M.R.O. 1—77,000—8-6-37.

(1) Number of pages 20

(2) Date of repair 5-2-40

3. Initials of the Reference

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No.	1894	Press Mis.
48-49		48-49
Dated	6-11-	1874.

12/13

Not to be folded or roughly handled

Read the following papers:—

No. 48. From Colonel J. G. TOUCH, conducting the duties of Controller of Military Accounts, to Colonel A. C. SILVER, Secretary to Government, Military Department, dated Fort St. George, 30th September 1874, C.

I have the honor to forward letter from the Inspector-General of Ordnance and Magazines, No. 205, G, dated 14th September 1874, recommending, with reference to Order of Government, No. 10, dated 5th January 1874, that Mr. J. McKenzie, Mechanical Engineer, attached to the Gun-Carriage Factory, be allowed, on the expiration of his present covenant, to enter the Uncovenanted Civil Service on the same terms as the late Mr. Thompkinson, *viz.*, on his present salary and with the benefit of the Uncovenanted Civil Service Rules retrospectively from date of his original agreement.

2. Government in their Order, No. 10, of the 5th January 1874, declined to allow Mr. McKenzie to reckon his former service towards leave and pension under the Uncovenanted Civil Service Rules on the ground of the favorable conditions of his original agreement and the higher remuneration he was afterwards granted on reengagement, and on the same grounds negatived a similar application on behalf of Mr. Keatch, Mechanical Engineer in the Gun-Powder Factory, on the expiry of his covenant.

Proceedings of Government, No. 3863, dated 21st November 1873.

3. The Order of Government admitting the late Mr. D. Thompkinson into the Uncovenanted Civil Service is not on record in this office, and his allowances were not paid in the Military Department. This office is, therefore, unable to state the terms on which he was engaged and on which he subsequently served, or to contrast his position with that of Mr. McKenzie.

Proceedings of Government, Public Works Department, No. 164, dated 11th November 1872.

4. It would appear that the decision on such applications rests with the Government of India, and the circumstances which induced that Government to concede the privilege in Mr. Thompkinson's case are unknown to this office.

Civil Pension Code, Section 10.

Paragraph 4 of Secretary of State's despatch, communicated with Proceedings of Government, Military Department, No. 897, dated 12th March 1873.

From Lieutenant-Colonel N. G. CAMPBELL, R.A., Officiating Inspector-General of Ordnance and Magazines, to Colonel A. C. SILVER, Secretary to Government, Military Department, dated Fort St. George, 14th September 1874, No. 205, G.

With reference to Order,* I have the honor to state, for the information of Government, that I lately directed the Acting Superintendent of the Gun-Carriage Factory to call on Mr. J. McKenzie, Mechanical Engineer attached to the Factory, to state the terms on which he is desirous to enter the Uncovenanted Civil Service.

* Proceedings of Government, No. 10, dated 5th January 1874.

No. 865, dated 10th September 1874.

"I have the honor, in reply to your letter, No. 2602, of 9th September 1874, to enclose a letter from Mr. James McKenzie, Senior Mechanical Engineer of this Factory, stating the terms on which he wishes to enter the Uncovenanted Civil Service.

"2. It will be seen that the terms he makes choice of are those granted to the late Mr. David Thompkinson, who was granted, under precisely similar circumstances to those of Mr. James McKenzie, a retiring pension of one-third of his net salary.

"3. Mr. James McKenzie is still a healthy, able-bodied man, and has worked vigorously and earnestly for almost seventeen years without a break, at the, in this country, laborious and exhausting duties of fitting, adjusting, and superintending the working of high-pressure engines. He is thoroughly acquainted with the steam-machines of the Department, and his departure would be a great loss to the Factory. Mr. McKenzie's duties are very various, and his opinion is frequently asked, and is much valued.

"4. I have no hesitation in recommending that his request be complied with; he will, should he be permitted to join the Uncovenanted Civil Service, come in with the ripe experience of seventeen years, and the readiness and willingness to continue his service under Government without further increase to his present monthly salary.

"(Sd.) T. I. M. Hoo, Lt.-Col., R.A.,
"*Ag. Supt., Gun-Carriage Factory.*

To the Inspr.-Genl. of Ord. and Mags.,
Fort St. George.

2. The Acting Superintendent in charge has now forwarded a reply to my inquiry, copy of which I annex in the margin for the information of Government.

