letter No. 1631, dated the 21st of April 1897, from the Inspector General of Civil Hospitals, Punjab, to the Junior Secretary to the Government of the Punjab.
9. Letter No. 90-S., dated the 28th of May 1897, from the Junior Secretary to the Government of the Punjab, to the Inspector General of Civil Hospitals, Punjab.
10. Endorsement No. 91-S., dated the 28th May 1897, from the Junior Secretary to the Government of the Punjab, to the Accountant General, Punjab.

No. $\frac{G. A.}{1372}$, dated Lahore, the 30th January 1896.

From—R. E. HAMILTON, Esq., Accountant General, Punjab,

To—The Chief Secretary to the Government of the Punjab.

In continuation of my letter No. 10242-G. A., dated 23rd October 1895, reporting that, pending receipt of orders of Government fixing the salary to be drawn by Military Assistant Surgeon W. Forrester while employed as Assistant to the Civil Surgeon, Lahore, his claim to pay and allowances had been admitted to the extent of Rs 190 a month as detailed in the concluding paragraph of that letter, I have the honour to submit copy of a letter No. 8940-S., dated 16th January 1896, from the Pay Examiner, Punjab Command, Rawal Pindi, to my address, from which it appears that the sum of Rs 150 per mensem which has been passed to Mr. Forrester as grade pay represents the pay of his officiating rank as Assistant Surgeon, 1st class, and was admissible to him only up to the date of his transfer to the Civil Department, and I have therefore to state that, unless a consolidated civil salary is sanctioned for his appointment as Assistant to the Civil Surgeon, Lahore, pay and allowances at the rate of Rs 150 only as noted below will be passed to him in future, and it will be necessary to recover

the amount overpaid to him at R40 per mensem from 20th August to 31st December 1895:—

Salary at present admissible—

Pay of substantive military rank ...	R
Allowance for medical charge of Normal School ...	110
Do. Central Training College ...	10
Horse allowance ...	10
...	20
TOTAL ...	150

No. ^{S.}₈₉₄₀, dated the 16th January 1896.

From—The Pay Examiner, Punjab Command, Rawal Pindi,
To—The Accountant General, Punjab.

In reply to your letter No. 10366-G. A., dated 24th October 1895, I have the honour to state that the Principal Medical Officer, Her Majesty's Forces in India, states that 2nd class Assistant Surgeon W. Forrester is entitled to draw the pay of his acting rank up to the date of his transfer to the Civil Department only.

No. 68, dated Lahore, the 21st February 1896.

From—A. E. HURRY, Esq., Junior Secretary to the Government of the Punjab,
To—The Accountant General, Punjab.

With reference to your letter No. ^{G. A.}₁₃₀₇₂, dated the 30th of January 1896, regarding the pay and allowances admissible in the Civil Department to Military Assistant Surgeon W. Forrester, Assistant to the Civil Surgeon of Lahore, I am directed to ask you to be so good as to ascertain and report whether Mr. Forrester's acting appointment as Military Assistant Surgeon, 1st class, was of a temporary or permanent nature, that is, would he have ceased to officiate in the 1st class if he had not come to the Civil Department.

2. I am also to inquire under what rule officiating allowance, that is, an allowance for acting in a higher grade, becomes inadmissible to a Military Assistant Surgeon when such an officer in receipt of the allowance is transferred to the Civil Department.

No. ^{G. A.}₇₃₇, dated Lahore, the 22nd April 1896.

From—A. G. CHUCKERBUTTY, Esq., C.S., Offg. Accountant General, Punjab,
To—The Junior Secretary to the Government of the Punjab.

With reference to Punjab Government letter No. 68, Home (Medical and Sanitary), dated the 21st February 1896, inquiring (1) whether the appointment of Mr. W. Forrester as Acting Military Assistant Surgeon, 1st class, would have ceased had he not been transferred to the Civil Department, and (2) under what rule allowance for acting in higher grade becomes inadmissible to a Military Assistant Surgeon when such an officer is transferred to the Civil Department, I have the honour to submit a copy of letter No. 778, dated the 7th April 1896, from the Principal Medical Officer, Her Majesty's Forces in India, to my address, together with a copy of Government of India, Military Department, letter No. 5505-D., dated the 3rd December 1892, referred to therein, which will afford the information required by you.

