

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 1048

Press
Mis.

325.326

Dated

18-5-1865.

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
18th May 1865.*

No. 325. Read the following letter from Captain R. H. BEDDOME, Officiating Conservator of Forests, to J. D. SIM, Esq., Secretary to Government, Revenue Department, Fort Saint George, dated Camp Ootacamund, 6th May 1865, No. 1,279:—

SIR,

At Major Gib's request, I forward the accompanying letter and its enclosures.

From Major W. A. GIB, Deputy Conservator of Forests, to the Conservator of Forests, Madras, dated Manantoddy, 19th April 1865, No. 162.

SIR,

1. I have the honor to acknowledge the receipt of Government Order, dated 29th March 1865, No. 687, together with the report of the Acting Controller of Military Accounts, Fort Saint George, dated 17th February 1865D, on the subject of the pay of my rank claimed by me in my letter to your address, dated 3rd December 1864, No. 166.

2. The decision of Government founded on this report is adverse to me, but as I cannot feel satisfied that my claim is not made upon just and good grounds even after carefully reading the Acting Controller's report, I most respectfully request that the Madras Government will be pleased to submit the case for the consideration of the Right Honorable the Governor General in Council.

3. With the view of the case being clearly understood, attached hereto is a copy of every letter and order that has been passed on the subject, and as the reasoning of the Acting Controller appears to me, in several instances, unsound, I trust I may be permitted to make some remarks upon it.

4. I must disagree entirely with the reasoning of the Acting Controller in paragraph 3 of his report.

5. The tenor of Government Order, dated 15th September 1864, No. 1,699, and which bears more directly on the subject than the Order dated 14th October 1862, No. 2,211, quoted by the Acting Controller, being an explanatory one of it, appears to be altogether opposed to his conclusions. For, in the first place, it states that the Government thought right that present incumbents should not be prejudiced by the change about to take place, viz., the consolidation of salaries, without saying one word about its not extending to prospective rank. In the second place it states most clearly in paragraph 2, that Major's allowance, which had been provided for in the Budget in anticipation of my promotion, had been struck out leaving me to receive whatever additional sum might be payable, viz., the pay of my rank, in the Military Department from that Department, and in the third place it orders, in paragraph 3, that my application be transferred to the Military Department.

6. Even Government Order, dated 15th December 1862, No. 2,615, infers (as pointed out in my letter to your address, dated 3rd December 1864, No. 166, paragraph 6) that although I should not draw more than I was then drawing in the Forest Department I should be entitled to more in the Military Department.

7. It may be reasonably supposed from this that had Government intended originally that I should derive no benefit from promotion to superior Military rank they would have at once passed an Order to that effect, instead of doing as they did, refer my case to the Military Department.

8. The Acting Controller truly observes, in paragraph 5 of his report, that at the time my appointment was first made had I been promoted to the rank of Field Officer I should have been disqualified for holding the office, but at the date on which the order was passed to the effect that present incumbents were not to be prejudiced, viz., on the 14th October 1862, this rule had been cancelled, for it is laid down in the amalgamation rules that Officers in the Staff Corps will not be obliged to vacate their appointments on promotion, and still more it is laid down that Local Officers then holding staff appointments will not be required to vacate them on promotion as heretofore.

9. Thus to refuse me the pay of my rank, or require me to vacate my appointment in consequence of my having become entitled to superior allowances in virtue of that rank, is to place an Officer of the Staff Corps in a position altogether inferior to that of a Local Officer.

