M.R.O. 14—13,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2346	Press Mis.
36.37	
Dated 4 — 11. 19 1862	

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department, 4th November 1862.

No. 36. Read the following Proceedings of the Board of Revenue, dated 22nd October 1862.

Read again Proceedings of the Madras Government, dated 16th September 1862, No. 2,009.
(In Cons. 17th September 1862, No. 5,971.)

Read also letter from the Officiating Civil Paymaster, dated 2nd October 1862, No. 1,376.
(In Cons. 4th October 1862, No. 6,351.)

Read also letter from the Collector of Tinnevelly, dated 4th October 1862, No. 419.
(In Cons. 11th October 1862, No. 6,512.)

1. In their Proceedings above recorded the Government observe that it was not their intention when sanctioning in their Order of 30th January 1862, No. 142, the increase of pay to Captain Phipps as Superintendent of Pearl Fishery in Tinnevelly that the increase should take retrospective effect from 1st March 1861; and that they will apply to the Government of India for sanction, to have effect only from 1st January 1862. The Board observe that in his letter dated 10th June 1861, paragraph 42, the Collector proposed that the salary of this Officer should be raised permanently to Rupees 500 a month including his pay as Master Attendant (Rupees 200), and that he should be allowed to draw at this increased rate from 1st March 1861, the date on which the fishing commenced, and in submitting the Collector's proposal for the sanction of Government, the Board modified it only so far as regards the pay for which they named Rupees 350 instead of 500 with the addition of a gratuity of Rupees 2,000. In respect to the date from which the higher rate of pay should take effect, the Collector's proposition was not touched, and though it was not expressly so stated, the Board intended that the sanction should operate from the date on which the fishing commenced as named by the Collector. In paragraph 9 of their Proceedings above adverted to, the Board specially alluded to the Collector's request that the increase should have retrospective effect from 1st March 1861.

Board's Proceedings dated 1st July 1862, No. 3,410.

2. The Order of Government dated 30th January 1862, No. 142, conveying sanction as recommended by the Board, was silent on this part of the subject, and the Board were therefore led to conclude that the sanction was to have retrospective effect as intended by them. The Collector to whom the sanction was communicated without comment construed it in the same way. Payment was accordingly made to Captain Phipps and the increase of 50 Rupees from 1st March 1861, was included in the Collector's contingent bill for April 1862, which was in the usual course countersigned by the Board and sent to the Civil Paymaster. In his letter recorded above the Officiating Civil Paymaster now enquires under what circumstances the Board have admitted the increased rate retrospectively; but as already explained, they were under the impression that the sanction was to be in force from 1st March 1861.

3. The Government remark that if they had intended to authorize the higher rate of pay retrospectively, they would not have sanctioned the disbursement of so handsome a gratuity as Rupees 2,000. It must however be observed that the gratuity was recommended by the Board in consideration of the pay proposed by the Collector, viz., Rupees 500, having been in their scheme reduced to Rupees 350, and it was therefore naturally concluded in the absence of any distinct order by Government that the increased rate might be drawn from 1st March 1861, the date fixed by the Collector. The amount paid from 1st March to 31st December 1861 is only Rupees 500, which may well be allowed to Captain Phipps in consideration of the good service rendered by him at the last fishing. The Board accordingly resolve to recommend that the sanction of the Government of India for the higher rate of pay may be applied for, to take effect from 1st March 1861 instead of from 1st January 1862 as intended.

4. Should the Government however decline to alter their resolution, the only course left open is to recover the amount paid from Captain Phipps by monthly instalments. The Board must remark here that the Collector was not justified in making the payment until the bill was finally passed by the Civil Paymaster. The Board resolve to re-transmit to the Civil Paymaster the contingent bill returned with his letter, with a request that he will pass it with the exception of the 500 Rupees on which reference will now be made to Government, as it is not desirable to detain the bill which contains various other charges, on account of this single item.

(A true Extract.)

(Signed) W. HUDLESTON, *Secretary*.

