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TAMIL NADU ARCHIVES

GOVERNMENT OF TAMIL NADU

Revenue DEPARTMENT

G.O. No.	1300	Press.
B.P. No.		Mis.
Dated	13.8.1878	197

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Archives I—5,806—24-2-78.

1300
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GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

13th August 1878, No. 1,300.

Read again G.O., dated 29th May 1878, No. 816.

Read also the following paper :—

No. 182. From L. C. PROBYN, Esq., Accountant-General, to C. G. MASTER, Esq., Secretary to Government, Revenue Department, dated Fort Saint George, 31st July 1878, No. 5,068.

In reply to your memorandum, No. 148, dated the 23rd instant, I have the honor to state that on reconsideration I am of opinion that, if Major Sargeant be promoted in the Survey Department, he might perhaps be allowed to carry his present pay without a *previous* reference to the Government of India.

2. The orders of the Government of India, No. 313, dated the 21st of May 1877, even when read in connection with Colonel Hessey's estimate and letter convey no authority to Major Sargeant drawing as First Assistant Superintendent anything but the pay assigned for the appointment when held by a military officer, viz., Rs. 900 per mensem, and no mention is made therein of the continuance of the concession granted by paragraph 4 of the orders of the 31st of October 1872, under which military officers in the Survey Department were allowed to receive present pay and allowances and also to get in their present grades in the Revenue Survey any additional allowances that one further step in military rank might give them.

3. The orders of His Grace in Council of the 10th of August 1877, No. 2,483, did not enter into the general question of military officers retaining the advantages they had been allowed to acquire, but was based on the fact of the inclusion of such allowances in Colonel Hessey's estimate.

4. It is understood, however, from the memorandum under reply that in submitting this last order for the confirmation of the Government of India the recommendation was made, not merely with reference to the particular "estimate" of Colonel Hessey, but on the general principle. In this view, and as the orders of His Grace in Council were confirmed by the Government of India, paragraph 4 of Government of India No. 3,927, dated the 31st of October 1872, may be considered as still in force in respect to the officers who were in the department on that date.

5. This order however—and in this respect there is nothing in the more recent orders of 21st May 1877 to supersede it—lays down that, on promotion to a higher grade in the Survey, Military Officers will be restricted to the consolidated pay thereof without reference to their military rank; and this view of the matter appears to have been accepted by this Government, which by orders of the 26th of May 1876 cancelled the promotions of Majors Clay and Liardet (as ordered on the 5th idem), on the understanding, it is presumed, that they would lose by their promotion. But I cannot think that the order referred to (though literally it bears this interpretation) could have been intended to result in an officer drawing less pay as a First, than he did as a Second, Assistant Superintendent. The object I conceive was, not to make departmental promotion injurious, but merely to prevent the officer from receiving the benefit of both military and departmental promotion, and I respectfully submit that much difficulty and doubt would have been avoided if this had been pointed out at the proper time.

6. If, therefore, His Grace in Council be of opinion that the orders of the Government of India in the Revenue, Agriculture, and Commerce Department, No. 574, dated 25th of September 1877, were intended to decide that the orders contained in paragraph 4 of Government of India No. 3,927, dated 31st of October 1872, are still in force, and, if he accept the reasonable (though not perhaps the literal) interpretation of that order as given in paragraph 5 of the present letter, Major Sargeant might be promoted to be a First Assistant Superintendent on his present pay.

7. But it would be well, I think, to forward the decision of His Grace in Council for the information of the Government of India; for, though the view I have stated appears to be within the spirit, it is not covered by the letter, of their orders.

No. 183. ORDER THEREON, 13th August 1878, No. 1,300.

Miscellaneous.

THE Government have no doubt that not only Major Sargeant, but all Military Officers who entered the Revenue Survey Department before the 1st November 1872 are entitled to draw not less than they were in receipt of at the time the revised scale was submitted* by the Superintendent, Revenue Survey.