10. I think I have already shewn that I had grounds to suppose that I should be allowed future accessions of salary on the attainment of higher Military rank, although the Acting Controller in paragraph 6 of his report expresses a contrary opinion. It is true, as he states, I have

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18th May 1865.*

the option of reverting to Military duty, but by so doing I should throw away all claims I may have earned to promotion in the Forest Department by a continuous service of 4½ years, and should also place myself in an inferior position as I would have to do either Regimental or general duty on half batta, or 640 Rupees a month, while Local Officers of the same rank and doing the same duty would be drawing Rupees 789, and even now under the present decision of Government, I, who hold one of the appointments in the Forest Department, of which Government in one of its orders style as "the trying life led by Officers in the Forest Department, the exposure and risk of sickness to which they are subjected, the expense to which they are put, and the necessity of securing efficient men," and in a letter to the Supreme Government on the subject "the onerous duties they have to perform," and I might add the certainty of contracting jungle fever, (for no Officer in the Department has escaped it) draw less pay than a Local Major who has, comparatively speaking, little to do.

11. The Acting Controller of Military Accounts seems, in paragraph 8 of his report, to invite the Government to declare whether by their Order of the 14th October 1862, No. 2,211, they intended I should be secured not only in my three receipts, but in any pay that might be due to Military rank subsequently attained were I employed in the Military Department. The answer to this seems fully given in paragraph 2 of Government Order, dated 15th September 1864, No. 1,619, which states as follows: "In their Order of the 15th December 1862, Government struck out from the Budget the provision made in it for Major's allowance in anticipation of Captain Gib's expected promotion, leaving him to receive whatever additional sum might be payable in the Military Department from that Department."

No. 326. ORDER THEREON, 18th May 1865, No. 1,048.

Forests, No. 14.

1. The Government see no reason to re-consider their Order, dated 29th March 1865, regarding Major Gib's salary nor to make any reference on the subject to the Supreme Government.

2. Consolidated salaries are fixed for the Department, and no addition can be made on account of promotion in the Military Department.

(True Extract.)

(Signed) W. HUDLESTON,
Acting Secretary to Government.

To the Conservator of Forests,
The Secretary, C. P.

Exd. S. T. Augustin.

OFFICE OF CONSERVATOR OF FORESTS,

CAMP, 18th May 1865.

No. 1279.

From

Captain R. W. Beddome.

Offg Conservator of Forests,

To

S. D. Siva Raja,
Secretary to Government R. D.
Fort Saint George.

SIR,

At Major Gib's request I forward
the accompanying letter and its enclosures.

Consolidated salaries
were fixed for the
department - Major Gib,
then a Captain, was
exempted from the
operation of the rule &
consequently drew 765 Rs.
as Major. In receipt of
that he would have drawn
had he not been indulgently
treated - but not review
the subject that
he was not higher

I have the honor to be,
Sir,

Your most obedient Servant,

R. W. Beddome, Captain

Offg Conservator of Forests.

Copied.

1147

Pro 29th March 1865

For Order,

There is no ac-
casion for any
reference to the
Sup: pt. nor
do I think that
a reference could
be proper - saying
that pt. can
settle the matter
them selves.

The view of the Acting
Controller is in my
opinion
correct.

Revenue 1865 DEPARTMENT.
D.O. of Govt. for May
21/12/5

From
The Conservator of Forests.
To
Dated 18th May 1865
Received

No. 12/9
Enclosure.
No. 2/10
I would have been
perhaps better
the fact that May is
that he would get
may from any
H. M. in my
may only
But the fact is
I am sure that he
I have seen it
may in the course
of the year.

82-1048. 3

The Govt see no reason

to reconsider their order dated
29th March 1865 regarding Major
Lib's salary nor to make any

reference on the subject to the

Supreme Govt.

Consolidated salaries
are fixed for the department,
and no addition can be
made on account of promotion
in the military dept.

To the Conserv of Forests
18th May 1865.

I have the honor to
acknowledge
your kind letter of the 10th

Wm. W. May

Deputy Secretary of
Treas.

From Major H. A. P. 8
Deputy Justice of the Peace

To, the Justice of the Peace
Muskogee

Date 19th April 1855
Received

No 162

Enclosure 6-

Regarding the
matrimonial to
submit the matter
within statute
to the Supreme
Court for consideration
now & decision -