3. From this reply it will be seen that the Mechanical Engineer is anxious to continue in the service of Government on his present salary as an attained maximum, provided that when declared by competent authority to be unfit for the service, he may be granted the same privileges as those accorded* under the same circumstances, to the late Mr. David Thompkinson, Mechanical Engineer in the Public Works Department, who has been placed on the ordinary footing of Uncovenanted Servants, and granted a retiring pension after the prescribed period of service.

4. Mr. Thompkinson, it is stated, came out to India a short time before Mr. McKenzie as a Mechanical Engineer for the Public Works Department, but on a precisely similar covenant, the same monthly salary of Rupees 250, *plus* 60 house-rent, and received about ten years ago, as did Mr. McKenzie six years ago, a special increase to his salary of Rupees 100 per mensem.

**Vide* copy of Proceedings of Government, No. 243, dated 5th May 1874, Pension Department, hereto attached.

5. Under these circumstances, and taking into consideration the high character borne and good service done by Mr. McKenzie, a service extending over a period of nearly seventeen years, I most respectfully submit his case for the favorable consideration of Government.

P.G., P.W.D., No. 2651, dated 11th Nov. 1872.
,, Fincl., ,, 284, ,, 4th Mar. 1873.
,, Mily., ,, 3863, ,, 21st Nov. ,,
,, ,, ,, 10, ,, 5th Jan. 1874.
,, Pension, ,, 243, ,, 5th May ,,

Referred, with the report of the Controller of Military Accounts, to the Financial Department, for consideration and orders, with reference to the correspondence marginally cited.

OOTACAMUND,
28*th October* 1874.

(Signed) A. C. SILVER, Colonel,
Secy. to Govt., Mily. Dept.

No. 49. ORDER THEREON, 6th November 1874, No. 1894.

It does not appear from these papers that the late Mr. Thompkinson's case can be made a precedent. All that the Government of India said in their letter, dated

24th October 1872, No. 632, E. B., was that Mr. Thompkinson "may be considered on the ordinary footing of Uncovenanted Servants," and that there "was no objection to the grant to him of furlough if otherwise entitled to it under the Uncovenanted Leave Rules," &c.

2. Unless, therefore, Mr. J. McKenzie's covenant contains some stipulation regarding pension or gratuity, he cannot be permitted to qualify for either without the special sanction of the Government of India, as required by Section 10 of the Civil Pension Code.

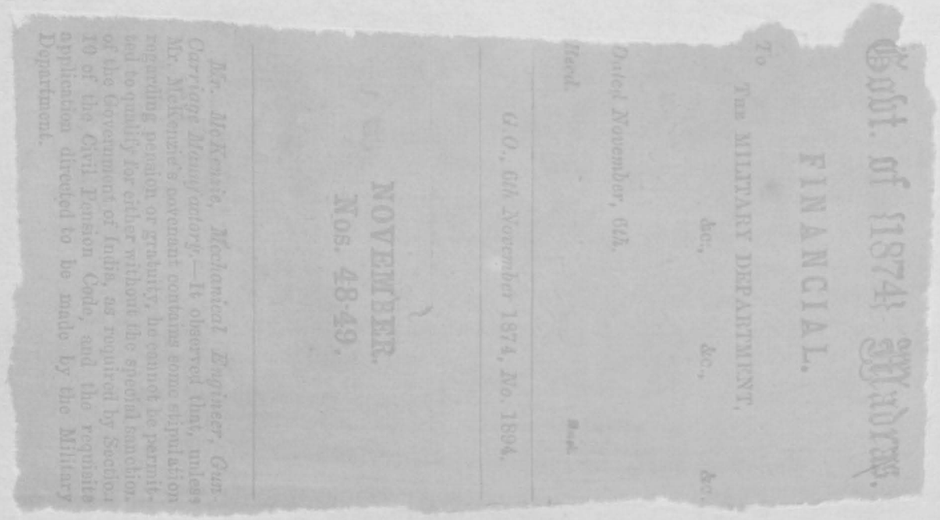
3. The requisite application will be made by the Military Department, to which Mr. McKenzie is attached.

(True Extract.)

D. F. CARMICHAEL,
Acting Chief Secretary.

To the Military Department.
,, Accountant-General.

Exd. J. Wright.


Govt. of 1874 Madras.

