[Edi. / 6.]
500—24-3-97.

Educational (1897) Department.

ORDINARY MS.

G.O., No. 133

DATED 8. 3. 97

INDEXED.

[Despatch Abstract.]

Directing that the Govt of India be addressed by wire to obtain the sanction of the Secretary of State to the retention of Mr Davidson as the Principal of the College of Engineering on certain terms proposed by him.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

752
19-96

ACCOUNTANT GENERAL'S OFFICE,
FORT ST. GEORGE,

the 11th of Jul 1896.

My dear Lee

Kelsey cannot take his leave away
earth pay with him. His substantive
pay is Rs 600 which he can
draw provided the conditions of
art 77. a C.S.R are fulfilled or
he can get a certificate of medic

Yours sincerely
H Mannin

ACCOUNTANT-GENERAL'S OFFICE,
FORT ST. GEORGE,
the 14 of Dec 1898

My dear Dawkins

I have just carefully
lifted from case, & am sorry
I cannot pass the Rs 50
without Indian orders.
Re letter from my predecessor
20,623 dated the 29th May
96 still holds good. Cal-
from has forbidden us to
levy acted on the appl.
hereinafter -

Yrs

otherwise use special
in such use specially
protected by U.S. of State.
The Kaiserin has been
in the Fort. since mid
88.
Look you like me Rufus
the Trader of the Fort of Indus.
I took pen myself but the
the Ro 60 my self but the

Why Indus may say that
Kaiser than may be
delay at first be pronounced
carrying a Light weapon
than that of Lieutenant
port.
Behold me the Roman
Rufus but fight for others.

Yours truly
Frank Rufus

Indus pronounced

[G. / 9]

1,000—11-8-98.

Col (1899) Department.

D. O. No. 11

From J. Davidson
College of Surgs.

D. O.

No.

Dated 10-1-99

Received } 10-1-99.
Registered }

Enclosures

Spare copies.

SUBJECT.

re: Davidson's pay.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

College of Engineering,
MADRAS.

10/1/ 1899.

My dear Fremantle. I saw Duncan this morning, & he tells me he is sending on my letter about my pay, and is also at the same time asking that the G.O.I. sanction be obtained to my being allowed to retire on Pro. temporary pension on the P.W.D. as may come my way, with the pay of the rank, & remain on at the College; of course if sanction is given to my remaining at the

I think of remaining on at the College as Engineer 3rd class temporarily but I be settled with for I at one & the same time do not think I can undertake the Duncan Railway proposition next April or May is very probable.

Yours truly

J Davison

If on getting the papers there is any point you wish made clear, I shall be glad to

Come over

[G. / 9]

1,600—11-8-98.

Eol (1899) Department.

D. O. No. 19

From J. P. Davidson.
A/ Principal
College of Engineering
Madras

D. O.

No.

See 4
Please see the note below
ale
2/2/99

Dated 31-1-99
Received } 31-1-99
Registered
Enclosures
Spare copies.

SUBJECT.

re. J. P. Davidson's pay.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Peters v.u.
31/97

College of Engineering,
MADRAS.

31. 1. 1899.

My dear Tremenheere — de Boulon told me last night that he had forwarded you a letter from Duncan about my dining on at the Mess — the — evening — I proceeded to Salsette Caves next April or May — Lord Duncan, as you say = desired, I mark the cover urgent, but possibly de Boulon may have omitted Tedious, so I write to let you know that the matter

has been passed on to Duncan
& Robertson —
Robertson also told me that
he had forwarded Compliments
about my boy in the College as
Ex: Syr: Student - so I presume
you have the whole subject
now in your hands —
I understand that Parsons has
already obtained forty votes,
& Harman, & Carmichael have

intended their attention of going - with their three vacancies left by circle - and as I remain at the present time on special duty - Harman tells leave will give me my circle & Harman goes 3rd Jan: to Khartoum & Africa —

Yours Truly
H Davison

(thro' the Chief Engineer & the Accountant-General)

Educational (1899) Department.

CURRENT No. 426

ACCOUNTANT GENERAL'S OFFICE MADRAS 6 FEB 99
ASSTT SECY TO GOVT GEN MINE EDL & LEG DEPTS 24 JAN 1899
DESPATCHED 12 JAN 1899

No: 400C d/23 Jany/99

From The Director of Public Instruction Madras.

Lett
~~Order~~

No. 387

Dated 11th January 1899.

Received

Registered

Enclosures

Spare copies

SUBJECT.

Mr. Davidson requesting that the Question of the Government of India may be obtained for — drawing his substantive pay as a D.P.W. Officer while in charge of the College of Engineering

Forwarded to the Educational Dept. with the remark that the undersigned fully concurs in the Director's opinions.

AK 19-1-99.

Chief Engineer, P.W.D.

For

Govt. No. 61, d/4th February 1899

Referred to the Accountant-General for favour of early remarks.

(By order)

A Edgington

Ag Asstt Secretary.

7/2 3-2-99.

PM 3/2/99

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 2354. dated 29th July 1896.

From

The Accountant General to the Government of Madras.

To.

The Secretary to the Government of India, Financial Department.

Sir,

I have the honour to submit the following case for orders.

2. Mr. C.C. Flanagan, Assistant Inspector of Schools, 1st Class (pay Rs 400 – 10 – 500) officiated in the 4th Class of the Graded Educational service (pay Rs $333\frac{1}{3}$ – $33\frac{1}{3}$ – 500) for 3 months and 4 days from 4th January to 7th April 1892, the same appointment he held again Sub. for. Dep. from 31st January 1894 to 14th March 1896 when he was confirmed.