No. 778, dated the 7th April 1896.

From—The Principal Medical Officer, Her Majesty's Forces in India,
To—The Accountant General, Punjab.

In reply to your No. ^{G. A.}₁₃₁₁₁, dated 18th March 1896, I have the honour to inform you that *acting* promotion to 1st class Assistant Surgeons is reserved

to 2nd class Assistant Surgeons in military employment, in order to fill up the vacancies in the *military* establishment caused by transferring to the Civil Department more senior and 1st class Assistant Surgeons than authorized by regulations.

2. When 2nd class Assistant Surgeon W. Forrester was transferred to the Civil Department, his acting promotion to 1st class consequently ceased. This is in accordance with Military Department No. 5505-D., dated 3rd December 1892, copy attached.

No. 5505-D., dated Fort William, the 3rd December 1892.

From—The Secretary to the Government of India, Military Department,
To—The Principal Medical Officer, Her Majesty's Forces in India.

I am directed to acknowledge the receipt of your letter No. 2179, dated the 25th May 1892, and reply to state, for the information of His Excellency the Commander-in-Chief, that the Government of India sanction acting promotions being made from 1st grade Assistant Apothecary to 2nd grade Apothecary, in order to complete the military establishment of Apothecaries which is now deficient owing to the employment of ten senior Apothecaries and Apothecaries in the Civil Department over and above the number authorized for that Department. This sanction is accorded on the understanding that the vacancies caused by such acting promotions in the class of Assistant Apothecaries will not be filled up, and that the extra cost involved during the current financial year is met from existing provision under Grant 9 of the Budget Estimates of 1892-93. These promotions should not be gazetted, but should be indicated in the Army List by asterisks affixed to the names of the officers promoted.

No. 279, dated Lahore, the 27th May 1896.

From—C. J. HALLIFAX, Esq., C.S., Junior Secretary to the Government of the Punjab,
To—The Accountant General, Punjab.

With reference to the correspondence ending with your letter No. ^{G. A.}₇₃₇, dated the 22nd of April 1896, regarding the salary of Military Assistant Surgeon W. Forrester, I am directed to say that, although on transfer to the Civil Department Mr. Forrester ceased to act in the 1st grade of Military Assistant Surgeons in the Military Department, yet, as his grade when he was transferred was an officiating 1st grade, the salary of which was R150 per mensem, and as he would undoubtedly have continued to act in that grade had he remained in the Military Department, the Lieutenant-Governor considers that the pay of his civil appointment should not be less than R150, and is accordingly pleased to pass salary to Mr. Forrester at that amount. Mr. Forrester's total emoluments will therefore be—

	R
Salary ...	150
Allowance for medical charge of Normal School ...	10
Allowance for medical charge of Central Training College ...	10
Conveyance allowance ...	25
TOTAL ...	195

No. 280.

From the Accountant General, No. ^{G. A.}₁₃₀₇₂, dated 30th January 1896.
To the Accountant General, No. 68, dated 21st February 1896.

Copy, together with a copy of the correspondence noted on the margin, forwarded to the Inspector General of Civil Hospitals, Punjab, for information.

No. 749, dated Lahore, the 25th February 1897.

From—Surgeon-Colonel D. O'C. RAYE, M.D., Inspector General of Civil Hospitals, Punjab,

To—The Junior Secretary to the Government of the Punjab.

With reference to the correspondence ending with your endorsement No. 280, dated 27th May 1896, Home (Medical and Sanitary), regarding the pay of Military Assistant Surgeon W. Forrester as Assistant to the Civil Surgeon of Lahore, I have the honour to forward an application from Military Assistant Surgeon C. A. Owen, Mr. Forrester's successor (endorsed by the Civil Surgeon, Lahore), regarding his pay.

2. The cases of Messrs. Forrester and Owen seem to be similar. There is little doubt that if Mr. Owen were at present in military employ, his grade pay would be Rs 150 per mensem.

3. I accordingly support the Civil Surgeon's recommendation that Mr. Owen's case receive the favourable consideration of Government.

Dated Lahore, the 23rd February 1897.

From—C. A. OWEN, Esq., 2nd grade Assistant Surgeon,

To—The Civil Surgeon, Lahore.

