

MADRAS RECORD OFFICE.

Government of Madras.

Revenue DEPARTMENT.

G.O. No. 2916

Press
~~Mis.~~

126.127

Dated 6 — 12 — 1867 .

Not to be folded or roughly handled

*Proceedings of the Madras Government, Revenue Department,
6th December 1867.*

No. 126. Read the following Proceedings of the Madras Government in the
Military Department:—

Explaining that the Proceedings of Government relating to the privilege of travelling in first class carriages on payment of second class fares, affects *Military* Officers only, serving Government under that department, and all Officers under the immediate orders of His Excellency the Commander-in-Chief. (Here enter 30th November 1867, No. 4,630.)

No. 127. ORDER THEREON, 6th December 1867, No. 2,916.

Miscellaneous.

Communicated to the Board of Revenue, Director of Revenue Settlement, Superintendent of Revenue Survey, and Conservator of Forests.

(True Extract.)

(Signed) F. BRANDT,
Under Secretary to Government.

To the Board of Revenue,
,, the Director of Revenue Settlement,
,, the Superintendent of Revenue Survey,
,, the Conservator of Forests, } With Proceedings Military Department, No. 4,630.

MILITARY DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers:—

From the Consulting Engineer for Railways, Madras, 12th November 1867, No. 316; to the Secretary to Government, Public Works Department, Fort Saint George.

I have the honor to enclose, for the orders of Government, a letter* from the

* No. 409, 11th November 1867.

Agent and Manager of the Madras Railway Company, enclosing an extract

† *Vide G. O.*, 5th June 1867, No. 1679. from a letter from the London Board in which the wording of the certificate† to

be furnished by Officers who desire to avail themselves of the privilege of travelling in first class carriages on payment of second class fares is noticed.

2. Under instructions from his Board, Mr. Elwin inquires whether the omission of the word "Military" before the word "duty" in that certificate was intentional, and whether it was thereby meant that "Officers employed in the "Police, or on Public Works, or on other duties of a civil character, were to be "admitted to the same privileges as those proceeding on Military duty."

3. Although perhaps the wording of clause 19 of the Contract might have been clearer, I am of opinion that the privilege in question was meant to be conceded only to those Officers who were travelling upon Military duty; and I observe that the Advocate General, while acknowledging a probable difficulty in deter-

‡ *Vide G. O.*, 22nd February 1867, No. 527. mining when an Officer is on duty, states‡ his opinion that in order to

entitle him to the indulgence "it must be duty as an Officer, that is, that a Cantonment Magistrate or Municipal Commissioner would not be entitled to the "reduced rates on the ground that he was an Officer."

From the Agent and Manager of the Madras Railway Company, Madras, 11th November 1867, No. 409; to the Consulting Engineer for Railways.

Acting under the instructions of my Board of Directors, I have the honor to enclose a copy of paragraph 15 of the Secretary's letter No. 401, dated the 13th September, and with reference thereto, to request that you will be good enough to inform me whether, when the Government approved the certificate prepared by the Commander-in-Chief which is to be furnished to Railway Companies by Officers desiring to avail themselves of the privilege of travelling in first class carriages on payment of second class fares, it was intended, that Officers employed in the Police or on Public Works, or on other duties of a civil character, were to be admitted to the same privilege as those proceeding on Military duty.

2. Clause XIX of the Contract between the East India Company and the Madras Railway, appears to me, as it does to my Board, to leave no uncertainty in the matter, as the privilege in question could only apply to Officers travelling on Military duty, but with a view to prevent the possibility of misunderstanding, the word "Military" having been omitted from the certificate, this reference is deemed advisable.

EXTRACT from a letter from the Secretary, Madras Railway Company, No. 401, dated 13th September 1867.

Paragraph 15. Your letter No. 742, has drawn the Board's attention to the form of certificate proposed by the Commander-in-Chief of the Army, and approved by the Government, to be furnished by Officers desiring to avail themselves of the privilege of travelling in a first class carriage on payment of second class fare. You inform the Board that the draft certificate submitted by you for approval required it to be stated that the Officer was "proceeding on *Military* duty," and that the word "Military" does not appear in the certificate which has received the sanction of Government. The Government Consulting Engineer has pointed out that by the omis-

sion of the word it remains uncertain whether it is intended that Officers "employed on Police or Public Works, or other duties of a civil character," are to be admitted to the same privilege as if proceeding on Military duty. It appears to the Board that no such uncertainty can have been meant to be introduced by the Government, the intention of the Contract being clearly, as they conceive, to give the privilege in question to Officers on Military duty only. In order, however, to prevent misunderstandings arising, it is desirable that you should apply to the Government for an explanation of their views on the point.

(True Extract.)

(Signed) R. B. ELWIN,
Agent and Manager.

Referred to the Military Department.

(Signed) C. A. ORR, Colonel, R. E.,

14th November 1867.

Secretary to Government, D. P. W.

ORDER, No. 4630, 30th November 1867.

The Proceedings of Government alluded to having been passed in the Military Department, must necessarily be held to affect *Military* Officers only, serving Government under that Department,

No. 1338 dated 11th April 1867,
,, 1967 dated 29th May ,,

and all Officers under the immediate orders of His Excellency the Commander-in-Chief,

(True Extract.)

W. C. Ellis Major.

Offg. Deputy Secretary to Government.

To the Public Works Department, with two enclosures.

„ Quarter Master General.
„ Adjutant General.
„ Controller of Military Accounts.
„ Inspector General of Ordnance.
„ Commissary General.
„ Remount Agent Oosoor.
„ Judicial Department,
„ Revenue Department, } for information. *With 20 spare copies.*
„ Examiner of Claims, }

Proceedings of the
Privatizing Dept.

87.4630

With Order

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Ms. A. 9.2. 126-127