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M.R.O. 1—20,002—12-8-65.

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MADRAS RECORD OFFICE

GOVERNMENT OF MADRAS

Revenue. DEPARTMENT

G.O. No. / B.P. No.	1228.	Press / Mis.

Dated 28-9-1874. 196

Not to be folded or roughly handled

1/1226

Proceedings of the Madras Government, Revenue Department, 28th September 1874.

No. 247. Read the following letter from Colonel F. J. B. PRIESTLEY, Superintendent of Revenue Survey, to the Secretary to Government, Revenue Department, dated Chepauk, 9th September 1874, No. 2,375/77 :—

G. O., No. 63, of 18th January 1873.

THE Accountant-General, in his memorandum of the 28th March 1874, stated that Mr. Bagshawe, who entered the Revenue Survey Department on the 19th May 1869, and who, on the 18th May 1874, claimed the increased salary, will not be entitled to that rate of pay till 4th August 1877.

2. In reply to a further reference, the Accountant-General informed my predecessor that the period Mr. Bagshawe served as Probationer, *viz.*, from 19th May 1869 to 24th July 1871, and the period he was on sick leave, *viz.*, from 21st April 1872 to 30th April 1873, had not been taken into account.

3. Mr. Bagshawe has requested me to submit his case to Government for the following reasons urged by him :—

Mr. Bagshawe was not able to quote any authority in support of this statement when called on to do so by the Acting Superintendent (*vide* Col. Hessey's docket, No. 1,724/63, of 6th July 1874).

1st.—That Probationary Assistant Superintendents are, when confirmed, entitled to all the privileges of the confirmed appointment.

2nd.—That service as Probationer qualifies towards pension.

3rd.—That training referred to in paragraph 5 of G. O. G. I. of 31st October 1872, No. 3,927, is undergone as effectually by Probationers as by full Assistants.

4th.—That the word *actual* in the Accountant-General's first memorandum does not appear in the G. O. G. I. laying down the conditions under which increased allowance should be claimed.

5th.—That sick leave under medical certificate is allowed to count in the ten years necessary to qualify for furlough.

4. I have the honor to submit, for the consideration of Government, Mr. Bagshawe's two letters *in extenso* and one from the Acting Superintendent with a copy of the Accountant-General's memorandum, No. 11,167, of 28th March 1874.

ENCLOSURE No. 1.

Memorandum from the Deputy-Accountant-General, Madras, to the Superintendent of Revenue Survey, dated Fort St. George, 28th March 1874, No. 11,167.

Vide your Office letter, No. 774/32, dated 25th instant.

THE undersigned has the honor to state that the rule is applicable to Mr. Merriman and the other Uncovenanted Assistants, and the increased allowance will be due after five years' actual service as Uncovenanted Assistant in the Revenue Survey Department, whether acting or permanent. The several dates from which the present Second Assistants will draw their increased pay are given in the margin.

Mr. Merriman,	1st June	1874.
,, Baber,	22nd May	1875.
,, Cooke,	20th July	1876.
,, Bagshawe,	4th Aug.	1877.

The enclosure of your letter is herewith returned.

(Signed) J. E. COOKE,
Deputy-Accountant-General.

ENCLOSURE No. 2.

From F. T. BAGSHAWE, Esq., Acting Second Assistant Superintendent, No. 4, Revenue Survey, to Lieutenant-Colonel W. H. HESSEY, Acting Superintendent of Revenue Survey, Madras, dated Munmaleivedu, Verdupatti, 8th June 1874.

THE Deputy-Superintendent, No. 4, Revenue Survey Party, has communicated to me copy of the Deputy-Accountant-General's letter, No. 11,167, of 28th March 1874, ruling that, under G. O., No. 63, dated 18th January 1873, I shall be entitled to the increased rate of pay sanctioned therein by the Government of India on the 4th August 1877.

I entered the department as a Probationary Assistant Superintendent on the 19th May 1869, and therefore completed five years' service on the 19th May 1874. The Accountant-General has struck out all the time I served as a Probationary Assistant Superintendent and also the period passed on leave on medical certificate.

I request that reference may be made to Government on the subject, as it seems to me that I am entitled to the increased allowance on the expiration of five years from the date on which I entered the department for the following reasons:—

1*st*.—Civil Assistants were not to draw the increased rate for five years in order that they might receive that training which Military Assistants were supposed to have already received from having been under Military training; I respectfully venture to submit that that training is undergone as effectually by Probationers as by full Assistants.

2*ndly*.—Probationary Assistants' appointments have been ruled, when confirmed, to entitle the holders to all the privileges of a confirmed appointment and to leave under the rules even before confirmed.