FINANCIAL.

To

The MILITARY DEPARTMENT,

&c., &c.,

Dated November, 6th.

Read

G.O., 6th November 1874, No. 1894.

NOVEMBER.
Nos. 48-49.

Mr. McKenzie, Mechanical Engineer, Gun Carriage Manufactory.—It observed that, unless Mr. McKenzie's covenant contains some stipulation regarding pension or gratuity, he cannot be permitted to qualify for either without the special sanction of the Government of India, as required by Section 10 of the Civil Pension Code, and the requisite application directed to be made by the Military Department.

Proceedings of the Madras Government, Military Department, 5th January 1874.

Read the following papers relative to the re-engagement of Mr. James McKenzie, Skilled Artificer, Gun Carriage Manufactory, and his admission to the benefits of the Uncovenanted Civil Service Leave and Pension Rules, retrospectively, from date of his original agreement.

No. 19. From the Inspector General of Ordnance and Magazines, dated 27th October 1873, No. 196-G.

No. 20. From the Acting Controller of Military Accounts, dated 22nd November 1873, C.

No. 21. ORDER THEREON, 5th January 1874, No. 10.

The Right Honorable the Governor in Council observes that the recommendation of the Inspector General of Ordnance and Magazines, in regard to the admission of Mr. McKenzie to the benefits of the Uncovenanted Civil Service Leave and Pension Rules, is very similar to that submitted on behalf of Mr. Mechanical Engineer Keatch, and disposed of in Order of Government, No. 3863, dated 21st November 1873. The remarks, recorded in paragraphs 1 and 2 of that order, are equally applicable to Mr. McKenzie, and for similar reasons, *viz.*, the favorable conditions of his original engagement and the higher remuneration he was afterwards allowed, His Lordship in Council is precluded from permitting him to count his former service towards leave and pension.

Should, however, Mr. McKenzie desire to serve the Government under the Uncovenanted Civil Service Rules, on the expiration of his present covenant, the Inspector General of Ordnance and Magazines will state the terms on which he wishes to enter such service. The preparation of a fresh covenant will not, in such case, be necessary, nor can any specified period of re-engagement be sanctioned.

(True Extract.)

(Signed) A. C. SILVER, Colonel,
Secretary to Government.

To the Inspector General of Ordnance and Magazines.
„ Controller of Military Accounts.

Exd. P. Runganathum.

Rec'd 22 Jan 74

Govt. of India 1874 Proceedings

MILITARY.

To

THE INSPR. GENERAL OF ORDNANCE

&c., &c., &c.

Dated January, 5th.

Rec'd. "

G. O., 5th January 1874, No. 10.

8.

JANUARY.

Nos. 19—21.

Passing orders on correspondence relating to the re-engagement of Mr. James McKenzie, Skilled Artificer, Gun Carriage Manufactory, to the benefits of the Uncovenanted Civil Service Rules, retrospectively from date of his original engagement.

Proceedings of the Madras Government, Military Department,
21*st November* 1873.

Read the following letter :—

No. 349. From Lieutenant-Colonel N. G. CAMPBELL, R.A., Officiating Deputy Inspector General of Ordnance and Magazines, in charge ordnance office, to Colonel A. C. SILVER, Secretary to Government, Military Department; dated Fort Saint George, 20th October 1873, No. 186-G.

With reference to paragraph 3 of order* of Government, directing the Government Solicitor to prepare, in communication with me, a fresh covenant for Mr. T. W. Keatch, Mechanical Engineer, employed in the Gun Powder Factory, I have the honor to inform you that I have received a draft of the renewed agreement for the above-named Mechanical Engineer from the Government Solicitor for my perusal and approval.

*No. 2989, dated 10th September 1873.

2. On forwarding the draft agreement to the Acting Superintendent, Gun Powder Factory, for his observations, that officer has returned it with the intimation that it has been found correct with the exception that it is not stated therein whether or not Mr. Keatch is placed on the Uncovenanted Service list, or allowed to count service from date of his first engagement, towards all privileges in regard of leave and pension under the Uncovenanted Service Leave and Pension Rules.

3. Under these circumstances, and with reference to paragraph 5 of letter† from this department, recorded in order* of Government, I respectfully beg to be favored with the orders of Government on the subject.

† No. 99-G., dated 2nd August 1873.

No. 350. ORDER THEREON, 21st November 1873, No. 3863.