3. The pay of Mr. Flanagan in his substantive appointment was Rs 410

...uary 1892 and he was earning his Successive increments on the first day of August of each year. His Salary for the period he officiated in 1892 was restricted from Rs 410 to Rs 400 per mensem under Article 171 and 168 (2) ii Civil Service Regulations. His Salary during the Sub. pro-tem tenure was calculated under article 171 as follows; on the 31st January 1894, when his substantive pay was Rs 430, he was allowed Rs 433-5-4, on the 1st August 1894, when his substantive pay was Rs 440, he was allowed Rs 433-5-4 only; on the 1st August 1895, when his substantive pay was Rs 450 he was allowed Rs 466-10-8. His total acting and Sub. pro-tem Service on the date of confirmation amounts to 2 years 4 months and 17 days and he will have put in 5 years Service on 1st December 1898, when it is proposed to give him the next increment or the maximum pay of the appointment Rs 500 on the ground that under article 171, he should count time for increments as if he had commenced on the minimum pay. This is in accordance with the practice followed [illegible] But I consider that as Mr Flanagan officiated in the appointment in 1892, he should during his Sub-pro-tem tenure, have his allowances calculated under Article 170, Civil Service Regulations, and his Salary should be fixed as follows.

4. From 31st January 1894 to 31st October 1894 (i.e. 9 months) he should draw Rs 400 which was the Salary he drew when last officiating for 3 months in 1892 and which was equal to one of the stages of pay of the acting appointment under Article 170(a) of Civil Service Regulations. On the 1st November 1894, as he becomes entitled to an increment his Salary should be Rs 433-5-4. On 1st November 1895, he should draw Rs. 466-10-8, and on 1st November 1896 Rs 500. per mensem.

I have &c
Sd/ F.C. Harrison.
Accountant General.

(True copy)
Signed D. Duncan
Director of Pub. Instn

...d 1st 1896 and
Government of India.
Finance and Commerce Department.

Simla, the 14th September 1896.

To The Accountant General, Madras

Sir,

I am directed to acknowledge the receipt of your letter No 2354. dated the 29th July 1896 regarding the salary admissible to Mr. C.C. Flanagan in the 4th class of the Provincial Educational Service, and in reply to say that your view regarding the application of the rules, as explained in paragraph 4 of your letter is correct.

I have &c.
(Sd) R.A. Lamble
Under Secretary to the Govt. of India.

(True copy)
(Signed) D. Duncan
Director of Public Instruction.

(True Copies.)
R Davison
Acting Principal.

1896
7
Proposal No.
Dept.
No. 2

Forwarded Audit Department.

Fort St. George
Accountant Genl
29th May 1896.

No. 1623.

From
F.C. Harrison Esqre.
Offg. Accountant General to the
Government of Madras.

To The Principal, College of
Engineering. Madras

Sir,

With reference to your letter No.
dated the 11th of May 1896, I have the
honour to state that the officer of the
Public Works Department who may
be appointed to act for Mr. Chatterton
during his furlough, will be restric
to Rs 750 per mensem, if he be a Comm
Executive Engineer of the 1st or 2nd Grad
or Rs 700 per mensem if he be a Comm
Executive Engine
that the emplo
Service Regu

2. If
cutive Engineer of

above calculation has been
on the assumption that the
the Executive Engineer 1st 2nd
3rd Grades is Rs 1000, 850 and
respectively.

If a European Executive
neer is appointed it will be
essary to obtain the Sanction of
Government of India and probably
the Secretary of State also, to the
pointment.

I have &c
Sd/ F.C. Harrison.
Offg. Accountant General.

(True Copy)

R Davidson
Acting Principal.

R Davidson
Acting Principal.

No. 842 D.

Government of Madras.
Public Works Department.

Memorandum.

Dated Ootacamund, 22nd July 97.

With reference to letter from
Principal, College of Engineering, No. 15
dated 8th June 1896, the Chief Engr.
has the honour to state that it
been ascertained from the Accountant
General that Mr. Keeling who is
Assistant Engineer 1st Grade, per manent
and Executive Engineer 3rd Grade
Temporary, would, under Article 171 (b)
C.S. Regulations, draw no more than
Rs 600 if appointed to act for Mr.
Clinton; his present pay being
Rs 700. It would therefore not be for
his while to accept the appointment
unless the Special Sanction of the
Government of India could be obtained
to his drawing the maximum pay of the
post.

2. The Accountant General has a
pointed out that as Mr. Keeling
not a native of India, it

ent of India and probably of the
ry of State, to his appointment.
G.O. 476 Educational dated 7th July
and G.O. 101 Public dated 8th Jan-
ary 1895.

3. The acting appointment on
esent conditions would not even
nefit an Assistant Engineer,
Grade, who draws Rs 500, as the
ay admissible to such an officer
nder the Article of the C.S. Regulations
uoted above would be Rs 500 only.

(Signed) D. McC. Campbell Colonel.
Chief Engineer.

To. The Principal,
College of Engineering, Madras.

(True Copy)

R Davison
Acting Principal.

Educational Dep. 1st.

Proceedings of the Madras Government.

Read the following papers:—

Endorsement of the Government of
India, Home Department, Educatn
No. 1 dated 4th January 1897, forwar
the following Correspondence:—

Despatch to the Right Honorable
Secretary of State for India, No. 291, d
14th October 1896.

We have the honour to forward
for your favorable consideration
a copy of correspondence with the
Government of Madras, regarding the
appointment of Mr. H. T. Keeling, Assis
ant Engineer, 1st Grade, with the tempo
rary rank of Executive Engineer 3rd
Grade, to officiate as Professor of
Engineering, in the Madras College of
Engineering, during the absence on
furlough, of Mr. A. Chatterton,
the permanent incumbent.

2. It will be seen from the Madras
Government's letter of the 14th August
a qualified officer could

Public Works Department,

That no officer of that Department could have been willing to act in the Educational Service if his position were inferior to that which he would hold if he continued in the Public Works Department. The Government of Madras, therefore, in selecting Mr. Keeling, recommended that he should be given, while acting as Professor of Engineering, the pay (Rupees 700) of his rank in the Public Works Department together with Presidency Allowance (Rs 100) and the Presidency House Rent (Rs 45), and that he should be allowed to receive such promotion, permanent or temporary, as would fall to him if he remained in the Public Works Department.