I beg to request the favour of your kindly recommending and forwarding this my application, through the Inspector General of Civil Hospitals, to His Honour the Lieutenant-Governor for his most favourable consideration. It was decided in the case of Mr. Forrester's pay as Assistant to Civil Surgeon, Lahore, that as, had that officer remained in military employ, he would have drawn military pay at the rate of Rs 150 per mensem while acting in the 1st grade of Military Assistant Surgeons, his pay while in the Civil Department must be considered to be Rs 150 per mensem also, and His Honour the Lieutenant-Governor was accordingly pleased to rule that Mr. Forrester's total emoluments should be Rs 195 per mensem. Although when I vacated my appointment at Simla my grade pay was Rs 110, yet I now find, with effect from the 30th October and 9th November 1896, respectively, two of my juniors have been promoted to act in the Rs 150 grade—*vide* G. O. C. C. No. 854 of 13th December 1896. Had I been in military employ, I would, like Mr. Forrester was, be officiating in that grade, and I venture to hope that His Honour the Lieutenant-Governor will be pleased to place me on an equal footing with my predecessor. If this concession is granted to me, my emoluments will still be less than those drawn by the Civil Assistant Surgeon whom Mr. Forrester succeeded, so that Government will be put to no extra expense in my case. When I was posted to my present appointment I knew the emoluments would be small, yet I find it very difficult to manage on it. The work is heavy, and Lahore is expensive, and on all these grounds I trust the Inspector General of Civil Hospitals will take a favourable view of my application, and strongly recommend it to Government for sanction.

Dated Lahore, the 23rd February 1897.

Endorsement by the Civil Surgeon, Lahore.

Forwarded to the Inspector General of Civil Hospitals, Punjab, for favourable and early consideration.

No. 328, dated Lahore, the 6th March 1897.

From—H. J. MAYNARD, Esq., Junior Secretary to the Government of the Punjab,
To—The Inspector General of Civil Hospitals, Punjab.

With reference to your letter No. 749, dated the 25th of February 1897, I am directed to ask whether you can ascertain and report if the temporary vacancy which it may be assumed Military Assistant Surgeon Owen would have been holding had he been at military duty is one of a permanent character.

No. 1631, dated Lahore, the 21st April 1897.

From—Surgeon-Colonel D. O'C. RAYE, M.D., Inspector General of Civil Hospitals, Punjab,

To—The Junior Secretary to the Government of the Punjab.

In reply to your letter No. 328, dated 6th March 1897, Home (Medical and Sanitary), I have the honour to state that it is impossible to say whether Military Assistant Surgeon C. A. Owen's promotion would have been of a permanent character. The permanency or otherwise of the promotion would depend upon the number of Military Assistant Surgeons who happen to be in civil employ. As, however, the Director General informs me that there are a number of Military Assistant Surgeons in civil employ in excess of the sanctioned establishment it is probable that Mr. Owen's promotion would have been of a permanent nature.

No. 90-S., dated Simla, the 28th May 1897.

From—H. J. MAYNARD, Esq., Junior Secretary to the Government of the Punjab,

To—The Inspector General of Civil Hospitals, Punjab.

I am directed to address you with reference to the correspondence ending with your letter No. 1631, dated the 21st of April 1897, regarding the pay of Military Assistant Surgeon C. A. Owen, Assistant to the Civil Surgeon of Lahore.

2. When Assistant Surgeon Owen joined his present appointment on the 21st of November 1896, the pay of his class was Rs 110 per mensem,* but two of his juniors on the list of Military Assistant Surgeons, *viz.*, Messrs. A. A. Cotton and G. W. Davis, were then acting and still continue to act in the class of Rs 150.† It has been represented that had Assistant Surgeon Owen continued in military employ, he would have been acting in the class of Rs 150, and you state that if he were still employed in the Military Department, he would probably continue to act in that class till such time as he might be absorbed in it substantively.

3. I am to state that the Accountant General will be informed that so long as any officer junior to Military Assistant Surgeon Owen continues to enjoy temporary promotion of the character which was given to his two juniors, Military Assistant Surgeons A. A. Cotton and G. W. Davis, by G. O. C. C. No. 854 of the 15th of December 1896, he should be allowed to draw the pay of a 1st class Military Assistant Surgeon of under five years' service in that class, *viz.*, Rs 150 per mensem, in lieu of Rs 110 pay of the 2nd class, plus his three allowances, *viz.*—

Rs 10 allowance for Normal School.

