M.R.O. 14—18,000—27-9-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1134 Press ~~Mis.~~

27.28

Dated 1—7— 18 68.69

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
1st July 1864.

No. 27. Read the following Proceedings of the Madras Government in the Public Department:—

Passing orders on the appeal of Mr. Nelson against an act of the Civil Auditor cutting down the amount of Deputation allowance drawn by him as Acting Head Assistant Collector of Madura. } (Here enter 21st June 1864, No. 700.)

No. 28. ORDER THEREON, 1st July 1864, No. 1,134.

Miscellaneous.

Ordered to be communicated to the Board of Revenue for their information.

(True Extract.)

(Signed) C. G. MASTER,
Deputy Secretary to Government.

To the Board of Revenue, with Proceedings Public Department, No. 700.

Exd. S. T. Augustin.

Proceedings of the Madras Government, Public Department,
21*st June* 1864.

No. 90. Read the following letter from V. H. LEVINGE, Esq., Collector of Madura; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Madura, 26th April 1864, No. 384.

I have the honor to forward, for the favorable consideration of Government, copy of a letter from my Acting Head Assistant, appealing against an act of the Civil Auditor cutting down the amount of Deputation allowance drawn by Mr. Nelson since his appointment as Acting Head Assistant Collector of Madura, from 200 Rupees to 10-1-9 since the month of March 1864.

From J. H. NELSON, Esq., Acting Head Assistant Collector; to V. H. LEVINGE, Esq., Collector of Madura, dated 25th April 1864, No. 31.

I have the honor to request that you will be so good as to appeal on my behalf to Government, against the refusal of the Civil Auditor to pass my bill for March, for Deputation allowance at the rate of Rupees (200) two hundred per month.

2. Instead of allowing the sum which I have drawn monthly since the 3rd of November 1863 (one month after I entered on my duties as your Acting Head Assistant), the Civil Auditor has fixed Rupees 10-1-9 as the sum to which I am legally entitled, and quotes in support of his calculation paragraph 220, Chapter II of the "Audit Rules for the Covenanted Civil Service."

3. I beg to appeal against the decision upon the following grounds:—

1stly.—The law quoted was passed very many years ago, with reference to a state of things no longer existing, and cannot apply in the case of men who have entered the Civil Service under a totally new system.

2ndly.—The rule in question was made only to discourage youths from coming out to India at so early an age that their education could scarcely be said to have commenced, and cannot be applied in my case consistently with its spi[illegible] I am two[illegible]-six years of ag[illegible] a Master of Arts, and late fellow of King's College, Cambridge.

3rdly.—The rule has long been a dead letter, and was never applied in the case of Mr. Walker, Mr. Grose, and others, who became Acting Head Assistants before completing three years residence in this country.

4thly.—It is directly opposed in principle to the "new rules for the examination of Assistants," dated May 26th, 1854, which enable Assistants who have passed the prescribed examinations, and have for not less than twelve months exercised the full powers of a Magistrate, to draw the increased allowance of 50 Pagodas monthly.

5thly.—It in like manner stultifies the provisions of the Civil Service regulations* which (see Chapter VI, Section 25) expressly forbid allowing, as deputation allowance, any sum less than 200 Rupees per mensem.

* Became law June 8th, 1855, in supersession of the rules of the 17th May 1843, and 25th August 1854.

6thly.—The rule in paragraph 220 is modified by the proviso in the following paragraph, which was intended to exempt from its operation all writers, who, after the age of seventeen, had furthered their education by passing two or three years at the Hertfordshire College; but as the Hertfordshire College no longer exists, the above exemption should *in equity* be allowed to one who has gone through the curriculum at Cambridge.

7thly.—As I was compelled, after becoming a "passed candidate for Her Majesty's Civil Service in India," to pass one whole year in studying special Indian subjects, and was not allowed to enter the service until I had, after a further examination, been pronounced duly qualified by passing the special test in such case, if Government refuse to permit me to count my residence at Cambridge, as residence in India (with reference to paragraph 221), I would respectfully urge that, at least, I should be allowed so to count the one year spent in special studies.

4. In conclusion, I respectfully beg that you will kindly bring to the notice of Government the great hardship of my being suddenly deprived, after more than two years of incessant examinations, of the allowances expressly held out as reward for the passing of them, and to which I have naturally been looking forward ever since I first entered the service, as well as the certainty that the carrying

out of the rule in my case will not only discourage all exertion on the part of my many juniors, but will actually make it their great object to avoid passing, and the chance of being promoted to a post, entailing, perhaps, hard work and grave responsibility, but bringing no increase of pay.

(True Copy.)

(Signed) V. H. LEVINGE,
Collector.