2. We agree with the Local Government in considering that

C/4 9-12

in the circumstances, the appointment of Mr. Keeling to act as Professor of Engineering was the best course in the public interests, and, 1899. of the urgency of the matter, have, in anticipation of Your Lordship's approval, sanctioned the proposals in our telegram of the 4th September. A similar arrangement was sanctioned in Lord Cross' Despatch No. 64 (Public Works), dated the 29th October 1891, when an officer of the Public Works Department was appointed to act as Professor of Engineering during the two years for which Mr. Chatterton was attached to the Public Works Department for the purpose of acquiring adequate practical experience of large works. We trust that our proceedings in the present case may now receive Your Lordship's confirmation.

of the following Despatch
in Rl. Hon'ble the Secretary
of State for India, No. 48 P.W., dated
December 1896:—

I have received your
Secret Finance & Commerce
No. 291. of the 14th October 1896,
reporting the circumstances under
which you have, in anticipation of
my approval, sanctioned the proposal
of the Government of Madras, to
appoint Mr. H. J. Keeling, Assistant
Engineer, 1st Grade, with the temporary
rank of Executive Engineer, 3rd Grade,
to officiate as Professor of Engineering
in the Madras College of Engineering,
during the absence on furlough of
Mr. A. Chatterton, the permanent
incumbent.

2. Your proceedings in the
matter have my approval.

I have the honour to be,
Sir,
Your most obedient
humble Servant,
(Signed) G. S. Forbes
Secretary to Govt.

To
The Director of Public Instruction,
Public Works Department.

No. 706. 26. January 1897.

Communicated to the Principal,
College of Engineering
(By order)
(Signed) V. T. Sechadria Chari
Ag. 1st Asst to the Director of
Public Instruction.
(True Copy)

C/4 9-12-

Enc

a copy of the Despatch and
to which the above is a reply,
warded to the Accountant
Madras.

1897.

Order No. 42, D/21st January

Communicated to the Dir
Public Instruction and the Pu
Works Department.

(True Extract)
(Signed) G. S. Forbes
Secretary to Govt.

To
The Director of Public Instruction.
Public Works Department.

C/4 9-12-96—200 copies.

COLLEGE OF ENGINEERING MADRAS.

No. 1402/E.

Dated 9th January 1899.

From J. P. Davidson, Esqre,
Acting ~~The~~ PRINCIPAL,
COLLEGE OF ENGINEERING, MADRAS,

To The Director of Public Instruction,
Madras.

Enclosures 4.

Sir,

I have the honour to acknowledge your Proceedings No. 13964, dated 12th December 1898, communicating G.O. No. 737, Educational, dated 23rd November 1898, in which, during my tenure of my present appointment, my claim to receive my substantive pay as Executive Engineer, 1st grade, D.P.W. is disallowed. This disallowance is based on a ruling of the Government of India on the case of Mr. Flanagan, which is stated to be exactly similar to my own.

2. Mr. Flanagan's case is briefly this, viz: Mr. Flanagan, an officer of the Subordinate Educational Service, was on

1899 Dept. Endst. No. To O. No.

on 4th January 1892, promoted from Assistant Inspector of Schools 1st Class to act in the 4th Class of the Graded Educational Service; he acted in this appointment from 4th January 1892 to 7th April 1892, and, during this period, his pay and allowances were regulated by Article 171, Civil Service Regulations.

On the 31st January 1894, Mr. Flanagan was, for the second time, promoted to the 4th Class of the Graded Educational Service, his promotion on this occasion being Sub-pro tempore; he held the appointment Sub pro tempore up to the 14th March 1896, and during this period, 31st January 1894 to 14th March 1896, his pay and allowances were, as on the first occasion, regulated by Article 171, Civil Service Regulations.

On the 14th March 1896, without any break in his Sub pro tempore tenure, Mr. Flanagan was confirmed in the appointment, and it is to be noted (1) that, it was only after he had been confirmed, that the then Accountant-General raised the question whether, during his second term of the appointment, Mr. Flanagan's pay and allowances should be fixed under Article 170, Civil Service Regulations rather than Article 171, Civil Service Regulations, and (2) that Mr. Flanagan derived considerable benefit from the proposed alteration in the Article under which his pay was to be calculated, viz, he reached the maximum pay of his appointment on 1st November 1896, instead of on the 1st November 1898.

3. My case I respectfully submit differs from that of Mr. Flanagan in some very essential particulars.

(1) Mr. Flanagan's case is that of an Officer receiving promotion in the ordinary course in his own Department or Service; my case is that of an Officer of one Department (the Public Works Department) whose services have been specially placed by Government at the disposal of another Department (the Educational) for employ-

appointment in a specified appointment for a specific period.

(2). Mr. Flanagan, at the time he was brought under Article 170, Civil Service Regulations, had, after a continuous sub pro tempore tenure, been actually confirmed in his appointment; his case is therefore, exactly that described in Article 170, Civil Service Regulations, viz, that of an officer who is substantively appointed to an appointment in which he has already officiated. From the very method of my posting to the Principalship of the College of Engineering, my tenure can only be of a very temporary nature, and my case appears to be just as closely that described in Article 171, as Mr. Flanagan's is that described in Article 170.

4. The question regarding Mr. Flanagan's case was laid before the Government of India by the Accountant-General, Madras, in his Letter No. 2354 of 29th July 1896 to the address

address of [illegible] say to the Go
India, Financial Department. Reference to this letter will prove the correctness of the statements made above regarding Mr. Flanagan. The Government of India's approval was given in their letter No. 3937 of 14th September 1896. Copy of the complete correspondence is forwarded.

5. I would now ask that Mr. Keeling's case, which was, I have since ascertained overlooked in the Accountant-General's Office, may be brought to the notice of Government. The case is this, viz, Mr. Chatterton, Professor of Engineering, having expressed his intention of taking furlough from or about August 1896, it became necessary to secure the services of a D.P.W. Officer to act as Professor of Engineering. Mr. Keeling was the officer selected, and he expressed himself willing to act. Mr. Keeling's substantive rank, at this time in the Public Works Department, was the [illegible]istant Engineer, 1st Grade [illegible]gs case pay a [illegible]s of his

2 ...ent, in ...ay ...t of an
Executive Engineer, III^rd grade, pay Rs. 700, and
during employment in the Presidency was
entitled to (1) Presidency Allowance Rs. 100,
and (2) House Rent Rs. 45.