The Right Honorable the Governor in Council observes that Mr. Keatch's offer to again re-engage for a specified period was accepted by Government on his own terms. Admission to the Uncovenanted Service, with the concession of an immediate title to all the benefits which the rules of that service give to men who have served, under less favorable conditions, for as long a period as he, was no part of those terms.

2. The recommendation of the Inspector General of Ordnance and Magazines, that Mr. Keatch should be so exceptionally indulged, was not entertained by His Lordship in Council for the reason that the favorable conditions of Mr. Keatch's original engagement and the higher remuneration for which he himself stipulated, and was allowed, on first re-engagement, and is hereafter to receive, did "not include the accruing right to pension," or the privilege of furlough on private affairs. Neither did they, in the opinion of Government, warrant the recommendation.

Pros. of Govt., No. 3458, dated 5th September 1868.

3. The preparation of "a fresh covenant" would not have been necessary, if the Government had intended to admit Mr. Keatch to the Uncovenanted Service. The requisition for a covenant in the Order No. 2989, dated 10th September 1873, should have obviated the present reference.

(True Extract.)

(Signed) A. C. SILVER, Colonel,
Secretary to Government.

To the Inspector General of Ordnance.

** Controller of military accounts

Exd. J. E. Cashart.

Not to be printed

Proceedings of the Madras Government, Pension Department,

5th May 1874.

Read the following papers:-

From the District Engineer, Nellore, dated 6th Dec. 1873

From the Officiating Comptroller of Public Works Accounts, dated 16th Jany. 1874

No. 2.-

Order thereon, 5th May 1874, No. 223.

Under Sections 49 and 56 (b) of the Civil Pension Code (Second edition), His Excellency the Governor in Council is pleased to grant to Mr. David Thompkinson, late Mechanical Engineer, Public Works Department, Madras, an invalid pension of Rupees (Rs. 12-8) one hundred and sixteen annas ten and a pies eight (116-10-8) monthly, to which he is entitled for his qualifying superior service of sixteen years, five months, and four days, payable from the 5th December 1873.

2.- The Government observe that the orders placing "Government of India letter 22nd Mr Thompkinson" in the "ordinary footing of Oct. 1872 No. 632 E.B.- "covenanted Servants" are definite and unrestricted, but a copy of the present Proceedings will be submitted for the information of the Government of India.-

(True Extract)

(Sd.) Lorne A. Campbell

Actg. Under Secy. to Government.

To the District Engineer, Nellore.-
-"- Comptroller of Public Works Accounts.-
-"- Accountant General.-
-"- Public Works Department.-

Govt. of India, 1873. Madras.

MILITARY.

To

THE INSPR. GENERAL OF ORDNANCE.

Dated November, 21st.

Read. " Encl.

G. O., 21st November 1873, No. 3863.

S.

NOVEMBER.
Nos. 349-350.

Declining the admission of Mr. [illegible] Mechanical Engineer, attached to the Gun Factory, to the benefits of the Uncovenanted Service Rules.

No 736.

To Mr David Shomphkinson for information and guidance.

(Signed) J. Goldard Lieut Col, R.E.
District Engineer Presidency

Fort Saint George,
15 May 1874.

(True copy)
J. J. McKenzie.

(True copy)
Napier Sandilands Lieut Col, R.E.
Offg Insp Genl of Ords & Mags

2 Encl 22 Cop Dft

Rec'd 18 May 1874.

Compd Bnd

C

Office of Controller of Military Accounts,
Fort Saint George, 30 September 1874.

From

The Controller of Military Accounts,

To

The Secretary to Government,
Military Department.

Sir,

I have the honor to forward letter from the Inspector General of Ordnance and Magazines, No 6/205, dated 14th September 1874, Recommending, with reference to Order of Government No 16, dated 5th January 1874, that Mr J McKenzie, Mechanical Engineer attached to the Gun Carriage Factory, be allowed, on the expiration of his present Covenant, to enter the Uncovenanted Civil Service on the same terms as the late Mr Shomphkinson, viz, on his present salary and with the benefit of the Uncovenanted Civil Service rules retrospectively from date of his original agreement.

