1. Number of Files
2. Date of receipt
3. Initials of Reference

H.R.O. 1—82,000—23-11-60

MADRAS RECORD OFFICE.

Government of Madras.

Public (Services) DEPARTMENT.

G.O. No.		Press Mis.
Dated	19	

Not to be folded or roughly handled

No. 7. Ordered that the following letter be despatched.

From W. H. BAYLEY, Esq., Acting Secretary to the Government of Fort Saint George; to Major R. STRACHEY, Officiating Secretary to the Government of India, D. P. W., dated 8th December 1858, No. 2656.

SIR,

A question has arisen whether on an Officer in the Department Public Works returning from leave or from other duty, and rejoining his appointment in the Department, the Officer *nominated to officiate* for such returning absentee, or *the latest appointed Officer* in the same Departmental Grade should be required to vacate.

2. The Government have given their careful consideration to the subject, and are disposed to the opinion that the Officer last appointed to the Grade should vacate, but before adopting any rule at this Presidency in accordance with the above view they request the favor of being informed of the praetice which obtains in this respect in Bengal and the North Western Provinces, and whether any difference is made in the case of either Officer being in the Corps of Engineers as distinct from an Officer of the Line, employed in the Department, or whether the arrangement is affected by the expediency of retaining an Officer in charge of a Circle in which he has acquired extensive experience.

Portsmouth.
24th Sept. 1858.

Sir,

The officiating Chief Engineer having referred Lane for the decision of the Govern whether on an officer rejoining (either from leave or "other duty") his appointment in the Public Works Department, the officer acting for him or the junior of their grade should vacate - the question was first referred Colonel Baker for the opinion which his great experience would suggest and, a copy of his reply is attached. After full consideration his Lordship decided that the junior should The Chief Engr to [illegible] =

Thos

Barrack, and decided he to make
that reply to the question" - On receipt
of this reply Major Sanford forwarded
by letter to the Civil Auditor as an
official document, and the latter
acknowledged it as such -

The foreman in pointing out the
irregularity of this proceeding desires
me to request that you will be good
enough to bring the matter before
Government as it is a question
for them to decide -

At the same time his Lordship
wishes that the following proposition
be laid before Govt for their
Consideration -

"That in order to save continual reference"
" it be understood in future that an"
" officer in the Dept. Pub. Works instead"
" of being gazetted to act for a certain"
" individual by name, be gazetted"
" to complete the Establishment".

The Civil Auditor with them be indepen-
dent of acting nominations, and will
only have to see that there are not more
officers in each grade of the D. P. W.
than are warranted by the orders of
Govt.

I have the honor to be
Sir,
Your most obedt Servt
Herbert Roberts
Brig Genl & Sec

Turn over. The Hble Handle the Foreman -

Extract from letter from Capt Roberts his Lady & Colonel Baker dated Fort Kirk 16th Septr 1858.

At the governs request I forward to you the enclosed two letters - His Lordship wishes to know your opinion as to whether the junior vacates or not, he is of opinion that he does - Thought to his lordships notice the great inconvenience which results from an officer being put in to act for another by name - For instance Roberts being appointed vice Boileau, of course the Civil Auditor "or Authority" tells Roberts he is relieved by Boileaus return - His Lordship is pleased to think my suggestion to leave out names worth considering and desires me to ask you why an officer on being appointed by the Department or on being promoted by the Department should not be gazetted "to complete the Establishment" - The Civil auditor owes this case the abstraction of the gazette for the appointment and owes as usual grant the allowances from date of joining which latter would as usual be given him by the Dist Engr or Head of the Department - With your kindly let me know your opinion on these two points -

Your Extract Sincerely Roberts
Engineers &c.

Reply -

Extract from letter from Colonel Baker to Capt Roberts / Royal Engrs / Adelaide Coonoor 11th Sept 1858.

I am quite clear that the Junior (regimentally) Lieuts of the higher class should be the first for displacement by a permanent incumbent, & that Enrollment in this case should decend on Boileau's return -

For proposition to omit names, & insert generally "to complete the Establishment" seems true to exactly meet the case and be in every respect unobjectionable —

Lieutenant Robert Roberts
Royal Engrs

Extract from letter from Capt. Roberts Engrs
to Major Sandford Offg Chief Engineer
dated Portsmouth 13th Sept. 1838.