On reference being made to the Account-
ant-General, that officer in his letter
№ 1623 of 29^th May 1896 to the address of
the Principal (copy attached) stated that
an Executive Engineer of the Public Works
Department acting as Professor of Engineering
would, under Article 171, draw while so
employed, his substantive pay, limited
by the maximum pay, Rs. 750, of the appoint-
-ment. In a demi-official letter, writing
with special reference to Mr. Keeling, he
explained that Mr. Keeling would only
be able to draw his substantive pay, Rs. 600;
to retain his temporary rank as Executive
Engineer, III^rd grade, and draw the pay
and allowances of that rank, sanction of
the Government of India was necessary —
on receipt of this information, through the
Address

Principal, College of Engineering, the Chief
Engineer, Public Works Department, wrote
his Memorandum № 842 D of 22^nd July 18
(Copy attached) and the Government o
Madras, in due course, applied for and
obtained the sanction of the Governmen
of India to the employment of Mr.
Keeling as Professor of Engineering, with
the pay and allowances of an Executive
Engineer, III^rd grade, temporary rank.
The above statements may be verified
by reference to G. C. Educational, № 42
Dated 21^st January 1897, and the papers
accompanying it.

6. I submit that my case, as acting
Principal of the College of Engineering,
is in every respect analogous to that of
Mr. Keeling as acting Professor of
Engineering, and it is not, I think, an
unreasonable supposition on my part
that the Government of India, who
readily sanctioned in Mr. Keeling's case
pay and allowances in excess of his

substantive pay, would, if applied to, equally readily sanction the payment to me of my mere substantive pay.

7. As already stated in paragraph 5, the Accountant General was not aware of Mr. Keeling's case, when he wrote his endorsement No. 4265 of 10th September 1898; he has since read the case and has informed me (1) that his office letter No. 2623 of 29th May 1896 still holds good, and (2) that in accordance with this letter there would be no difficulty in passing me my substantive pay of Rs. 1,050 had I not unfortunately already once previously acted as Principal, College of Engineering. This fact appears to him to differentiate my case from that of Mr. Keeling, and to make it analogous to that of Mr. Flanagan, and therefore, to bring it under the operation of Article 170, Civil Service Regulations, instead of Article 171, Civil Service Regulations, and he considers the orders of the Government of India are necessary

No 731 dtd 23-11-98

to enable him to pass me my substantive p

8. In article 170 the words substantive and officiating are clearly used in two distinct meanings; the wording of the article is "an officer appointed substantively to a post in which he has already officiated". As already explained in paragraph 3(2) of this letter, the conditions, under which Mr. Flanagan was for the second time appointed to the 4th Class of the Graded Educational Service, were literally those specified in Article 170. On the other hand, my present officiating tenure of the post of Principal of the College of Engineering differs in no single condition, except duration, from my first officiating tenure of the appointment, and it is, therefore, not easy to understand, why my present tenure should be treated as substantive any more than my first tenure.

9. I would further point out that it was the knowledge of the fact, that

had previously acted as Principal, which led the Chief Engineer, Public Works Department, to suggest me among others, as a suitable officer for the appointment, — and I believe, I am correct in saying, it was his acquaintance with my work, as Principal on the previous occasion, which led the Director of Public Instruction to select me for the post. I submit — that the very circumstance, which marked me out as a suitable officer for the appointment, should not be allowed to work me pecuniary loss.

I appeal, therefore, with confidence, through you, to Government and ask that, if it is not within the power of the Accountant General, without the orders of the Government of India, to pass me my substantive pay, sanction of the Government of India may be sought and obtained in my case, as in Mr. Keeling's, for the payment to me, while employed as Principal of the College,

of the pay, not only of my substantive rank as Executive Engineer, 1st grade but of any higher rank, temporary or substantive, to which I may be promoted in the Public Works Department, during my employment in the Educational Department.

10. I will merely add that at the time I accepted the appointment of acting Principal, College of Engineering, it seemed perfectly clear to me that under Article 171, I was bound to draw my substantive pay as an Executive Engineer, 1st grade, of 4 years' approved service.

I have the honour to be,

Sir,

Your most obedient Servant

[illegible]

Acting Principal

Enclosure to D.P.I. letter No. 387 dated 11.1.99.

(1) R Rep. 350 &

1898-99.

College of Engineering.

To the Director of Public Instruction, Madras.

No. 1402/C.

Dated 9th January 1899.

Despatched

Received

Enclosures. 4

PUBLIC INSTRUCTION 10 JAN 1899 MADRAS

Previous Paper.

Index No.

Letter No. , dated

Abstract.

Requesting that, if necessary, sanction of the Government of India may be sought and obtained for payment while employd as acting Principal of the Colly, of the pay not only of his substantive rank as Executive Engineer, 1st grade, but of any higher rank, temporary or permanent, to which he may be promoted in the P. W. D. during his employment in the Educational Department, and forwarding copies of Correspondence bearing on the subject.

P.W. E.E. 1/1898

1899 29 Dept. Enclos. No. To C. No. 169

CURRENT No. 169

Office of the Director of Public Instruction,

Madras, 11 January 1899.

No. 387

From

The Honorable Mr. D. DUNCAN, M.A., D.Sc., LL.D.,

Director of Public Instruction,

Madras,

To

The SECRETARY TO GOVERNMENT,

Educational Department,

Fort St. George.

(Thro' the Chief Engineer, P.W.D. & the Accountant-General)

Sir,

With reference to the correspondence ending with G.O.No 737, Educational, dated 23rd November 1898, I have the honour to submit a letter from Mr. Davidson No 1402-C, dated 9th January 1899, for the favourable consideration of Government.

