M.R.O. 14—18,000—27-9-24

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 2101 Press ~~Mis.~~

193-194

Dated 16-11-1864.

Not to be folded or roughly handled

No. 193. Read the following letter from R. W. LODWICK, Esq., Civil Paymaster, Fort Saint George, to the Secretary to the Government of India, dated Fort Saint George 13th August 1864, No. 97 :—

SIR,

1. I have the honor with reference to the accompanying copy of Government Resolution No. 1,429, dated 9th instant, to report that the statement made by me in my letter, No. 144 of the 1st instant, was founded on information derived from the Government Office. In order that there might be no mistake I sent my Assistant to enquire the procedure in cases of notifications sent to the Government Gazette for publication by this Department. He was informed that the proof sheets of the Gazette containing notifications were submitted to the Secretaries to Government, and were in no case struck off till passed for publication. The tentage Notification of this Office was in this manner detained from publication by the Chief Secretary (vide copy of Memorandum annexed), and I therefore submit that I had grounds for the statement which I made.

2. I take this opportunity of soliciting orders on some doubtful points connected with the Supreme Government Order No. 1,139 of the 6th July last.

3. First, am I to understand that *all* allowances hitherto held to be local, and therefore not payable under the letter to my address, No. 1,596 of the 23rd March last, during the absence of Officers on leave are henceforward to be passed to absentees? The Government Order No 1,139 throughout refers to the fixed tentage of public Officers, and no mention is made of the house-rent of Civilians which was alluded to in the correspondence on which that order was passed. There are also the allowances noted in the margin, which were considered inadmissible during absence on leave under the letter referred to above, but which if that letter is to be considered *altogether* cancelled and not only in so far as it refers to fixed tentage will have, I presume, to be admitted.

	Rs.	Rs.	Rs.	
1. Fixed travelling allowance of Deputies and Assistant Superintendents Revenue Survey ..	75	..	..	Per mensem
2. Fixed horse allowance of Inspectors of Mofussil Police at three rates	7	10	15	
3. Fixed batta to Deputy Collectors of the Inám Commission, two rates	100	90	..	
4. Horse allowance to Overseer Forest Department..	15	..	..	
5. Fixed travelling allowance to Assistant Conservators of do. two rates	90	30	..	

4. Secondly, are fixed tentage and house-rent to be paid during absence on special leave under Section XIV of the Civil Absentee Rules. Supreme Government Order No. 1,139, speaks of privilege leave only.

5. Thirdly, should a certificate be demanded from an absentee claiming fixed tentage to the effect that he has kept up tents, and was prepared to place them had he been asked to do so, or did place them, as the case may be, at the service of his *locum tenens* ?

6. I forward copy of a letter which I addressed to this Government, (No. 79 of the 30th ultimo), on being called on to report whether the horse allowance to Police Inspectors could be admitted under the late order of the Government of India, and I shall be guided by the reply till I receive final orders from the Supreme Government.

No. 98.

True copy forwarded to the Secretary to Government (Revenue Department) of Madras for information.

(Signed) R. W. LODWICK,
Civil Paymaster.

13th August 1864.

No. 194.

Miscellaneous.

ORDER THEREON, 16th November 1864, No. 2,101.

1. The Governor in Council, does not consider that the explanation furnished in paragraph 1 of Mr. Lodwick's letter to the Supreme Government tends to justify his conduct. In future when he desires any similar information he will apply for it, in the usual manner.

Proceedings of the Madras Government, Revenue Department,
16th November 1864.

From Secretary to the Government of India, to the Officiating Civil Paymaster Madras, dated 6th September 1864, No. 2,281.

2. The Governor in Council proceeds to pass orders on the questions raised in the above letter, with reference to the communication marginally noted.

3. I. The "term local allowance" is unknown in Madras, and its introduction as a generic term undesirable. It can and should be applied only to allowances payable at a certain place and no where else. The house rent of Junior and Head Assistant Collector is not a *local* allowance in any sense, it is not receivable at particular places only, but is part and parcel of the Assistant's pay wherever he may be employed. Paragraph 5, Chapter VIII of the Civil Auditor's Manual, which declares that "under the absentee Rules, the house rent is not liable to stoppage during absence on privilege leave," is undoubtedly correct, inasmuch as such leave is granted to Officers "without deduction from the salaries and emoluments drawn by such servants."

This description of leave in fact is simply an indulgence granted by the State in a spirit of liberality; it is allowed only when no public inconvenience can ensue, and the State really gains by the occasional relaxation from duty thus afforded to its servants. It would be absurd to expect an Officer availing himself of a brief holiday to give up his house, and sell off his furniture, tents, &c., and the State therefore grants this leave (when convenient) without exercising any petty economy. The same principle is followed in the Army, where privilege leave entails no pecuniary reduction. The Government therefore see no reason to change the long established usage of this Presidency, consistent as that usage is with the letter and the spirit of the Leave Rules.

4. The fixed travelling allowances, numbered 1, 2, 3, 4, 5, in the margin of paragraph 3 of the Civil Paymaster's letter, have been improperly included in this reference, as the Officers drawing them do not come within the scope of the Covenanted Civil Service Rules. These cases should be separately submitted for orders, with a full statement of the rules and orders bearing on them.