The premium decides the question mooted by Arthur probably in the same way as you appear to have suggested viz that the Junior vacates -
The question has been referred to Colonel Fabian who is also of the same opinion - I forward the Colonel's note by desire of the premium (and am to feel obliged by your returning it) - I asked the Colonel whether it would not be advantageous to omit the names of officers for whom others are acting - It has always appeared to me that it complicated matters so much in the Public Works Depart. to consider each officer acting for a particular individual - Thus, instead of having gazetted A. S. Roberts to officiate as Dist. Engr 1st Class in "Vice Boileau" - I gazette him to officiate as Dist. Engr 1st Class "to complete the Establishment"
If I mean it is understood at the same time that the Junior vacates on a permanent incumbent joining or indeed vacates before a senior.

Yours

you will see that the Colonel offers no objection to this but the foreman declines me to ask you whether you see any practical objection to such a plan being introduced -

I am Sir
Your obt Servt
Herbert Roberts Lt

Reply.

Extract from letter from Major Lawford to Capt Roberts dated Madras 20th Sept 1858.

I have the pleasure to return Col Baker's letter received with yours of 13th Inst: I have communicated his Lordship's views as to the vacation of temporary appointments by the Junior officers to the Civil Auditor who accepts them as official -

I am Sir
Your obt Servt
Herbert Roberts Lt
Mil Secy

Extract from Letter from E. Lushington Esqre
Civil Auditor to Major Lawford. dated 18th

Sir Henry with many thanks the Military
Secretary's letter which I presume I
may consider as an official notification
of the rank in the Department held
by the two Mr Brokenlys —

I am Extract
Sir Henry
Your most obedt Servt
Edwd Lushington

15

Colaba
24th Sept 1838.

My dear Mr Ignoff —

With reference to my
official letter to you of
this day — the present
serves me to say that
I write you to ask
the Civil Auditor if
in the event of there
being no orders
by post to arrive

Office was at the same

able to adjust individual
accounts as well as
before. And if it is
his opinion that when
an Officer who is acting
as Junior ~~in the~~ of his grade
of D.P.M., intimation
should be given him
by the Head of his
Department of
his position and
then warn him that
he may be replaced
to Canada on a per-
manent incumbent
joining, and then
take circumstance -
Should the Joint Auditor
think it necessary to
warn the Junior the
previous circumstances you to
add an order to that
effect Office was at the same

Effect to the orders already
forwarded to you in
my official letter of
this day.

I believe me
Dear Sir
Yours very truly
Stephen Peacock.

CIVIL AUDITOR'S OFFICE.
FORT SAINT GEORGE,
Sept^r 27. 1858.

My dear Sycroft

I think Roberts suggestions are good, and if carried out into same might obviate incidence in the subjects of certain appointments. I am decidedly of opinion however that the junior Officers should on each occasion be warned of his liability to be turned out, and I think it would be well if this Office was at the same

Yours

time advised of the name of the
officer wanted to quit. I also
think that a Graduation List
shewing the relative positions
held by the different Officers of
each grade in the various Departments
should be advanced prepared by
the Chief Engineer, and submitted
for the approval of Government,
otherwise there will be continual

disputes hereafter.

Yours truly
Cuthbertson

Thos

Blackheath. Surrey.
Friday after 12 o'clock Nov 15.

My dear Bentley.

I am particularly obliged by Lord Lichfield's kind & prudent consideration in having permitted one of the Duke's pages.

Clearly the word "regimentals" was altogether inapplicable, except in the special case of 16th Light Dragoons, all incumbents of State grade, whether permanent or appointive, being appointed by Lord Lieut & others Goddard being exceptionally placed over the Corps of displaced in the order of their regimentals ranks. Hence I have allowed a Senior Regt. Officer of Cavalry & Yeomanry to [illegible]

to have de grades on Pro actions of an identic, whilst a Jemin- dar is a mere accident somewhere retains Pro higher departmental rank, & his plaint have been an incendiarism, or, as it has been said, an explosive if not an injection.

But when Pro same principle had to be authoritatively given for Pro whole of Pro Empire as it does of each unit element we have, whilst theoretically open to all classes from its highest to its lowest grade, not only is Pro word "regimentally" quite unexceptionable, but is it not further a question whether Pro substitution of "Departmentally"

fully & at Pro same time only suited also Pro calls that from time to time arise in Pro operations of one of our several departmental divisions ?? For my part, I can't apprehend that there is Pro slightest ground to anticipate any other than Pro most correct application of Pro principle I propose to take Pro liberty of adding a new subject Dept to Pro grants of Pro Govt Rec[illegible] viz to be under his orders, for if not appointed for substitution is amended ?) altered copy, that section can be [illegible]

But I wish [illegible] that

fear that even if this Legislature should decline accepting, sufficient provision is not made for this exceptional case of Officers of Engineers of some considerable standing.

