M.R.O. 14—12,000—27-9-24.

MADRAS RECORD OFFICE.

Government of Madras.

Revenue **DEPARTMENT.**

G.O. No. 127 Press

257. 258

Dated 15 — 1 — ~~19~~ 1867

Not to be folded or roughly handled

127
15-1-67

Proceedings of the Madras Government, Revenue Department, 15th January 1867.

No. 257. Read the following Proceedings of the Board of Revenue, dated 5th January 1867, No. 60.

Read the following papers:—

Letter from the Collector of Salem, to the Secretary to the Board of Revenue, dated 31st July 1866, No. 142.

In forwarding the enclosed copy of a letter* from the Acting Head Assistant Collector, I have the honor to request the Board will be good enough to let me know whether Mr. Bliss is entitled to the deputation allowance from the date he took charge of his appointment. Unless the word *station* is considered to mean the same as *district*, it appears to me that his claim is good.

* 19th July 1866, No. 158.

From the Acting Head Assistant Collector of Salem, to the Collector of Salem, dated Tripattur, 19th July 1866, No. 158.

1. I have the honor to forward, herewith, a letter from the Deputy Collector in charge of the Treasury, in which he declines to pass my deputation allowance, as Acting Head Assistant for twenty-two days in the month of June, on the ground that I am not entitled to any such allowance until after the lapse of one month.

2. I enclose also copies of the Sections of the Civil Service Rules, and the Civil Auditor's Manual, to which he refers.

3. As you will see the Civil Service Rules, after laying down the ordinary rates of deputation allowance to be drawn by servants temporarily officiating in offices of superior emolument, proceed in Section 27 to make an exception, to the effect, that a subordinate officer acting in a superior appointment in the same office, or in the same establishment *at the same station*, shall receive no deputation allowance for the first month during which he is so acting. This exception has, I believe, always hitherto been held to apply to the case of an officer acting in a superior appointment *in the same district*, and, I presume, that it is on the ground of custom that Mr. Johnston has refused to pass me the allowance in question. I have carefully looked through all the orders referring to the subject that I can lay hands on, as well as the Section of the Civil Auditor's Manual quoted by Mr. Johnston, but I am quite unable to find that there exists any order of any Government, Local, Supreme, or Home, that rules that for the future the words "at the same station" shall lose their plain and only possible meaning according to the English language, and be held to mean something quite different, viz., "in the same district." I consider, therefore, that, as at the time of my appointment to act for Mr. Brandt, I was not at Tripattur, but at a different station (Oossoor) fifty-six miles away, under orders to proceed to another different station (Salem) seventy miles away, I cannot be said to be acting "at the same station," and am therefore entitled to deputation allowance, at the rate of Rupees 200 per mensem, from the date of my taking charge here.

4. The view I have taken, though certainly totally opposed to ordinary practice, is, I think, consistent with the principle on which deputation allowances are evidently granted, namely, as remuneration for the extra expenses entailed by a more, and for the extra responsibility and labor which are inseparable from the duties of a superior charge. The exception laid down in Rule 27 is again quite consistent with the principle I have assumed. An officer is appointed to act "at the same station," and is put to no expense in moving; he is therefore not permitted to draw deputation allowance at once, but only after the termination of the first month he is so acting. My case, however, is quite different. As I had to move, it would have cost me but a trifle, if anything more, to have moved at once to another district; indeed, if the Deputy Collector's interpretation is correct, I should have been a considerable gainer, as I should have received Rupees 200 more for acting than now seems probable. I may notice also, that my

position is strengthened by the wording of the latter part of Section 27 of the Rules, which seems to me to mean that, *although* acting in a superior appointment in the establishment (as I am), the servant *shall* be entitled to deputation allowance if deputed to act "from a different station" (as is my case).

5. Should you not agree with me that I am entitled to this allowance, and not be disposed to direct the Deputy Collector to disburse it to me, I have the honor to request that you will refer the matter for the decision of Government. The question has not, that I am aware, been previously raised, and is, I think, of sufficient importance to many officers, to make it desirable that an authoritative ruling should be obtained.

Referred to the Accountant General for his remarks.

(Signed) W. HUDLESTON,
Secretary, Revenue Board.

2nd August 1866.

Memorandum from the Accountant General, to the Secretary to the Board of Revenue, dated Fort Saint George, 22nd December 1866, No. 4,706.

1. With reference to Mr. Bliss's claim to deputation allowance, for the first month of the period he acted as Head Assistant Collector of Salem, received for report under the Board's endorsement of 2nd August upon the Collector's letter, dated 31st July last, the undersigned has the honor to state that, as the actual wording of the Deputation Allowance Rules forbids the grant of such allowance for the first month only, when a subordinate officer is appointed to act for a superior in the same office, or establishment, *at the same station*, it appears to him equitable that an officer who has to move from one station to another to take up such appointment, though on the same establishment, and in the same district, should receive the allowance from the date on which he may take charge of the superior post.

2. He has ascertained, that in Bengal, Assistant Magistrates in charge of Sub-divisions, when transferred to the Sudder station to act for the Joint Magistrate and Deputy Collector, or for the Magistrate and Collector, are allowed the usual deputation allowance from the dates on which they assume charge of their new duties. But, as in such cases, it has always been refused for the first month in this Presidency, a change can be made only under the orders of Government.

Ordered that the above papers be submitted to Government, with the Board's recommendation that the Accountant General be authorized to adopt the Bengal practice in this matter. It may often involve really more expense to a young officer to change his station in his own district, than to move to a different district altogether.

No. 258. ORDER THEREON, 15th January 1867, No. 127.

Miscellaneous.

The Bengal practice is clearly the correct one, and should be followed in this Presidency.

(True Extract.)

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

To the Board of Revenue.
,, the Accountant General.

Exd. S. T. Augustin.

No 127.

The Bengal practice is clearly the correct one & should be followed in this Presidency

15th January 1867.

14 Copies Letter Bd of Rev. 3rd Jan 15
6 — Asst Genl