3*rdly*.—The Government order, which the Deputy-Accountant-General has interpreted, says "that Assistants are entitled to the extra allowance after five years' service;" it is only by adding the word "actual," which is not found in the order, that the period passed by me on leave (necessitated by ill-health contracted in the performance of my duty) can be deducted from the period required to qualify. The case is made stronger by the fact that leave on medical certificate is allowed to count towards the ten years necessary to qualify for furlough.

Under these circumstances, I trust Government will see fit to allow me to draw the increased rate of pay on the expiration of five years from the date on which I entered the department.

No. 1,724/63.

MEMORANDUM.

REFERENCE.—Your docket of the 15th June 1874, No. 439/104, forwarding a letter from Mr. Bagshawe requesting that sanction of Government may be obtained to his drawing increased rate of pay from the 19th May 1874.

Before forwarding his letter for the favorable consideration of Government, I request that information on the following points may be afforded:—

(1.) The date and number of the ruling by which Probationary Assistants are, when confirmed, entitled to all the privileges of the confirmed appointment.

"That Assistants are entitled to the extra allowance after five years' service".

(2.) The date and number of the order from which the passage as per margin has been quoted.

2. In paragraph 5 of the Resolution by the Government of India it is distinctly ruled "that Civil Second Assistants for the first five years of their service shall draw Rupees 325 per mensem."

Dated 31st October 1872, No. 6,927.

CHEPAUK,
6th July 1874.

(Signed) W. H. HESSEY, Lieut.-Colonel,
Acting Superintendent of Revenue Survey.

ENCLOSURE No. 3.

From F. T. BAGSHAWE, Esq., Acting Second Assistant Superintendent, No. 4, Revenue Survey Party, to Colonel W. H. HESSEY, Acting Superintendent of Revenue Survey, dated Madura, 25th July 1874, No. 2.

WITH reference to your docket, No. 1,724/63, dated 6th July 1874, copy of which has been sent me by the Deputy-Superintendent, I have the honor to state that I can find no distinct ruling that Probationers are, when confirmed, entitled to all the privileges of the confirmed appointment; but in Resolution, Government of India, Financial Department, No. 3,807, of 14th August 1863, it was ruled that Probationers' appointments were "permanent," and entitled them to leave under the ordinary rules and the explanation of Section 17 of the Civil Pension Code lays down that service as a Probationer is qualifying service as regards pension.

2. With regard to the second point when I stated "that Assistants are entitled to the extra allowance after five years' service," I find that writing without the papers actually before me, I was in error as to the exact words used, though I think the terms employed bear out the inference I drew from them; for I have shown that Probationers' appointments are permanent, and Government observe, with reference to Mr. Cook, that "he has really been serving in a permanent position on the establishment, though, for the reasons given by Colonel Priestley, he has not been entered as 'permanent,'" ruling that he is entitled to the increased rate. I further venture to point out that I made the quotation only to show that the word "actual" had not been used by Government, and that my year's sick leave was "service," though not actual service; the word "actual" having been introduced by the Deputy-Accountant-General, and that that officer speaks merely of Uncovenanted Assistants, not distinguishing service as Probationer, though he certainly strikes it out.

3. I would further beg to submit that within one year of the time of my entry into the department I had passed the examination and course laid down for a Probationary Assistant Superintendent, and that, though I was not made Acting Second Assistant Superintendent till 25th July 1871, owing, I presume, to the reasons given in Section 4 of Colonel Priestley's letter entered in G. O., No. 212, of 16th February 1874, I was in charge of work in field from the expiration of my year's probation, which charge was the work of a Second Assistant Superintendent. With reference to the quotation given by the Superintendent, "that Civil Second Assistants for the first five years of their service shall draw Rs. 325 per mensem, I beg respectfully to submit that in the Resolution, No. 127, G. O., 18th January 1873, No. 63, from which this is taken, First and Second Assistants only are mentioned; that Probationers are nowhere alluded to, and that it seems to me that the reason given for their remaining on lower pay (viz., that they should get training and experience) is carried [illegible] probation as afterwards. The case further seems stronger when it is remembered that the object of the Government of India's G. O. was to consolidate pay, and that, unless the meaning I attach to it is the right one, Military Probationers would *not* be on consolidated pay, and would have a further advantage over their Civil confrères apparently not contemplated by the Resolution in question.

4. I request that this letter may be read with and taken as part of my former one forwarded with headquarter's docket, No. 439/104, dated 15th June last.

(True Copies.)

CHEPAUK,
9th September 1874.

(Signed) F. J. B. PRIESTLEY, Colonel,
Superintendent of Revenue Survey.