Since the general principle of this new order seems to be adopted generally adopting it, that the who has last joined any one dept. grade as Offr incumbent shall be this point to leave it (so that e.g. Birdwood & Pearse to act as Sub Offrs. Engineers either of his Regt. Engineers Bengal or Madras, yet in such a case say as that of Chambers who as acting for Col has no substantive appointt in the Dept at all, the operation of this present order will be unsatisfactory if it should happen that Mr Chambers has been appd to act as 1st Class Dist. Engineer subsequent to some, many, or many of his Regimental juniors; this also one now Offr. in this 1st Class Circle permanent Offrs Engrs 2nd Class.

Some plan for Regimental Engineers should keep to the same appropriate train that of this Establishment.

In pursuance of Govt Resp. Res. Govt. I shall suggest this intended relation of an exceptional Establishment in favor of Offrs of Engrs pointed without infraction of a rule, this Govt duly relative fully power of dealing with any such case as it may arise, & on this ground I do most sincerely & respectfully request that Sir

Her Lordship with the Pleasure to take any Recommendation into favorable consideration.

Wing many Thanks &c. &c.

I have already entered into Negotiation Purchasing & Valuing itineraries with Names of Captains & assist. from E. to W. Bayley. But his Papers made no distinction between "Memoirs" "Travels" and "Cants" as Her Lordship has to Build almost as Plan as Model of his of the former, Remember Lion expedition Paris &c. also any Cants available, only Knight to keep Plan from Ghaut & a Map, Murray, instead of Conduits Jun.

Ever Yrs

Recompy accusations and Conviction of Arms as "bad times" &c. Lubrys to Jun Rept. only Plan of Yrs Readers. Have to await Yrs Copies arrival, I shd. fear it could Print the Cos Lpts for Arthur Cotton &c report on Pro Public ancient Breach, & Sea Art. Rend Expt. as to Cos. Retrofit Cuttings Pro Dicta or Dogmata on Pro Catastrophe—

Jun, my dear Burton
also many Friends
Edward Sadlier

To Capn Sir Richard.
Mile Exp.
Near Mile
Obtacamund

Thought it was a Key

Modified Dept.

1. A Question has arisen whether, on an Officer returning from leave, or from other duty, and applying his appt. in this D^t^ or, this Off^r^ ascertaining for nominated to furnish for such returning absentee, or the latest appt. Officer in the same Department grade, should vacate.

2. The Govt. on a fair consideration of this subject, are of opinion that this Junior, or last appt. to the grade to which the absentee may belong, should vacate, & this resolve to adopt this rule for future observance

ee - by which

sted to accept

or

This Government

shall immediately

ceed, upon ascertaining

the fact, to fill

with another person

in the absentee may

should have, if

Reserves.

3. Sect.

4. Under the above rule, it will be the duty of the Heads of the Depts to intimate to the Officers of each Dept grade who may have been last promoted to such grade (unless in certain cases under Para 2nd of G.O.G. 2nd Feb 1857 he be a Regt. Officer of Engineers who is not to be placed out of employ in favor of an Officer of the Line or an unemployed member of the Dept) that he will be required to vacate / in order that by this being warned he may be prepared

for the arrival of a permanent incumbent. The name of the Party warned to vacate will be communicated at the same time to the Officer of Audit by the Com. Officer.

5. Major Colonel Lawford is requested to prepare & submit for the approval of Govt. a Dept. List complete in the several grades of permanently filled, but Clerks in the absence of their immediate Superiors (or Principal in the order in which they may be called on to vacate) the names of Officers appointed to officiate for temporary absentees -

6. Sect.

[illegible] by which
[illegible] to accept
or

[illegible] their appointments
[illegible] are appointed
[illegible] to the
[illegible] they

Sacramento.
21st October 1858.

My dear Mr Bancroft,

I return the papers received with your note of 13th Inst.
His Excellency desired me to forward them to Colonel Baker for any remarks he might wish to offer — The Colonel returned them with a note and a "Modified Draft" both of which I enclose —
His Lordship thinks that the Colonel's Draft is more explicit and should therefore be adopted —
He would also adopt the suggestion mentioned by Col.l Baker — by which Government will be entitled to accept

or

2ndly ~~That Government~~
~~may further modify the~~
~~Draft, and if~~
~~that they~~
~~appointed with the~~
~~to which the aforesaid~~
~~letter refers.~~

Yours

Extract from the Minutes of Consultation

Under date the 11th October 1858

Question [illegible]