Rs 10 allowance for Central Training College.

Rs 25 Conveyance allowance.

Military Assistant Surgeon Owen's pay and allowances will thus amount to Rs 195 per mensem during such period as he may be treated as though he were acting in the higher class.

4. This sanction is to have retrospective effect from the 21st November 1896.

No. 91-S.

Copy forwarded to the Accountant General, Punjab, for information and guidance, in continuation of the letter from this office, to his address, No. 279, dated the 27th of May 1896.

No. 43, dated Calcutta, the 21st January 1898.

From—J. P. HEWETT, Esq., C.I.E., Secretary to the Government of India, Home Department,

To—The Chief Secretary to the Government of the Punjab.

I am directed to invite a reference to Mr. Maynard's letter No. 1250, dated the 15th October 1897, to the address of the Director General, Indian Medical Service, forwarding a copy of correspondence relative to the grant of increased salary to 2nd class Military Assistant Surgeons W. Forrester and C. A. Owen serving in the Civil Department of the Punjab. In the case of Mr. Forrester the Government of the Punjab has ruled that as he was officiating in the 1st class (salary R150) of Military Assistant Surgeons when transferred to civil duty, and as he would undoubtedly have continued to act in that class had he remained in the Military Department, his civil pay should not be less than R150 per month. Mr. Owen has also been allowed to draw pay at the rate of R150 a month, on the ground that two of his juniors are acting in the class of R150.

2. These orders seem to have been passed by the Government of the Punjab through a misapprehension of the circumstances under which Military Assistant Surgeons of the 2nd class in military employ receive acting promotion to the 1st class, and I am therefore to explain the reasons for the orders contained in the letter of the Government of India in the Military Department, No. 5305-D., dated the 3rd December 1892, under which such acting promotion is given. There are certain appointments in the military service for which 1st class Assistant Surgeons are required, or which are of such importance that it is considered advisable that the pay of the officers filling them should not be less than that of a 1st class Assistant Surgeon. When the number of 1st class Assistant Surgeons falls short, owing to medical subordinates being taken for civil duty or otherwise, it becomes necessary to raise it again by promoting 2nd class Assistant Surgeons. These promotions are therefore promotions for performing certain duties or filling certain positions of responsibility rather than ordinary grade promotions.

3. It will be seen from the foregoing that Assistant Surgeons who leave military for civil duty have no claim to extra emoluments, because officers who are junior to them in the list receive promotion for performing certain military duties, the chance of performing which they have relinquished for other duties. It is a loss which those who enter civil employ must set off against the gains which they derive from their transfer. The case of Military Assistant Surgeons in civil employ, it may be added, was considered by the Government of India before the orders of the 3rd December 1892 issued.

4. In these circumstances I am to suggest that the orders passed by the Government of Punjab in the cases of Military Assistant Surgeons Forrester and Owen may, with the permission of His Honour the Lieutenant-Governor, be reconsidered.

No. 170-S., dated Simla, the 7th June 1898.

From—The Junior Secretary to the Government of the Punjab, Home (Medical and Sanitary) Department.

To—The Secretary to the Government of India, Home Department.

I am directed to acknowledge the receipt of your letter No. 43, dated the 21st of January 1898, relative to the grant of increased salary to 2nd class Military Assistant Surgeons W. Forrester and C. A. Owen serving in this Province.

2. In reply I am directed to forward, for the information of the Government of India, a copy of the correspondence noted on the margin, and to say that, while His Honour is not prepared to contest the point, he nevertheless hopes the order declining to sanction temporary promotions of the kind or rather increased salary to Military Assistant Surgeons serving in the Civil Department in consequence of the temporary promotion of their juniors in the military line need not have retrospective effect.

3. The Inspector General of Civil Hospitals has been informed that the extra salary now being drawn by Military Assistant Surgeons Owen and Courtney (to the latter of whom increased salary was also granted before your letter under reply was received) should cease. Mr. Forrester has received substantive promotion in the Military Department. He is now a Military Assistant Surgeon of the 1st class of under five years' service, and would, were he not in independent medical charge of a civil station, be entitled to a pay of R150 per mensem. At present his pay is fixed by Article 157-A. of the Civil Service Regulations.