* Vide his letter, 31st Oct. 1876, No. 3,331-131, in G.O., 27th February 1877, No. 842.

2. Copy of these Proceedings will be forwarded for the information of the Government of India.

(True Extract.)

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

To the Superintendent of Revenue Survey.
„ the Accountant-General, with a copy of G.O., 29th May 1878, No. 816.

Exd. J. W. Fisher.

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Audit Dept

Fort Saint George
Acct. Genl's Office
31 July 1878

No 5068

From

The Accountant General

To

The Secretary to Government
Revenue Department

Sir,

In reply to your Memo of the 23rd instant, I have the honor to state that on reconsideration I am of opinion that if Major Sargeant be promoted in the Survey department he might perhaps be allowed to carry his present pay without a previous reference to the Government of India.

2. The orders of the Government of India No 313 dated the 21st of May 1877 even when read in connection with Colonel Hesse's Estimate and letter convey no authority to Major Sargeant drawing as 1st Assistant Superintendent anything but the pay assigned for the appointment when held by a Military Officer viz Rs 900 per mensem and no mention is made therein of the continuance of the concession granted by para 4 of the Orders of the 31st

Govt. of 1878

REVENUE

THE SUPPLY OF REVENUE SURVEY

Dated August 1878

Per. and 1878

Per. and 1878

G.O. No. 1878 August 1878 No. 1, 1878

AT GURU

No. 182, 1878

Major Sargeant.—Observing that not only but all Military Officers who entered the Revenue Survey Department before the 1st of November 1872 are entitled to draw pay not less than they were in receipt of at the time they joined the Survey, and desiring to forward copy of these Proceedings for the information of the Government of India.

of October 1872 under which Military Officers in the Survey department were allowed to receive present pay and allowances and also to get, in their present grades in the Revenue Survey, any additional allowances that one further step in Military rank might give them.

3. The orders of His Grace in Council of the 10 of August 1877. 2483 did not enter into the general question of Military Officers retaining the advantages they had been allowed to acquire, but was based on the fact of the inclusion of such allowances in Colonel Hesse's Estimate.

4. It is understood however from the memorandum under reply that in submitting this last order for the confirmation of the Government of India the recommendation was made not merely with reference to the particular Estimate of Col. Hesse, but on the general principle. In this view and as the orders of His Grace in Council were confirmed by the Government of India, para 4 of Government of India No. 3927 dated the 31 of October 1872 may be considered as still in force in respect to the Officers who were in the department on that date.

5. This order however, and in this respect there is nothing in the more recent orders of 21st May 1877 to supersede it, lays down that on promotion to a higher grade in the Survey Military Officers will be restricted to the consolidated pay thereof without reference to their Military rank: and this view of the matter appears to have been accepted by this Government which by orders of the 26 of May 1876 cancelled the promotions of Majors Clay and Riardet (as ordered on the 5th idem), on the understanding it is presumed that they would lose by their promotion. But I cannot think that the order referred to (though literally it bears this interpretation) could have been intended to result in an Officer drawing less pay as a first than he did as a second Assistant Superintendent. The object I conceive was, not to make departmental promotion injurious but merely to prevent the Officer from receiving the benefit of both military and departmental promotion, and I respectfully submit that much difficulty and doubt would have been avoided if this had been pointed out at the proper time.

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6. If therefore His Grace in Council be of opinion that the orders of the Government of India in the R. & C. Department 574 dated 25 of September 1877 were intended to decide that the orders contained in para 4 of Government of India 3927 dated 31 of October 1872 are still in force, and if he accept the reasonable (though not perhaps the literal) interpretation of that order as given in para 5 of the present letter, Major Sargeant might be promoted to be a 1st Assistant Superintendent on his present pay.

7. But it would be well I think to forward the decision of His Grace in Council for the information of the Government of India, for though the view I have stated appears to be within the spirit it is not covered by the letter of their orders.

I have the honor to be

Sir,

Your obedient servant

W. P. P. P.

Accountant General.

Copy