No. 91. ORDER THEREON 21st June 1864, No. 700.

By Act of Parliament, Civil Servants whose actual residence in the country does not exceed three years cannot draw more than Rupees 437-1-9 per mensem. In this period of actual residence, however, the time, not exceeding two years, passed at Haileybury after the age of seventeen years, is included.

Vide paragraphs 220 and 221, Chapter II, Civil Auditor's Manual.

43 George III, Cap. 52, Section 57.
33 George III, Cap. 155, Section 82.

47 George III, Cap. 68, Section 7.
10 George IV, Cap. 16, Section 2.

Madras G. O., 22nd January 1864, No. 64, Public Department.
To Government of India, 22nd January 1864, No. 65.
From do. 25th February " " 1049.
Madras G. O., 23rd March 1864, No. 303, Public Department.

2. The Government of India have recently ruled, in reply to a question from this Government, that deputation allowances, when derived from offices which are within the scope of the Acts of Parliament above noticed, should be included within the limitation.

3. The consequence of this ruling is, that Assistants under three years standing, who are acting Head Assistants, instead of drawing the minimum rate of deputation allowance viz., [illegible] their pay* as Assistants, or a total of Rupees 627† cannot receive more than Rupees 10-1-9 in excess of their pay as Assistants, that sum‡ being the difference between such pay§ and the maximum‖ which, under Act of Parliament, men in their position are entitled to receive.

	Rs.	A.	P.
	200	0	0
*	427	0	0
†	627	0	0
‡	437	1	9
§	427	0	0
‖	10	1	9

* Mr. Linton.
" Nelson.
" Pennington.
" Woodroffe.
" Comyn.

4. At the present time there are five* Assistants, or rather Acting Head Assistants, in this predicament.

5. These gentlemen having entered the service under the new system are unable to reckon as residence, with reference to eligibility to office or salary, any period spent at Haileybury, that College having been abolished. Had they been able to do so they would not have been affected by the limitation, for one and all have been more than a year in the country, which, added to the two years hitherto passed at Haileybury, would have made their residence in excess of three years.

6. Mr. J. H. Nelson, one of the Assistants in question, has brought the matter to notice in the letter above recorded, which Mr. Levinge, the Collector of Madura, has forwarded for the favorable consideration of Government. Mr. Nelson drew the regular deputation allowance from November 1863 to March 1864, when it was stopped, and the sum of 10-1-9 substituted. Under the existing law, he cannot draw the higher allowance until 25th January 1865, when he will have completed three years' residence in India.

7. The Government have already recognized the desirability of placing their Junior Civil Servants who have entered the service under the new rules on a similar footing, as far as possible, with their Haileybury brethren. In 1861, Messrs. Walker and others, the first arrivals under the new system, forwarded for transmission to the Secretary of State a Memorial, praying that the one year which they passed in England, after becoming "selected candidates," should count as residence in India for the purposes of the 33, George III. The Government supported this request, and were informed by the Home Government that the question of introducing a measure of the kind into Parliament would be taken into consideration. Nothing more, however, has transpired on the subject.

G. O. 25th May 1861, No. 749, Public Department.

Despatch to Secretary of State, 31st May 1861, No. 31.
Do. from do. 6th September 1861, No. 25.
Recorded in G. O. 14th October 1861, No. 1258, Public Department.

8. The Governor in Council resolves again to bring the matter under the consideration of the Secretary of State, and to recommend that the enactment above referred to be either altogether repealed or so amended as to admit of the time which is passed by Junior Civil Servants in England after having been selected for the service at the first examination shall be allowed to form part of the period requisite to render them eligible for emoluments exceeding £500 per annum.

9. The Collector of Madura will inform Mr. Nelson that the Government [illegible] by the Civil Paymaster in the amount of his deputation allowance as Acting Head Assistant, and which under the Act of Parliament is imperative, but that they will again apply to the Secretary of State to procure a repeal or amendment of the Act.

(True Extract.)

Chief Secretary.

To the Revenue Department.
" Collector of Madura.

Encl. J. Tulloch.

Rev. 1864. Dispatch
No. of Rec'd July 1st 1864.

Proceedings of the
Madras Govt. and
the Public Dept.

Dated 21st June
Receive 27th 1864.

No. 700

Passing orders on the
appeal of Mr. Nelson against
an act of the Civil Auditor cutting
down the amount of Deputation
allowance drawn by him as
officiating Head Dispatch Collector &
Magistrate.

No. 1824 1st July

No. 27 & 28.

No. 1134

Ordered to be communicated to the Bd. of Rev. for their information.

Fort St. George
1st July 1864.

6 Bd. of Rev. with Rs. 700 Exempt 1 July