2. I am still of opinion that his case is not analogous to Mr. Flanagan's, and that it is but fair that Mr. Davidson should not suffer in his emoluments as an officer of the Public Works Department while in temporary charge of the College of Engineering, his transfer having been made in the interests of the public service and not at his request or for his personal convenience. In fact he is a loser by transfer to Madras.

3. Should Government, however, be of opinion that a reference to the Government of India is necessary, I beg to request that special sanction may be sought for Mr. Davidson,

(i) drawing his substantive pay as a Public Works Department officer while in charge of the College of Engineering; and;

(ii) being allowed to draw the increased rate of substantive pay, if, while acting as Principal, he get substantive promotion in the Public Works Department to which he belongs.

I have the honour to be,

Sir,

Your most obedient servant,

D. Duncan

Director of Public Instruction.

Ed. Cor. 6 1,000--28-10 97

Through the Chief Engineer

Educational (1899) Department.

~~P.D.~~ CURRENT No. ~~740~~ 1558

ASSIST SECY TO GOVT
23 JAN 1899
BOM. MAINE EDL & LEG DEPT

From The Director of Public Instruction

Order

No. 977

Dated 25th January 1899.

Received

Registered 26 Jan 99

Enclosures 27 Jan 99

Spare copies

SUBJECT.

Submitting, with remarks, a letter from the Actg. Principal, College of Engineering reporting probability of his being appointed as Superintending Engineer, P.W.D, and requesting to be relieved of his duties in the College or that sanction of the Govt of India for higher pay & pension on his leaving be obtained.

DESPATCHED
25 JAN 1899

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Urgent.

C. 4 200—2-4-98.

COLLEGE OF ENGINEERING MADRAS

No. 1452/C

PUBLIC INSTRUCTION 25 JAN 1899 MADRAS

Dated 23rd January 1899.

From J. P. Davidson, Esqre,
Acting THE PRINCIPAL,
COLLEGE OF ENGINEERING, MADRAS,

To

The Director of Public Instruction,
Madras.

SIR,

In paragraph 9 of my letter No. 1402/C, dated 9th January 1899, I ask that, as in Mr. Keeling's case, sanction of the Government of India may be obtained to the payment to me, while employed in the College, not only of the pay of my substantive rank of Executive Engineer, 1st grade, but also of any higher rank, temporary or substantive, to which I might be promoted in the Public Works Department, if still employed in that Department.

2. Since writing the above I have ascertained that

that, owing to officers proceeding on furlough, provided I return to the Public Works Department, my promotion to Superintending Engineer, III^rd Class, Temporary rank, is more than probable. Such promotion carries with it higher pay, and service as Superintending Engineer gives increased pension. I am therefore naturally anxious not to forfeit my promotion by absence from the Department.

3. In the case of Mr. Keeling it was ruled by the Accountant-General, that Mr. Keeling, except with sanction of the Government of India, could not carry his Temporary rank of Executive Engineer, III^rd grade, with him, but could only, on transfer to the Educational Department, be dealt with on the basis of his substantive rank, as Assistant Engineer, 1^st grade; under this ruling it would appear to be impossible, except under sanction of the Government of India, for me, while employed in the College, to receive promotion to Superintending Engineer, III^rd Class, Temporary rank. Against this it may be stated that at the time of his transfer to the Educational Department for employment as Principal, College of Engineering, Lieut. Colonel Smart was a Superintending Engineer, III^rd Class, Temporary rank (Vide Fort St. George Gazette of 13^th February 1894, Part I, Page 164) and he evidently was permitted to carry this rank with him, as in G.O. №375 of 19^th June 1896, Educational, his pay during employment in the College, is given as follows, viz:-

	Rs - As - P.
Pay as Lieut. Colonel	1,002 - 4 - 0
Half Staff salary of appointment of Principal	300 - 0 - 0
Half the Staff salary of a 3^rd grade Superintending Engineer.	120 - 10 - 0
	1422 - 14 - 0

4. I have the honour to request that, in the event of my being promoted to Superintending Engineer in the Public Works Department, I may be permitted to return to the Public Works Department, arrangements being made

to relieve me of my present post, or if it be considered necessary to retain my services at the College till the return of the permanent incumbent, I would respectfully ask that, the sanction of the Government of India be obtained (1) to my receiving promotion to Superintending Engineer, III Class, Temporary rank, and drawing the pay of that rank, while employed as Principal, College of Engineering, and (2) that my service at the College during such period as I may hold the temporary rank of Superintending Engineer, III Class, be considered as service to the extra pension admissible, under Articles 714 and 715, Civil Service Regulations, to Superintending Engineers of the Public Works Department.

I have the honour to be,

Sir,

Your most obedient servant,

R Davidson

Acting Principal.

189....
Dept.
Enclos. No.....
To
O. No. 158

Very Urgent

CURRENT No. 158 Urgent

RRdv. 1097/99

1898-99.

College of Engineering.

To the Director of Public Instruction, Madras

No. 1452/C

Dated 23rd January 1899.

Despatched

Received 25 JAN 1899 PUBLIC INSTRUCTION MADRAS

PREVIOUS PAPER.

Index No.

Letter No. , dated

ABSTRACT.

Reporting the probability of the appointment of the Acting Principal as Superintending Engineer, P. W. D. and requesting permission to be relieved in his present post or that sanction of the Government of India for his eligibility for higher pay and pension be obtained.

The Secretary to Government
Educational Dept.
(Through the Chief Engineer)
No. 977. Dated 25th January 1899.

Submitted to Government with the remark that it will be very injurious to the college if Mr. Davidson has to leave it before the return of Major Love. Mr. Davidson cannot, however, be expected to stay in the college on less pay than he would get in his own Department & also to the prejudice of his chances of promotion. It is, therefore, strongly recommended that the two requests made in para 4 of his letter be granted, so that the college may continue to have the benefit of his services.

D Brennan

Director of Public Instruction

Madras
26. Jan 1899

Very Urgent

No. 567C dated 26th January 1899.