[illegible] whether any of
the Dept P. Works,
[illegible] returning from leave,
[illegible] on [illegible] duty, should
rejoining [illegible]
[illegible] the Department
~~Public Works~~, the Officer
~~[illegible]~~ to officiate
[illegible] returning [illegible]
[illegible]
[illegible]
[

they resolve to adopt the
rule for future observance
For the better
carrying out of this course
since proposed, Officers in
the Department Public
Works instead of being
Magistrates to act pro tem
individually by nomination
will be Magistrates to act
as District Engineers and
Assistant Engineers
Engineers to take under their
cognizance the Establishment
the establishment of Circu-
lation will be independ-
ent of private communications
and will only proceed upon
Official Returns made to
the Department Public
Works than not sanctioned
by the authorized Returns

Under

4th Under the above
rule it will be the duty
of the Head of the Depart-
ment Public Works to com-
municate to the Officers pro-
moted to Departmental grade
the majority from last
nominated to such grade
vacancies in certain cases
under Paras 2nd & 4th of 2nd
February 1854 whether Depart-
mental Officers of Civil
Engineers not to be
placed at disadvantage in
favour of Officers of the
Line or Pensioners admitted
Members of the Department
Public Works that they will
be the sole Advocates with
Government, by them being
granted, hereby the pro-
posed for the original appo-
intment & emolument. The
names of the Party entitled

as

amount to remain will be communicated at the same time to the Office of Audit by their Central Office.

5th Lieutenant Colonel Sawford is requested to prepare and submit for the approval of Government a Departmental Return complete as the remarks given, as permanently filled, but also stating whether the services of those remaining during pleasure, or whether for a certain period, and if so, for what period, and if not, why not.

Ordered that the above Resolutions be communicated for the information and guidance of the Civil Authorities

of the Officiating Chief Engineer.

W.H.B.

29

Pub Works Dept

No

Extract from the Minutes of Consultation

Under date the

1. A question has a-
risen whether, on an offic
returning, from leave or
other duty, and rejoining
his appointment in the
Department Public Works
the Officer returns for him
the officer returning for him
or the junior officer (regime
tally) of the grade should
vacate.

2. The Government on
a full consideration of the
subject are of opinion that
the junior should vacate
unless they resolve to
adopt this rule for future
observance.

3. For the better carry-
-ing out of this course
hereforward

hence forward officers in the Department Public Works instead of being Gazetted to act for certain individuals by name, [illegible] will be Gazetted to act as District Engineer first class - 2nd class - Executive Engineer 1st class as the case may be - "to fill the establishment" - By this course the Civil Auditor will be independent of acting nomination and will only have to see that there are not more officers in each grade of the Department Public Works than are warranted by the authorized Scale.

4. Under the above Rule it will be the duty of the Head of the Public Works Department to intimate

intimate to the junior officer so officiating his position in the department, in order that on being thus warned he may be prepared to vacate on a permanent incumbent joining. The name of the officer warned will be communicated at the same time to the Office of Audit by the Central Office.

5. Major Lowford is requested to prepare & submit for the approval of Government a gradation List shewing the relative position held by the different officers of each grade in the Public Works Department.

6. Ordered that the above Resolution be communicated for the information & guidance of the Civil Auditor and of the officiating Chief Engineer.

[illegible]

6 Copies
Dispg Dept
by Steamer
To

No. 2656.

Major R. Strachey
Offg Secretary to the Govt of
India.

A question has arisen
whether an officer in the
Department Public Works
returning from leave or
from other duty, and re-
joining his appointment
in the department, the
officer nominated to officiate
for such returning absentee,
or the latest appointed
officer in the same depart-
mental grade should be
required to vacate.

2 The Government
have given their careful
consideration to the subject, and
are disposed to the
opinion

Ref. Rly Cir. Cy. R30.

opinion that the Officer last
appointed to the grade on
should vacate, but before
adopting any rule at the
Presidency in accordance
with the above view they
request the favor of being
informed of the practice
which obtains in their
respective Ranges and
the North Western Provinces
and whether any differ-
ence is made in the
case of either Officer being
in the Corps of Engineers.
or
Accounts as distinct
from an Officer of the
Line employed in
the Department

Fort St. George
8th December 1836

Public Works. 1858 Dept.
Dy. to Govt. No. Dated

No 2656.
To the Offg. Secy to
the Govt. of India.
Dy 8th Dec. 58.
Telegraphed
Transd — Do. 1st Feby 59.
Ref No 340 inclo.
Transd — 1st Feby 59. Ref
359. in Govt 25th 88-89.

Requesting to be informed of the practice which obtains in Bengal Offices on the subject that when an Officer returning from leave and rejoining his appointment the Officer nominated to officiate should be required to vacate.

No 7.