Proceedings of the Madras Government, Revenue Department,
28th September 1874.

No. 248. ORDER THEREON, 28th September 1874, No. 1,228.

Miscellaneous.

REFERRED to the Accountant-General for report.

(True Extract.)

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

To the Accountant-General.

Exd. F. R. Bantleman.

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Govt. of Madras.

REVENUE.

To

THE ACCOUNTANT-GENERAL.

Dated September 28th.

Recd. Encl.

G. O., 28th September 1874, No. 1,228.

SEPTEMBER.

Nos. 247-248.

Mr. Bagshawe, Acting Second Assistant Superintendent, Revenue Survey.—Referring to the Accountant-General for report letters from — alleging that he is entitled to the increased rate of pay from 19th May 1874.

From

F. F. Fagohawe Esq.

Dy. 2nd Asstt Supt A. & Revenue Survey

To

Lieut Col. W. R. Pefsey

Dy. Supt Rev. Survey. Bombay

Sir

The Dy. Supt A. & Revenue Survey Party has communicated to me copy of the Dy. Accountant Genl's letter A. 1167 of 28th March 1874 ruling that under G. O. A. 63 dated 18th January 1873 I shall be entitled to the increased rate of pay sanctioned therein by the Govt of India on the 4th August 1877.

I entered the Department as a Probationary Asstant Supt on the 19th May 1869 and therefore completed five years service on the 19th May 1874. The Accountant General has struck out all the time I served as a Probationary Asstant Supt & also the period passed on leave on Medical certificate

I request that reference may be made to Govt on the subject, as it seems to me that I am entitled to the increased allowance on the expiration of five years from the date on which I entered the Department for the following reasons.

1st Civil Asstants were not to draw the increased rate for five years in order that they might receive that training which Military Asstants were supposed to have already received from having been under Military training. I respectfully venture to submit that that training is undergone as effectually by Probationers as by full Asstants.

2nd Probationary Asstants appointments have been ruled when confirmed to entitle the holders to all the privileges of a confirmed appointment, & to leave under the Rules even before confirmed.

3rd The Govt order which the Dy. Accountant General has ~~interpreted~~ ~~that~~ Asstants are entitled to the extra allowance after five years service, it is only by adding the word "actual" which is not found in the order, that the period passed by me on leave (necessitated by ill health contracted in the performance of my duty) can be deducted from the period required to qualify. The case is made stronger by the fact that leave on medical certificate is allowed to count towards the ten years necessary to qualify for furlough.

Under these circumstances I trust Government will see fit to allow me to draw the increased rate of pay on the expiration of five years from the date on

which

which I entered the Department.

Camp Kunnallinedu
Virdupatte
Tinnevelly District
8th June 1874

I have &c
(Signed) Frank C Bagshawe
Dy 2nd Asstt Supte No 2 Rev Survey

No 176/63 Reference your Docket of the 15th June 1874 No 439/104 forwarding a letter from Mr Bagshawe requesting that sanction of Govt may be obtained to his drawing increased rate of Jeag from the 19th May 1874.

Before forwarding his letter for the favourable consideration of Govt I request information on the following points may be afforded.

I. The date & number of the Ruling by which Prob'y Asstts are when confirmed entitled to all the privileges of the confirmed appointment.

II. The date and number of the order from which it is seen that Assistants are entitled to the extra allowance after five years service.

The passage as per our argument has been quoted.

2. In Para 5 of the Resolution by the Govt of India it is distinctly ruled that both Second Asstts for the first 5 years of their service shall draw Rs 325 per mensem. D/ 31st Oct 1872 No 3927.

Rev Survey Office
6th July 1874

(Signed) W. B. Jefsey Lt Col
Dy Supte Rev Survey.

No 2

Rev Survey Office
Madura
25th July 1874

From
F. I. Bagshawe Esqr
Dy 2nd Asstt Supte No 2 Rev Survey Party

To
Col W. B. Jefsey
Dy Supte Rev Survey

Sir

With reference to your Docket No 1724/63 dated 6th July 1874 copy of which has been sent me by the Deputy Superintendent I have the honour to state that I can find no distinct ruling that Probationers are when confirmed entitled to all the privileges of the confirmed appointment but in Resolution Govt of India Financial Department No 3807 of 14th August 1863 it was ruled that Probationers appointments were "permanent & entitled them to leave under the ordinary rules & the explanation of section 17 of the Civil Pension Code lays down that service as a Probationer is qualifying service as regards pension.