5. II. Fixed tentage and house rent are both admissible (to the extent of a moiety) during leave, under Section XIV, subject to the usual proviso as to the former. Paragraphs 32 and 51 of Chapter VIII of the Civil Auditor's Manual clearly state this, and this principle is perfectly correct and in accordance with the Absentee Rules and usage.

6. III. The absentee must of course support his bill for fixed tentage by a certificate to the effect stated, or the Board will disallow the claim.

(True Extract.)

(Signed) J. D. SIM,
Secretary to Government.

To the Civil Paymaster.

Exd. S. T. Augustin.

A: 1596

To

The Civil Paymaster
Madras

Financial Depart.t Sir,

In reply to your letter A:56 dated the 9th March 1864, I am desired to inform you that no officer whether civil, or Military in Civil Employ is entitled to draw Tentage or any other local allowance, while absent from duty on leave of any description.—

I have the honor to be
Sir
your most obedient Servant
(Signed) Ed.d A Lushington
Secy to the Govt of India

Fort William,
The 23d March, 1864

(True Copy)

R. Dowell
Chief Assist.t to Civil Paymaster

Revenue 3108/64

Memorandum.

The Superintendent Government Printing Establishment in reply to the Memorandum of to day from the Chief Assistant. to the Civil Paymaster begs to state that the publication of the Notification referred to has been deferred by order of the Chief Secretary.

Fort St. George.
19th April 1864.

(Signed) H Morgan
for Superintendent

To.

The Chief Assistant.
to the Civil Paymaster
(True Copy)
H. Donald
Chief Assistant
to Civil Paymaster

Revenue Department.

No. 2101-

Proceedings of the Madras Government.
Under date the 16th November 1864.

Read the following letter from the Civil Paymaster Fort St. George

Copy of letter to the ~~Supreme~~ Govt of India enclosing

Forwards copy of a Resolution of the local Government & explaining how he came to the conclusion that Government see all his notifications before they appear in the Gazette.

Requests information on some doubtful points connected with Supreme Government order No. 1139 of 16th July last.

(Here enter 13th August 1864 No. 98).

1. The Governor in Council does not consider that the explanations furnished in para 1 of Mr. Lodwick's letter to the Supreme Government ~~only aggravate the~~ justify ~~impropriety~~ of his conduct. In future when he desires any similar information he will apply for it in the usual manner.

2. ~~The Governor in Council~~ proceeds to pass orders on the "questions" raised in the above letter with reference to the communication marginally noted.

3 I. The term "local allowan-

es

From Secretary to the Government of India to the Officiating Civil Paymaster Madras, dated 6th September 1864, No. 2281.

R. 2158/64-

is unknown in Madras and its introduction as a generic term undesirable. It can and should be applied only to allowances payable at a certain place and no where else. The House rent of Junior and Head Assistant Collector is not a local allowance in any sense — it is not receivable at particular places only but is part and parcel of the Assistant's pay wherever he may be employed. Para 5 — Chapter VIII. of the Civil auditor's manual which declares that "under the absentee Rules, the House Rent is not liable to stoppage during absence on Privilege Leave" is undoubtedly correct in as much as such leave is granted to officers "without deduction from the salaries and emoluments drawn by such servants"

This description of leave in fact is simply an indulgence granted by the State in a spirit of liberality; it is allowed only when no public inconvenience can ensue — and the State really gains by the occasional relaxation from duty thus afforded to its Servants. It would be absurd to expect an Officer availing himself of a brief holiday to give up his house, and sell off his furniture, tents, &c, and the State therefore ~~gives~~ grants this leave (when convenient) without exercising any petty economy. The same principle is followed in the Army where Privilege leave entails no pecuniary reduction. The Government therefore see no reason to change the long established usage of this Presidency, ~~consistent~~ ~~agreeable~~ as that usage is with the letter and the spirit of the Leave Rules.

4. The fixed travelling allowances numbered 1/2 2 3. 4. 5. in the margin of para 3 of the Civil Paymaster's letter have been improperly included in

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in this reference, as the officers drawing them do not come within the scope of the Covenanted Civil Service Rules. These cases should be separately submitted for orders, with a full statement of the rules and orders bearing on them.

5. II. Fixed Sentage and House Rent are both admissible (to the extent of a moiety) during leave under Section XIV, subject to the usual proviso as to the former. Paras 320-51 of Chapter VIII. of the Civil Auditor's Manual clearly state this, and this principle is perfectly correct and in accordance with the Absentee rules and usage.

6 III. The absentee must of course support his Bill for Fixed Sentage by a certificate to the effect stated, or the Board will disallow the claim.—

JDS

3 Copies To the Civil Paymaster
Peshawar 17 Nov

16

Revenue 1864 Dept.

Pro: of Govt for Nov.

No 210.

Pro: of the Madras Govt.

Dt 16th November/64

From Civil Payr Dt 26 Nov/64
No 3105.

Pro. No. 144-145
9-8-64

Pro. No. 312
19-4-64
" 64-65
6-5-64
" 86
7-5-64
" 425-426
26-7-64

No. 193 & 194.

Passing orders on Civil Paymasters letter to the Government of India on the subject of fixed travelling allowance.