Forwarded to the Educational Dept. in continuation of Endorsement No 460C dated 23rd Jany 1899.

The undersigned supports the Director's recommendation,
APK
26-1-99.

P Bechtinlin
Chief Engineer, P.W.D.

Educational (1899) Department.

CURRENT No. 311

ASSISTT. SECRETARY TO GOVT. 25 FEB 1899 PUBL. MINR. EDL. & LEG. DEPT.

From The Accountant General Madras

Order

No. 753

Dated 24th February 1899

Received } 27. 2. 99

Registered

Enclosures

Spare copies

SUBJECT.

Stating that apart from the case of Mr Flannagan, whether Saunders is only entitled to a salary of Rs 100/- and that Mr Keeling's case is analogous and to that of Saunders, that if his case were to be considered specially, sanction will be necessary and that if it were a mere question of subsistence allowance reference only to the Govt. of India will be necessary.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Gazette & Audit department.

CURRENT No 311

FORT ST. GEORGE,
Accountant-General's Office,
24th February 1899.

No. 753

From

T. HESKETH BIGGS ESQ.,
ACCOUNTANT-GENERAL TO THE
GOVERNMENT OF MADRAS,

To

The Secretary to Government,
Educational Department.

SIR,

I have the honour to state that altogether apart from the case of Mr. Flannagan, Mr. Davidson is only entitled to a salary of Rs.1000 per mensem up to the 1st December 1894 under the ordinary rules in the Civil Account Code.

2. Mr. Davidson's salary in the Public Works Department is apparently a progressive one rising from Rs.1000 to Rs.1100 by quadrennial increments of Rs.50.

This is not certain. See defn of Progressive Pay in CSR, and para. 13 Ch. I of the PWD code. Still the A.G's view must be accepted: he knows the facts. A.

3. When his pay was Rs.1000 he officiated as Principal, Engineering College from 6th November 1894 to 31st March 1895 and he was then allowed a salary of Rs.1000 per mensem.

4. He was again appointed to officiate with effect from 25th April 1898. He, therefore, comes under the operation of article 170 and under (a) he must draw the salary which he drew when last officiating it, having been equal to one of the stages of pay in the appointment counting in that stage, the time during which he has been drawing the said salary.

His salary was consequently fixed at Rs.1000 until he had put in the necessary time to earn an increment which would

would be the 1st December 1898, when he has been paid Rs.1050.

5. With regard to Mr. Keeling's case, it is analagous only with that of Mr.Davidson, if the latter is to be considered a special case outside the rules which requires special sanction of the Secretary of State. Apparently Mr. Davidson now requests his case also to be treated as special in which case also the sanction of the Secretary of State will be necessary, but if it were a mere question of my interpretation of the rules in the Civil Service Regulations, reference only to the Government of India would be necessary.

I have the honour to be,

Sir,

Your most obedient servant,

Accountant-General.

Educational (1899) Department.

CURRENT No. 340

7-MAR-1899 GOVT. MUSEUM, MADRAS

From The Public Works Dept.

Order

No. 1368C

Dated 6-3-99

Received 37-3-99

Registered

Enclosures

Spare copies

SUBJECT.

Requesting that the orders of the Govt. of India regarding the increased rate of pay + allowances to Mr. Davidson while acting as Principal College of Engineering be obtained by wire.

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Urgent

No. 1368C.

CURRENT NO. 340

Government of Madras.

Public Works DEPARTMENT.

Madras, 6th March 1899.

OFFICE NOTE.

From The Secy. to Govt, P.W.D.

To The Secy. to Govt:,
Educational Dept.

With Endt. No. 567 C
dated 26th Jany 1899, was
forwarded a letter from the
Director of Public Instruction
pointing out that Mr Davidson
Ag. Principal of the College of
Engineering, wished to return
to the P.W. Dept: when a
vacancy in the Supdg. Engr.
class occurred, unless he
was guaranteed the pay
of a Supdg. Engr. & extra allowa

[P. W. 48. 500 24.3.98.]

for pension while at the College of Engineering.

2. As a vacancy away the Subty. Engr will occur shortly and it will have to be settled who is to act, the undersigned suggests that the orders of the Govt. of India on the question be obtained by wire.

A.C.K.
4.3.99.

Acheson Col., R.E.
Ag. Secretary to Govt., P.W.D.

Ret.

[E. 3 — 50—11-1-99.]

R. 3.3.99

Educational Department.

C. No. 149 & 158 of 98

SUBJECT.

Mr. Davidson's pay.

FOR ORDERS.

H.M.

1. In G.O. no. 737 Ed. dated 23rd November 1898, the Govt expressed concurrence in the reasons given by the A.G. for fixing Mr. Davidson's pay at Rs 1000 till he completes one year's service as Principal of the College of Engineering.

2. In case 149 Mr. Davidson contends that his case is diff. from that of Mr. Flanagan and asks that if it is not within the power of the A.G. without the orders of the Govt to pass him (Mr. Davidson) his substantive pay, sanction of the Govt of India may be

Note. The A.G. has stated distinctly that if he cannot pass the Rs. 50 without the sanction of the Govt. of India. (Please see his D.O. d. 14th Dec.)

AR

sought and obtained in his case,
as in Mr Keching's, for the payment
to him, while employed as
2. Principal of the College of Eng.,
of the pay, not only of his substantive
rank as Exn. Engineer, 1st Grade,
but of any higher rank, temporary
or substantive, to which he
may be promoted in the P. W. D.
during his employment in the
Ed. Dept. The D.P.I. & the C.E.
support the request.

3. In corr 158 Mr Davidson
states that owing to officers
proceeding on furlough he will,
if he reverts to the P.W.D. be
promoted as Suptg - Engineer
II class, Temporary rank, and
requests that he may be permitted
to revert to the P. W.D. [redacted] or
that the sanction of the Govt of I.
may be obtained to his receiving
the pay of a Suptdg. Engineer,
while employed as Principal
of the College of Eng and to his
service at the college while he
holds the temporary rank of
Suptdg Engineer being counted
towards the extra pension ad-
missible under articles 714 & 715
of the C.S.R. to Suptdg. Engineers
of the P. W.D.