With regard to the second point which states that Assistants are entitled to the extra allowance after 5 years service" I find that writing without the papers actually before me. I was in error as to the exact words used though I am

though I think the terms employed bear out the inference I drew from them for I have shown that Probationers' appointments are permanent & Govt. observe with reference to Ld. Cook's that "he has really been serving as a permanent posting on the establishment" though for the reasons given by Col. Priestley he has not been entered as "permanent" ruling on this that he is entitled to the increased rate. I further venture to point out that I made the quotation only to shew that the word "actual" had not been used by Govt. & that my year's sick leave was "service" though not actual service the word "actual" having been introduced by the Dy. Accountant Genl. & that that Officer speaks merely of Uncovenanted Assistants not distinguishing service as Probationer though he certainly strikes it out.

3. I would further beg to submit that within one year of the time of my entry into the Dept. I had passed the examination & come under Lord Lawrence's Probationery Assistant Superintendents that though I was not made Asst. 2nd. Assistant Supt. till 25th July 1871 owing I presume to the reasons given in Section 6 of Col. Priestley's letter entered in G. O. No. 212 of 16th February 1874 I was

was in charge of work in field from the expiration of my years probation which charge was the work of a 2nd Assistant Supt. With reference to the quotation given by the Supt. that civil second Assistants for the first 5 years of their service shall draw Rs. 325 per mensem I beg respectfully to submit that in the Resolution No. 127 G. O. 18th January 73 No. 63 from which this is taken 1st & 2nd Asstts only are mentioned, that Probationers are no where alluded to & that it seems to me that the reason given for their remaining on lower pay (viz. that they should [illegible]) is carried out as well when on Probation as afterwards. The case further seems stronger when it is remembered that the object of the Government of India's G. O. was to consolidate pay & that unless the meaning I attach to it is the right one, Military Probationers would not be on consolidated pay & would have a further advantage over their civil confrères apparently not contemplated by the Resolution in question.

4. I request that this letter may be read with and taken as part of my former one forwarded with Head Quarters Docket No. 439/10/4 dated 15th June last.

Shaw

I have &c.
(Signed) Frank Bagshawe
Ag. 2nd Asstt Supt Revenue Survey

(True Copies)

Revenue Survey Office
Chepauk
9th September 1874

H Priestley Lt
Superintendent Revenue Survey

Copd I L D
Copd E D

Enclosure to Letter
No. 2375 of 77
9th September 1874.

Revenue Survey Office.
Chepauk
9th September 1874.

No. 2375
77

From

The Superintendent Revenue Survey.

To

The Secretary to Government
Revenue Department.

SIR,

The Accountant General in his memo of the 28th March 1874, stated that Mr. Bagshawe who entered the Revenue Survey Department on the 19th May 1869 & who on the 18th May 1874 claimed the increased salary will not be entitled to that rate of pay till G.O. No. 630 of 18th January 1734 & August 1877.

2. In reply to a further reference, the Accountant General informed my predecessor that the period Mr. Bagshawe served as Probationer, viz. from 19th May 1869 to 24th July 1871 & the period he was on sick leave, viz. from 21st April 1872 to 30th April 1873 had not been taken into account.

3. Mr. Bagshawe has requested me to submit his case to Government for the following reasons urged by him.

Mr. Bagshawe was not able to quote any authority in support of this statement when called on to do so by the Ag. Supt. Vide Col. McLeod's Do Memo No. 1764/63 of 6th July 1874	I That Probationary Asstt Supts are, when confirmed entitled to all the privileges of the confirmed appointments

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1228

II. That service as Probationer qualifies towards pension.

III. That training referred to in Para 5 of G.O.G.I. of 31st October 1872 No. 392 is undergone as effectually by Probationers as by full Assistants.

IV. That the word Actual in the Accountant General's first Memo, does not appear in the G.O.G.I. laying down the conditions under which increased allowance should be claimed.

V. That sick leave under medical certificate is allowed to count in the ten years necessary to qualify for furlough.

I have the honour to submit for the consideration of Government Mr. Bagshaw's two letters in original to me as Superintendent with a copy of the Accountant General's Memo No. 11167 of 28th March 1874.

I have the honour to be
Sir
Your Most Obed. Servant
[illegible]
Superintendent Penang

Copied 1880
E.L.P.

No 3112

From Revenue 1874 Dept

The Supt.t Penitentiary

To

The Secretary to Govt.

Rev. Dept.

Dated 9th September 1874

Desp.d 10th

Rec.d 11th

No 2375/77

Enclosures one

Subject

Submits for the consideration of Govt. letters from Mr. Bagshawe alleging that he is entitled to the increased rate of pay from 9th May 1874

P.C. 18 Jany 73 No 129-8
45 hundred 67 - 2467

Dis. C. T. Audit Genl. 28 Sept. 74
Dec-16-10/74

No 1238

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