2 Government in their Order No 16, 5th January 1874, declined to allow Mr McKenzie to reckon his former service towards leave and pension under the Uncovenanted Civil Service Rules on the ground of the favorable conditions of his original agreement and the higher remuneration he was afterwards granted on re-engagement,

re-engagement, and on the same grounds negatived a similar application on behalf of Wm Keatch, Mechanical Engineer in the Gun Powder Factory, on the expiry of his covenant. P.S. 3863 of 1870

3. The Order of Government admitting the late Wm D. Thompkinson into the Uncovenanted Civil Service is not on record in this Office, and his allowances were not paid in the Military Department. This Office is therefore unable to state the terms on which he was engaged and on which he subsequently served or to contrast his position with that of Mr Mc Kenzie. P.S. 1112 of 1872 No 164 of 1872

4 It would appear that the decision on such applications rests with the Government of India, and the circumstances which induced that Government to concede the privilege in Wm Thompkinsons case are unknown to this Office. Civil Service Rules Vol II Para 4 of S. of State Despatch, enumerated Std with G.O. No. 887 of 1868 of 1873

I have the honor to be,
Sir,
Your obedient Servant.

Colonel
Conducting the duties of
Comptr. of Mily. Accts.

Establishment Department.
1 Enclosure.

ORDNANCE OFFICE:
Fort Saint George,
14th September 1874

No. 6/205

From,

Lieut.t Colonel N. G. Campbell R. A.,
Off.g Inspector General of Ordnance and Magazines.

To

The Secretary to Government,
Military Department.-

Sir,

(a) With reference to Order, I have the honor to state for the information of Government that I lately directed the Acting Superintendent, Gun Carriage Factory, to call on Mr. J. McKenzie, Mechanical Engineer attached to the Factory, to state the terms on which he is desirous to enter the Uncovenanted Civil Service.-

2.- The Acting Superintendent in charge has now forwarded (b) a reply to my enquiry, Copy of which I annex in the margin for the information of Government.-

3.- From this reply it will be seen that the Mechanical Engineer is anxious to continue

(a) Mr: of Government No: 19, dated 5th Jan.y 1874.

(b) No: 865, dated 10th September 1874.

"I have the honor, in reply to your letter No: 2602 of 9th September
"1874, to enclose a letter from Mr. James McKenzie, Senior Mechanical
"Engineer of this Factory, stating the terms on which he wishes to enter
"the Uncovenanted Civil Service.-
"It will be seen that the terms he makes choice of are those
"2.- granted to the late Mr. David Thompkinson, who was granted, under
"precisely similar circumstances to those of Mr. James McKenzie, a
"retiring pension of one third of his net salary.-
"3.- Mr. James McKenzie is still a healthy, able bodied man,
"and has worked vigorously and earnestly for almost seventeen years
"without a break, at the, in this Country, laborious and exhausting
"duties of fitting, adjusting, and Superintending the working of high
"pressure engines. He is thoroughly acquainted with the Steam
"Machines of the Department, and his departure would be a great
"loss to the Factory- Mr. McKenzie's duties are very various, and
"his opinion is frequently asked, and is much valued.-
"I have no hesitation in recommending that his request be
"4.- complied with, he will, should he be permitted to join the Uncovenanted
"Civil Service, come in with the ripe experience of seventeen years,
"and the readiness and willingness to continue his service under
"Government without further increase to his present monthly salary."-

(Signed) J. J. Mc. Hog Lt. Colt. R. A.,
Ag: Supt.t Gun Carriage Factory.

To
The Inspector General of Ordnance
and Magazines,
Fort Saint George.-

From Lieut. Col. N. G. Campbell R.A. Insp. Gen. of Ordnance & Magazines
Dated 14 September 1874
Received 15 September 1874
No. 6/205
Subject Mr. J. McKenzie Mechanical Engineer Gun Carriage Factory

To
The Controller of Military Accounts,

To
The Secretary to Government,
Military Department.

Enclosures. A

Endorsement.

C.

R. Rec.d 22 Sept.r 74.

Forwarded for information, with reference to the letter from the Acting Superintendent, Gun Carriage Factory, to Mr. J. McKenzie, Mechanical Engineer attached to the Factory, to state the terms on which he is desirous to enter the Uncovenanted Civil Service.

Mr. McKenzie's letter to the Acting Superintendent, Gun Carriage Factory, is returned herewith.