Sulicorin, and in con-
-sideration of the increased
labor and responsibility
thus devolving upon him
they raised his pay from
300 to 350 Rupees per men-
-sem - The original sa-
-lary recommended by
the Collector was Rs 500
from the commencement
with the fishery, i.e. from
1st March 1861 - The Board
of Revenue reduced this
to Rupees 350 but they did
not expressly state whether
they supported the pro-
-posal to give it re-
-trospective effect. The
sanction of Govt was
given generally without
any specification of the
time from which it should
operate.-

2 Subsequently, in
forwarding a Salalar
statement of the increase for submission to the
Govt of India, the Board
of Revenue stated that
the increase it should last
from the commencement

Pro: 16th September 1862
No 2009.-

of the fishery - This was
at once disallowed by
the Govt who observed that
the Captain Shipp had al-
-ready been presented
with a very liberal gra-
-tuity for his efforts in
connection with the
fishery - The Govt of In-
-dia were therefore re-
-quested to confirm the
increase from the com-
-mencement of the cur-
-rent year only - The Board
now report that the Collec-
-tor has actually disbursed
the additional 50 Rupees
per mensem charging it
in a contingent bill
which has received their
countersignature and is
now submitted for audit.
They request therefore that
a further application
may be made to the Su-
-preme Govt with a view
to obtain sanction from
1st March 1861 instead
of 1st January 1862 -

The

3. The Govt cannot consent to this proposal. In the absence of distinct orders as to the date from which an allowance is granted, it is usually understood to be the date on which sanction is in accords, and if the collector had any doubts in this respect he should have applied for further instructions. The disbursement of the additional salary prior to audit is clearly irregular, and when after disbursement it was submitted for audit the charge was immediately objected to by the first Paymaster.

4. Under these circumstances the only course left open is to recover the amount thus paid from Captain Shippard by monthly instalments. The Govt very much regret to have recourse to such a step

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step with the officers of Captain Shippard's vessel activity, but they observe that this is the second increase he has received within two years besides gratuities aggregating 3,000 Rupees

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~~Captain Chiffers' in-~~
~~-creased rate of pay.~~

Revenue 1862 Dep^t.
Pro: of Govt for November

Pro. No. 278 to 281
30-1-62

" 418-419
31-7-62

" 314 to 316
16-9-62

N: 2346.

Pro: of the Madras Govt.
Dated November 1862.

Papers respecting
the date from which the
higher rate of pay
is to be allowed to Captain Chiffers
the Superintt of the Madura
and Tinnevelly Pearl Banks
should take effect; with
orders thereon.

N: 36 to 37.

Proceedings of the Madras Government, Revenue Department, 4th November 1862.

No. 37.

ORDER THEREON, 4th November 1862, No. 2,346.

1. In their Proceedings of 30th January 1862, No. 142, the Government appointed Captain Phipps Superintendent of the Madura and Tinnevelly Pearl Banks in addition to his former duty as Master Attendant of Tuticorin, and in consideration of the increased labor and responsibility thus devolving upon him they raised his pay from 300 to 350 Rupees per mensem. The original salary recommended by the Collector was Rupees 500 to commence with the fishery, *i.e.*, from 1st March 1861. The Board of Revenue reduced this to Rupees 350, but they did not expressly state whether they supported the proposal to give it retrospective effect. The sanction of Government was given generally without any specification of the time from which it should operate.

2. Subsequently, in forwarding a Tabular Statement of the increase for submission to the Government of India, the Board of Revenue stated that it should date from the commencement of the fishery. This was at once disallowed by the Government, who observed that Captain Phipps had already been presented with a very liberal gratuity for his efforts in connection with the same fishery. The Government of India were therefore requested to confirm the increase from the commencement of the current year only. The Board now report that the Collector has actually disbursed the additional 50 Rupees per mensem, charging it in a contingent bill which has received their countersignature and been submitted for audit. They request therefore that a further application may be made to the Supreme Government with a view to obtain sanction from 1st March 1861 instead of 1st January 1862.

Proceedings 16th September 1862, No. 2,099.

3. The Government cannot consent to this proposal. In the absence of distinct orders as to the date from which an allowance is granted, it is usually understood to be the date on which sanction is accorded, and if the Collector had any doubts in this respect he should have applied for further instructions. The disbursement of the additional salary prior to audit is clearly irregular, and when it was submitted for audit the charge was very properly objected to by the Civil Paymaster.

4. Under these circumstances the only course left open is to recover from Captain Phipps by monthly instalments the amount which has been improperly paid to him.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Revenue Department.

No. 2346.

Proceedings of the Madras Government under date the 4th November 1862

Read the following Proceedings of the Board of Revenue

Explaining the circumstances under which Captain Phipps Superintendent of Pearl Fishery in Tinnevelly was allowed to draw the increased rate of pay from March 1861 and recommending that the sanction of the Govt of India be now obtained for giving retrospective effect to the order sanctioning the increase

Received 22nd Octr 1862 Ro

In their Proceedings of 30th January 1862 No 142 the Govt appointed Captain Phipps Superintendent of the Madura and Tinnevelly Pearl banks in addition to his former duty as Master Attendant of Tuticorin