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MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. 360 Press / Mis.

70-71

Dated 6 - 5 - 18 62.

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department, 6th March 1862.

No. 70. Read the following letter from Lieutenant-Colonel J. CARPENDALE, Acting Deputy Chief Engineer, Central Circle, to Lieutenant-Colonel W. H. HORSLEY, Chief Engineer and Secretary to Government, Public Works Department, dated Chepauk, 21st February 1862, No. 10,833:—

1 Letter from Civil Paymaster, dated 6th December 1861, No. 348.
1 Extract from Amalgamation Order.
1 Letter from Lieutenant Prendergast, Second Assistant District Engineer, dated 3rd January 1862, No. 187.
1 Do. from District Engineer Bellary, dated 6th January 1862, No. 388.
1 Do. from Civil Paymaster, dated 11th February 1862, No. 62.

SIR,

1. I have the honor to submit for the orders of Government correspondence as per margin, relative to a retrenchment made by the Civil Paymaster on account of Civil salary overdrawn by Lieutenant Prendergast, Acting First Assistant District Engineer, from the 18th December 1860 to 30th September 1861, and amounting in the aggregate to Rupees 1,225.

2. Lieutenant Prendergast's case, as explained by the Civil Paymaster, is as follows. In January 1857, Lieutenant Prendergast, who was then holding the appointment of Assistant Engineer in the Public Works Department, was placed temporarily at the disposal of the Commander-in-Chief for employment with a Company of Sappers and Miners proceeding on foreign service. While on this duty he obtained leave to Europe on Medical Certificate and having remained there upwards of two years he "vacated his appointment in the Public Works Department and "became an Officer of the Corps of Engineers without Staff employ."

3. On his return to India, Lieutenant Prendergast was first appointed to act in the North Arcot District as Second Assistant District Engineer, *vice* Mr. Biggers, and afterwards in the same capacity in the Bellary District, *vice* Captain Syme, and in consequence of its being considered that he retained his former standing in the Department, the full salary of an Assistant Engineer, Rupees 200 per mensem, was passed to him agreeably to paragraph 2 of the orders of Government, dated 20th September 1859, No. 2263 B; whereas, under the rules, he should only have drawn a moiety of the reduced salary of that appointment until, as decided by the Civil Paymaster, he had acted six months in *one* appointment, and not have got the full amount Rupees 150 per month until the 24th November 1861. The mistake of passing to him 200 Rupees a month was discovered in December last, and immediately afterwards the retrenchment abovementioned was ordered.

4. I cannot concur with the Civil Paymaster that the portion of the prescribed six months' acting service in North Arcot, was forfeited by Lieutenant Prendergast's transfer to Bellary. I am of opinion that the spirit of the rule is, that an Officer having acted six months in one, or two, or more Districts, the appointment being alike in all, he is entitled to full salary, and I therefore submit that Lieutenant Prendergast should, strictly speaking, have only drawn Rupees 75 per month from the 18th December 1860 to the 17th June 1861, and that after that date the full amount, Rupees 150 per month, should have been passed to him.

5. Considering, however, that he was allowed to enjoy the higher salary of Rupees 200 a month, and the circumstances under which he forfeited his position in the Public Works Department, viz., absence from wounds received in action, I recommend for favorable consideration that he be relieved from the retrenchment.

6. As respects his salary in future, he is, as Acting First Assistant District Engineer, entitled to a Deputation allowance of 100 Rupees a month in addition to his fixed salary as Second Assistant, which under the old Regulations would be $200+100=300$ Rupees, and under the new $150+106=250$ Rupees. If the Government take a favorable view of the case, Lieutenant Prendergast should now draw Rupees 300, which after all is only the salary of a permanent First Assistant District Engineer under existing orders.

No. 71. ORDER THEREON, 6th March 1862, No. 367.

1. It is clear from the foregoing letter that owing to Lieutenant Prendergast having remained in England for upwards of two years, he vacated the appointment of Assistant Engineer in the Department Public Works which he held prior to his leaving India in 1857, and it

is equally clear that on re-appointment to the Department in 1860, he was entitled for the first six months to a moiety* only of the reduced salary† of a Second Assistant District Engineer, as sanctioned in the Proceedings of Government, No. 2,106, dated 2nd September 1859.

* Rupees 75.
† Rupees 150.

2. The Deputy Chief Engineer, Central Circle, reports that Lieutenant Prendergast, was, by mistake, allowed to draw the full pay‡ of a Second Assistant District Engineer, according to the rate of salary drawn by Officers appointed to the Department Public Works prior to the date of the orders of Government above quoted, and that the total amount overdrawn by Lieutenant Prendergast is Rupees 1,225.

‡ Rupees 200.

3. From the particulars of the Civil Paymaster's retrenchment,‖ the Government observe that that Officer considers Lieutenant Prendergast entitled to Civil salary only at the rate of Rupees 75 per mensem, from the 18th December 1860 to 30th September 1861. As his reason for entertaining this opinion, that Officer urges the fact that during the period intervening between the dates just mentioned, Lieutenant Prendergast was officiating in two separate appointments, viz., in North Arcot and Bellary, and that consequently the period served in the former could not be taken into account on his joining the latter District, to make up the six months, which, under the rules, an Officer is required to serve before he is entitled to the full salary of the appointment in which he may be officiating.