4. The D.P.I. states that it will
be very injurious to the College if
Mr Davidson has to leave it
before the return of Major Lowe
and ~~requests that~~ strongly recommends
that Mr Davidson's requests
may be granted.

5. Orders are solicited whether
the Govt of I. may be requested
to allow Mr Davidson to draw,
while acting as Principal of the
College of Eng, the pay he is
entitled to in the P. W.D. and
also to permit him to count his
service at the College, while he
holds the temporary rank of a
Suptdg. Engineer, towards the
extra pension admissible under
articles 714 & 715 C.S.R.

7/1/49 Secy

6. In paras 2 & 3 of his letter dated
Current No. 149 q/ Jan. Mr Davidson again refers to
Mr. Flanagan's case. He note

two points in which Mr. Flanagan's
case differs from his own:-
(1) Mr. Flanagan was an
officer receiving promotion
in the ordinary course in
his own dept., whereas he (Mr. Davidson)
is an officer of one dept
whose services have been
lent to another dept.
This does not seem to be a
material difference between the
two cases.

It is an argument for asking Judicial for favourable treatment.
H.T.

(2) Mr. Flanagan's case was
that of an officer who is
substantively appointed to
an appointment in which
he had already officiated,
whereas Mr. Davidson's
appointment is only temporary.
This again, it is submitted,
is not an essential point
of difference: for, as pointed
out by the A.G. in his
endorsement No. 4265 d. 10th Sept. 1898,
(when this very point was raised
by the D.P.I), Mr. Davidson's
pay whether treated as fixed
or progressive cannot exceed

vide under cover of G.O. 737 23-11-98 Flag A.

the pay to which he would have
risen had he been appointed
substantively in charge of Principal
of the Engineering Coll:
The A.G. also pointed out (with
reference to the point raised by
the D.P.I in para 3 of his letter)
that it was necessary to determine
what would be Mr. Davidson's
salary if he were substantively
appointed as Principal in order
to apply the limits prescribed
in art. 168 (b) or (c) of the C.S.R.
& that Mr. Davidson's case was
therefore similar to Mr. Flanagan's
This point was settled in
G.O. No. 737 d. 23-11-98, in which Govt
agreed with the A.G., & it seems
unnecessary, therefore, for Mr.
Davidson to have raised it again.

But it is an argument for applying art. 171 "in interests of public Service" H.T.

Flag A.

7. In para 5 of his first letter
Mr. Davidson refers to Mr.
Keeling's case, in which he
states in every respect
similar to his own, & that
that on the analogy of
this case the Govt. of India
would be ready to sanction

to himself the payment of his
mere substantive pay.
The two cases appear to be similar,
but the A.G does not, as Mr. Davidson
states, say that the fact that
Mr. Davidson had previously
acted in the appointment
differentiates his case from that
of Mr. Keeling. All the A.G says
is, "your misfortune is in
having acted in the appointment
previously." Whereas Mr. Davidson
acted first in the appointment
his pay as Principal was Rs 1000, which
was his substantive pay as
the D.P.W. Therefore under art 70(a)
of the C.S.R, "if the salary
which an officer drew when
not officiating" (in Mr. Davidson's
case Rs. 1000) is equal to one
of the stages of the pay of the appt"
(in Mr. D.'s case it is equal
to the first stage, the pay of
the Principal being Rs. 1000-50-1250)
his pay shall be fixed at
that stage, & he shall count
that stage, the time during
which he has been drawing

D. O of 14th Dec.

* yearly increments of Rs 50

the said salary".
Mr. Davidson, therefore, had to
wait a year, including the
time when he first acted, before
he could draw the pay of the
2nd stage viz. Rs. 1050.
But had Mr. Davidson not
previously acted in the appt
his case would have fallen
under art. 171, & he could
have drawn the pay of the
stage next to that which
he was already drawing
viz Rs. 1050, but he could only
count time for increments
as if he had commenced on
the minimum pay; ie. if he
had started on Rs. 1050 he
would have had to wait
two years until he could
get Rs. 1100.

8. In para 8 of his first letter
Mr. Davidson says he does
not understand why his
present tenure should be
treated as substantive and
more than his first tenure.
It is submitted that his

to Asst tenure is not being
treated as substantive, but,
I've already pointed out by the
C.G, it is necessary to determine
what would be Mr. Davidson's
salary if he were substantively
appointed as Principal
in order to apply the limits
prescribed in art. 168 (b) or (c)
in Mr. Davidson's case art. 168(c)(ii),
170, & 171 should be read together,
but he does not seem to have
taken any notice of art. 168
which regulates acting
allowances.

If it is decided that it is
inadvisable that Mr. Davidson
should be moved from the
P.W.D. of Engineering before the
return of May or June, who
is due in Oct.r next, it would
seem necessary to address
the Govt of India for sanction
to his request made by Mr.
Davidson. The case of Col. Stuart
quoted in para 3. of Account No 158
does not seem to be in any way
parallel to Mr. Davidson's case.

Please see notes under cover of
G.O. 375.81 / 19-6-96 Flag 15.

10

Col. Stuart was granted a
half staff salary of the
appointt as Principal, which
was payable to him as a
military officer, & the pay
(quoted by Mr. Davidson) was
calculated on the old scale
with reference to Art 134 (6) C.S.
If the Govt of India is to be
addressed, orders are requested
as to whether sanction should
be asked in regard to the two points
referred to in para 5 of the
note. Mr. Davidson apparently
wants his substantive pay
sanctioned during the
period of his acting appoint
It is submitted that as to date
Mr. Davidson has lost practically
nothing by his present
appoint; nor will he lose
anything until he is re-
Supt Engr. From April to
Dec.r last he was drawing
Rs. 1000, or Rs 50 less than
his substantive pay, but
he had free quarters. From Jan
he has actually been drawing

He lost Rs. 50 a
for about 7 months, unless
free quarters are
counted in.
A.T.