Fort St. George
22 September 1874

Lieut. Col. N. G. Campbell R.A. Insp. Gen. of Ordnance & Magazines
Dated 14 September 1874
Received 15 September 1874
No. 6/205
Subject Mr. J. McKenzie Mechanical Engineer Gun Carriage Factory

Fort St. George 22 Sept.r 74.

continue in the service of Government on his present salary as an attained maximum, provided that when declared by competent authority to be unfit for the service he may be granted the same privileges as those accorded, under the same circumstances, to the late Mr. David Thompkinson, Mechanical Engineer in the Public Works' Department, who has been placed on the ordinary footing of Uncovenanted Servants, and granted a retiring pension after the prescribed period of service.-

(c) Vide copy of Proc: of Government № 243, dated 5th May 1874, Pension Department, hereto attached.-

4.- Mr. Thompkinson it is stated came out to India a short time before Mr. McKenzie as a Mechanical Engineer for the Public Works' Department, but on a precisely similar Covenant, the same Monthly Salary of Rupees 250, plus 60 House rent, and received about 10 or 12 years ago, as did Mr. McKenzie 6 years ago, a special increase to his salary of Rupees 100 per mensem.-

5.- Under these circumstances, and taking into consideration the high character borne and good service done by Mr. McKenzie, a service extending over a period of nearly 17 years, I most respectfully submit his case for the favorable consideration of Government.-

I have the honor to be,

Sir,

Your most obedient Servant,

Napier Campbell Lieut.-Colonel, R.E.,

Offg. Insp. Genl. of Fortifs. & Barrs.

12

Exd. Dn.

1874

Financial Department.

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Offg. Inspector General of Ordnance & Magazines, through the Military Dept.t, dated 14th September 1874. No. G/205.

Order thereon of 6th & 16th November 1874.

It does not appear from these papers that the late Mr. Thompkinson's case can be made a precedent. All that the Govt. of India said in their letter dated 24th October 1872, No. 632, E. B, was that Mr. Thompkinson "may be considered on the ordinary footing of Uncovenanted Servants", and that there "was no objection to the grant to him of furlough

Public Dept. G.O. No. 1872 dated 24th Oct. 1872 Financial G.O. No. 1785 dated 16th Nov. 1872 Military G.O. No. 350 dated 16th Dec. 1872

Financial Dept. G.O. No. 1874 dated 16th Nov. 1874 Military

Read, with the Report of the Controller of Military Accounts,

P.C., Pub. D., No. 2657 & 11th Nov. 1872
" Fin., No. 2824 & 4th March 1873
" Mil., Nos. 3863 & 21st Nov. 1873
" " No. 10 & 5th January 1874
" Financial No. 2458 & 5th May 1874

Letter to the Offg. Inspector General of Ordnance and Magazines, dated 14th September 1874, No. G/205.

Letter from the Secretary to Government, Military Department, No. 1579, dated 28th October 1874.

Order thereon of 6th November 1874.

Letter to the Financial Department, dated 16th November 1874, No. 1579.

Report to the Financial Department, dated 28th November 1874.

Letter from the Financial Department, dated 16th December 1874, No. 2458.

Letter to the Financial Department, dated 28th December 1874.

Referred to the Secretary to Government, Military Department.

Controller's Office, 28th October 1874.

Sd/- [illegible]
Secretary to Government.

To the Financial Department, with Letter No. 1579, dated 28th October 1874.

Sd/- [illegible]
28/12/74

Sd/- [illegible]

if otherwise entitled to it under the Unenumerated Leave Rules", yes

2. Unless, therefore, Mr. J. Mc Kenzie's Covenant contains some stipulation regarding pension or gratuity, he cannot be permitted to qualify for either without the special sanction of the Govt of India as required by Section 10 of the Civil Pension Code.

3. The requisite application will be made by the Military Department to which Mr. Mc Kenzie is attached.

To

The Military Dept.
Accountant General.

Govt. of {1874} Madras.

Financial

To

The Military Dept.

Sec.

Dated Novr. 6 }
Recd. } 1874, No. 894

Nos. 48-49.

Mr. McKenzie. Mechanical Engr. Gun Carriage Manufactory.

It observed that unless Mr. McKenzie's Covenant contains some stipulation regarding pension or gratuity, he cannot be permitted to qualify for either without the special sanction of the Govt. of India as required by Sec. 10 of the Civil

Pension Code. & the requisite application directed to be made by the Mily. Dept.

C4/11 2611