M.R.O. 14–5,450—22-10-25.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 1103 — Press / Mis.

241.242

Dated 16 — 5 — 1867.

Not to be folded or roughly handled

Proceedings of the Madras Government, Revenue Department,
16th May 1867.

No. 241. Read the following Proceedings of the Madras Government in the Financial Department :—

Concurring in the views taken by the Examiner of Claims in disallowing half salary of a Sub-Collector to Mr. Reid from 4th to 25th April 1866. } (Here enter 8th May 1867, No. 205.)

No. 242. ORDER THEREON, 16th May 1867, No. 1,103.

Miscellaneous.

Communicated to the Board of Revenue.

(True Extract.)

(Signed) J. GROSE,

Under Secretary to Government.

To the Board of Revenue, with Proceedings Financial Department, No. 205.

Exd. S. T. Augustin.

Proceedings of the Madras Government, Financial Department, 8th May 1867.

No. 28. Read the following letter from J. W. REID, Esq., Madras Civil Service, on furlough, to the Chief Secretary to Government, Fort Saint George; dated Stapleton, near Bistol, England, 7th February 1867.

In accordance with permission granted me in the *Fort Saint George Gazette*, in the beginning of March (No. and date I cannot enter, not having access to it here), and with the special sanction of Government, in an Order* passed on Proceedings of the Board of Revenue, No. 2843, dated 23rd April 1866, I took 21 days' leave, preparatory to furlough, beginning on the 4th of April last, and was, therefore, entitled to half my Sub-Collector's pay during those 21 days, making my salary from the 1st to 24th April, both days inclusive, as shown below :—

* No. 1027, dated 1st May 1866.

	Rs.	A.	P.
Amount of full salary as Sub-Collector of Kistna District and Acting Sub-Collector of Bellary, from 1st to 3rd April inclusive, at Rupees 1166-10-8 per mensem.....	116	10	6
Amount of half salary, at above rate, as Sub-Collector of Kistna District, during preparatory leave from 4th to 24th April inclusive	408	4	9
Total...	524	15	3
Deduct Civil Fund at (4+2¼) 6¼ per cent	33	0	0
	491	15	3
Add fixed Tentage as Acting Sub-Collector of Bellary, from 1st to 3rd April inclusive, at 87-8-0 per mensem ...	8	12	0
	500	11	3

I left instructions with my Agents in Madras (Messrs. Binny & Co.) to receive the above, and left for England by the mail of the 28th April 1866.

2. The Examiner of Claims having paid over to Messrs. Binny, & Co. the sum of Rupees 358-12-0, instead of the above amount, I, on the 22nd October, requested that Officer to inform me wherein my claim was wrong, and received a reply from him, No. 631, dated 18th December 1866, copy of which I have the honor to enclose, in which he states that, "although at the time of my "proceeding on leave to Europe, I stood appointed permanently to the Sub-Collectorate of Kistna, "I am not entitled to a Sub-Collector's salary, but only to that of Head Assistant, from date of my "relief at Bellary, because I never joined my appointment at Kistna, nor any permanent Sub-Col- "lectorate, and that I drew the higher pay while at Bellary in consequence of being detained "on duty."

3. I believe it to be an understood thing that when an Officer is posted to some permanent appointment, and directed in the same Gazette, or after such appointment, to act in a post of equal rank and pay elsewhere, that the first appointment is intended to give him promotion, and that, to enjoy all the privileges of that promotion, it has never been considered necessary actually to join the very District to which one is permanently posted.

4. I have, therefore, the honor to submit my claim, and the difference of opinion between the Examiner of Claims and myself, for the decision of Government, and to request that, should Government coincide with me in opinion, they will be pleased to direct the payment to me of Rupees 141-15-3 balance, after deducting from Rupees 500-11-3 the amount already paid to me.

From W. DONALD, Esq., Examiner of Claims, Fort Saint George, to J. W. REID, Esq., Madras Civil Service, Stapleton; dated Fort Saint George, 18th December 1866, No. 631.

I have the honor, with reference to your letter No. —, dated 22nd October last, to state that, although, at the time of your proceeding on leave to Europe, you stood appointed permanently to the Sub-Collectorate of Kistna, you are not entitled to a Sub-Collector's salary (but only to that

of Head Assistant) from date of relief at Bellary, because you never joined your appointment at Kistna, nor any permanent Sub-Collectorate. You drew the higher pay while at Bellary, in consequence of being detained on duty.

2. The smaller allowance would have been passed to you during joining time had you left Bellary to join your permanent appointment.

3. Agreeably to the above, your salary, during your leave preparatory to furlough, was calculated at the rate of a moiety of that of a Head Assistant Collector.

No. 29. ORDER THEREON, 8th May 1867, No. 205.

In the foregoing letter Mr. Reid appeals against an objection made by the Examiner of Claims against passing to him the half salary of a Sub-Collector from the 4th to the 24th April 1866, during which period Mr. Reid was on leave preparatory to his embarkation for Europe on furlough. Mr. Reid claims full salary from 1st to 3rd April 1866 as Sub-Collector of the Kistna District and Acting Sub-Collector of Bellary, and half salary, as Sub-Collector of the former District, from the 4th to the 24th April.

2. Mr. Reid at the time stood appointed Sub-Collector of the Kistna District, but had not joined that appointment, having been retained as Acting Sub-Collector of Bellary up to his departure on furlough. Up to the date of Mr. Reid's obtaining preparatory leave, he drew the full salary of a Sub-Collector, but for the period of his leave the Examiner of Claims considers him entitled only to the half salary of a Head Assistant, that being the last permanent appointment the duties of which had been performed by him. Mr. Donald observes that, if Mr. Reid had proceeded to join his permanent appointment in the Kistna District, he would have been entittled only to the pay of Head Assistant for the time occupied by him in joining.

3. It appears that the Examiner of Claims took exception to Mr. Reid drawing full salary as Acting Sub-Collector of Bellary from the 29th March to the 3rd April 1866, in consequence of his not having returned to the District after the Easter Holidays, and that the Government, in their Orders in the Revenue Department, dated 1st May 1866, No. 1027, sanctioned, "as a special case", the payment of Mr. Reid's salary for the period in question, allowing him to reckon his preparatory leave from the 4th April 1866.

4. An Officer appointed to a higher situation than the one which he holds is debarred, by Section 23 of the Civil Service Rules, from drawing the higher salary until he joins, unless he be detained by Government in another appointment, and, in that case, when he eventually proceeds to join his permanent appointment, he falls back on the salary attached to his last permanent appointment during the time occupied in joining. The same rule is applicable to the case of an Officer so circumstanced proceeding on leave.

5. The Government concur in the view of M. Reid's case which has been taken by the Examiner of Claims.

(True Extract).

C. J. Cumberlege
Chief Secretary.

To J. W. Reid, Esq.
To the Examiner of Claims.
" Revenue Department.

Exd. J. H. Burns.

Revenue 1867 Dept.
Govt. of Govt. for May
No. 1222.

Proceedings in the
Financial Department

Dated 8th } May.
Received 11th } 1867.

No. 205.

Concurring in
the views taken by the
Examiner of Claims in
disallowing half salary
of a Sub Collector to
Mr. Reid from 4th
to 24th April 1866.

No 1103. 16 May

Write Order

A. 241 & 242

No

No. 1103.

Communicated to the
Board of Revenue.

16th. May 67

5 Copies to the Bd of Revenue with Govt. No. 205 Dept. 16

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