Articles

substantive pay rising Rs. 1050
per quarter - If he is made
Asst. Engr. in April next his
substantive pay would be
Rs. 1100.

It will be noted that Current No. 149.
should have come through
the A.G. It is submitted that
the papers may go to him
for any remarks he may
have to make on Mr. Davidson's
two letters.

Current No. 158 has been marked
"very Urgent" but it is not clear
why - The question of Mr.
Davidson being made Supr.
Engineer is only expected
to arise in April.

ale
2/2/99

H.M.
P T O
H.T.
28-2-99

P.W.D. Code Vol. I. of I. para 10.

matter

L. & M.
25
250—28-9-98.

11

Educational
LOCAL AND MUNICIPAL DEPARTMENT.

C. No.s 149, 158 & 311.

SUBJECT.

Mr. Davidson's pay

FOR ORDERS.

Please see the note for orders below.
Since that note was written a reference
was made to the Accountant General on the
subject and C.no 311 cited above contains his
reply. He says that Mr. Davidson is only
entitled to a salary of Rs1000 per mensem
up to the 1st December 1898 under the ordinary
rules of the Civil Account Code since he
officiated as Principal, College of Engineering
from 6th October 1894 to 31st March 1895
when his pay was Rs1000 and was again
appointed to officiate with effect from
6th April 1898 and his case comes under
Article 170 (a) of the C.S.R. He is paid
Rs1050 from 1st December 1898.

The Accountant General also
states that Mr. Davidson resides

Articles

pplication is for permission to revert to the
w.d in the event of his being promoted
Superintending Engineer in that departt,
to receive promotion to Superintending
gineer III class Temporary rank, with
y of that rank while employed as Principal
llege of Engineering and to Count-Service at
College during the time he holds the rank
Superintending Engineer for the extra pension
dmissible under Articles 714 & 715 of the
P.C.R - vide paras 2 of his letter in Corr 158.
the D.P.W. Considers that it will be very injurious
to the College if Mr. Davidson has to revert
before Major Lowe returns & the Chief Engineer
agrees with him. Orders are therefore solicited
as to whether Mr. Davidson's case should be
treated as special and the Govt of India
addressed with a view to the sanction of the
Secretary of State being obtained to the grant
of the Concession he asks for.

If he
It will be a great pity
28/2/99 if Mr. Davidson and
8/3/99 leave the College on promotion
before Major Lowe returns;
the said duty stay if he gets
a Bde Engineer charge

Yes. There is now a good case as Public interests are involved, wh. wd suffer if Mr. D. were to revert before Major Lowe returns.

MA
2.3.99.

this.
The opportunity may be taken to ask Govt to allow Mr. Davidson to draw the Rs. 50 he claims from April to Dec^r. It seems a hard case. Under the P.C. Code Ch. I. para 1 he was getting his first period increment for four years approved service. On the interest of the Service, he was transferred to an appointment on lower pay. The Rule (Art. 168) is that he shall get his substantive pay with increment as they fall due, together with acting allowance; but there is a proviso, seemingly to protect the officer's interest; viz. that the maximum is not the minimum pay of the new appt^t, but to which he would have risen if he had held it substantively. So far as case of an officer is not considered who retains is transferred to a lower paid appt^t; but this is set right by Art 171. But the

the

[illegible]
A.G. on his own wicket;
but it seems to me that the
facts have only to be placed
before Justice for that Govt.
to accede to our request.

H.T.
28-99.

[E. & L. 1]
500—19-11-98.

C. 13.3.99
R-14.3.99

Educational DEPARTMENT.

Papers to be read in Proceedings :—

Again G.O., No. 737 , dated 23rd November 1898.
Again G.O , No. , dated 189 .
Current No. 149 of 1899 , dated 23rd Jan^y , from the P.W.D
" " 158 " 1899 , " 26th " , " " "
" " 311 " 1899 , " 24th Feb^y , " " Accountant General.
" " 340 " " 6th March " " P.W.D

ORDER. No 138 & 8.3.99.
Vide

Defd 24/3/99

The Government of India will be addressed by mail, and the following letter will be despatched Telegram (Deferred)

To the P.W.D
D.P.I
A.G

To the Govt. of India,
Home Department

Davidson, Executive Engineer First Grade, acting Principal College Engineering Madras since 25th April 1898, wishes to return to P.W.D, to whom vacancy occurs in Superintending Engineer's class, unless allowed in present post to hold promotion to and Superintending Engineer, 3rd Class Temporary rank, ~~and Commute~~ to Cadet service for extra pension under articles

I don't think this telegram was of much use or that the Govt. of I. will move Secy. of S. prior to receipt of our letter.
MA 23.3.99

Articles 714, 715. Civil Service Regulations. This Government considers that College will suffer if Davidson reverts before permanent, Principal returns — October next. Vacancy in post Superintending Engineer occurs shortly. Please obtain sanction Secretary of State for Davidson's remaining in College on terms demanded as special case. Similar arrangement sanctioned in Home Department Endorsement No. 1, 4th January 1897.

Flag E.

W. 1.
8399

Note for Secretary.

Please see Current No. 340 below from the S.W.D. The Govt. of India may be asked by letter after this telegram has gone to allow Mr. Davidson to draw the Rs. 60 he claims from April to December last.

Ale
6/3/99

Encl. v. soon
+ letter 8th curt
above also.
W.1.

Sec'y
Please see draft letter below
Ale
10/3/99

When given for copying 2/3/
When copied
When examined
When signed
189 .

AIN G.O., No DATED
189 .

CURRENT No.

ENCLOSURES TO C. No. 4

DER OF GOVERNMENT.	A A A A A A A A
LETTER OF GOVERNMENT.	
STATEMENT WITH DITTO	
PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH IN ORIGINAL.	

N.B.—
A = Copy in full.
B = Not to be copied.
P = Copy abstract only.
Q = Copy heading only.