No. 1390, dated the 15th April 1898.

From—The Inspector General of Civil Hospitals, Punjab,

To—The Junior Secretary to the Government of the Punjab.

In reply to your endorsement No. 512, dated 30th March 1898, Home (Medical and Sanitary), I have the honour to express the opinion that it would be a hardship if the Local Government were now to cancel the orders giving Messrs. Owen and Courtney the benefit of temporary promotions.

If the principle set forth is to be accepted, it should not have retrospective effect.

No. 763, dated the 26th April 1898.

From—The Junior Secretary to the Government of the Punjab,

To—The Inspector General of Civil Hospitals, Punjab.

With reference to your letter No. 1390, dated the 15th of April 1898, regarding the temporary promotions given to certain Military Assistant Surgeons, I am directed to inquire whether you have anything to urge against the acceptance of the principle enjoined by the Government of India that promotions of the kind should not be given, on the understanding that the acceptance of such principle is not to have retrospective effect.

No. 1707, dated the 4th May 1898.

From—The Inspector General of Civil Hospitals, Punjab,

To—The Junior Secretary to the Government of the Punjab.

In reply to your letter No. 763, dated the 26th April 1898, Home (Medical and Sanitary), I have the honour to say that I have nothing to urge against the principle of the temporary promotion of Military Assistant Surgeons, which I understand to be that laid down in paragraphs 2 and 3 of letter No. 43, dated 21st January 1898, from Government of India, Home (Medical and Sanitary), forwarded to me with your endorsement No. 512, dated 30th March 1898.

2. The recommendations I made on behalf of Messrs. Owen and Courtney were submitted in ignorance of those principles, and were made mainly on the ground that junior officers in military employ were being promoted over the heads of those two officers who thus suffered pecuniary loss.

No. 1052 .

FROM

N. BONHAM-CARTER, ESQ.,
Offg. Under Secretary to the Government of India,

TO

THE JUNIOR SECRETARY TO THE GOVERNMENT OF THE
PUNJAB.

Home Department.
Medical.

Simla, the 5th August 1898.

SIR,

I AM directed to acknowledge the receipt of your letter No. 170-S., dated the 7th June 1898, requesting that the orders contained in the letter from this Department, No. 43, dated the 21st January 1898, *viz.*, that increased salaries are not admissible to Military Assistant Surgeons of the 2nd class serving in the Civil Department in consequence of the temporary promotion of their juniors in the Military Department, should not have retrospective effect in the cases of Messrs. Forrester, Owen and Courtney.

2. In reply I am to say that, as the extra salary was allowed to these officers under a misapprehension, the Government of India are pleased to direct that retrospective effect should not be given to the orders contained in the letter from this Department of the 21st January last.

I have the honour to be,

SIR,

Your most obedient Servant,

N. BONHAM-CARTER,

Offg. Under Secretary to the Government of India.



No. 1053.

FROM

N. BONHAM-CARTER, Esq.,

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

TO

*The Chief Secy. to the Govt. of the Madras.*Home Department.
Medical.*Simla, the 5th August 1898.*

SIR,

I AM directed to forward, for the information of the Governor in Council,

Letter from the Government of the Punjab, to the Director General of the Indian Medical Service, No. 1250, dated the 15th October 1897, and enclosures.

Letter to the Government of the Punjab, No. 43, dated the 21st January 1898.

Letter from the Government of the Punjab, No. 170-S., dated the 7th June 1898, and enclosures.

Letter to the Government of the Punjab, No. 1052, dated 5th August 1898.

a copy of the correspondence with the Government of the Punjab noted in the margin, regarding the ineligibility of Military Assistant Surgeons of the 2nd class serving in the Civil Department to increased salary in consequence of the temporary promotion of their juniors in the Military Department.

I have the honour to be,

SIR,

Your most obedient Servant,

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

When given for copying
When copied
When examined
When signed

1898.

READ AGAIN G.O., No. , DATED
189 ,

CURRENT No.

ENCLOSURES TO O. No

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DETTO.

PAPERS NOT FILLED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

N.B.—

A = Copy in full.
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P = Copy abstract only.
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