‖ Forwarded with District Engineer's letter, No. 388, dated 6th January 1862.

4. Considering, however, that the full salary of the post in which Lieutenant Prendergast was appointed to act in the Bellary District was available, the Governor in Council is pleased to permit that Officer to draw the full pay, viz., Rupees 150 (as regulated in the orders of Government of September 1859,) of a Second Assistant District Engineer, from the 4th July 1861, the date in which he completed the six¶ months' service, calculated from that in which he joined his acting appointment in the North Arcot District.

¶

	Months.	Days.
From 8th December 1860 to 5th May 1861,	4	19
From 24th May to 3rd July 1861.....	1	11
	6	0

5. The Government cannot consent to relieve Lieutenant Prendergast from any further retrenchment, and they accordingly direct that the sum overdrawn by that Officer for the periods marginally noted be recovered from him by instalments of 50 Rupees per month.

	Rs.	A.	P.
From 18th December 1860, to 5th May 1861, @ Rupees 125	576	9	10
From 6th to 23rd May 1861, @ Rupees 200.	116	2	1
From 24th May to 3rd July 1861, @ 125 Rs.	169	5	8
From 4th July to 30th September 1861, @ 50 Rupees.....	145	2	7
	1,007	4	2

6. For the reasons detailed in paragraph 1 of this Order the Government are unable to accede to the recommendation of the Deputy Chief Engineer, Central Circle, contained in paragraph 6 of his letter.

(Signed) W. H. HORSLEY, Lieut.-Colonel,
Secretary to Government.

No. 367 P. W. D.

Proceedings of the Madras Government —
Under date the 6th March 1862.

Read the following letter from the Dy Chief Engr Central Circle

Submitting for orders correspondence relative to a retrenchment made by the Civil Paymaster on account of Civil salary over drawn by Lt Prendergast Bellary 1st Asst Dist Engr and for reasons assigned recommends that he be relieved of the retrenchment —

No. 21st February 1862 No. 10833

It is clear from the foregoing letter that owing to Lieutenant Prendergast having remained in England for upwards of two years, he vacated the appointment of Assistant Engineer in the D P W which he held prior to his leaving India in 1859, and it is equally clear that on reappointment to the Dept in 1860, he was entitled for the first six months to a moiety* only of the reduced Salary† of a 2nd Assistant District Engineer as sanctioned in the Proc:

* Rs 75
† Rs 150

of Govt No 2106 d/ 2nd Sept
=tember 1859 -

The Dy Chief Engr
C.C reports that Lieut
Prendergast was, by
mistake, allowed
& drew the full pay
of a 2nd Assistant St Engi
=neer, according to
the rate of salary drawn
by Officers appointed
to the D.W.P. prior to the
date of the orders of
Govt above quoted, and
that the total amount
overdrawn by Lieut
Prendergast is Rs
=pees 1205.

From the particu
=lars of the Ch. Pay
=masters retrenchment
the Govt observe that
that Officer considers
Lt. Prendergast entitled
to Civil Salary instead
the rate of Rupees 75
pr mensem from

+ Rs 200

+ Forwarded with
D.E's letter No 358
dated 6. January 60

the 18th December 1860 &
30th September 1861;
As his reason for de
=termining this opi
=nion that Officer
urges the fact that
during the period in
=tervening between
the dates just men
=tioned, Lt Prendergast
was officiating in
two separate departments
viz in the Comst & Belgaum
and that consequently
the period devoted in
the former could not
be taken into account
in his joining the latter
District, to make up
the 6 months, which,
as under the rules
an Officer is required
to serve before he
is entitled to the full
salary of the appoint
=ment in which he
may be officiating -

Considering how
=ever that the full salary

of the post in which
Lt Prendergast was
appointed Asst in
the Kellang District
was available, the
Governor in Council
is pleased to permit
that Officer to draw
the full pay, Rs 150,
(as regulated in the order
of Govt of Sept 59) of
a 2d Assistant District
Engineer from the
~~4th June 61~~ 4th July 61,
the date on which
he completed the 24
months Service, ~~in~~
calculated from that
~~date~~ on which he joined
his Acting appointment in
the N. and S.E.-

The Govt cannot
consent to believe Lt
Prendergast has any
further retrenchment,
and they accordingly
direct that the Sum
over drawn by that

From 18th Dec/60 to 5th Jany R. A.
161 @ Rs 125 — 57-9-16
From 6th to 23rd Jany/61 @ 200 Rs 116-2-1
From 24th Jany to 3rd July
1861 @ 125 Rs — 169-5-8
From 4th July to 30th Sept
1861 @ 50 Rs. — 145-2-7
1007-4-2

From 18th Dec/60 to 5th Jany R. Days
1861 4-19
From 24th Jany to 3rd July/61 1-11
6-30

Officer for the period
marginally noted
from him
be recovered by
instalments of 50 Rs
per month -
for the reasons
detailed in para
1 of this order the
Govt are unable to
accede to the recom-
mendation of the
Dy Chief Engineer
Central Circle con-
tained in para 6
of his letter -

W. 19. 12.

13 Copies.
To
The Dy Chief Engr Central Circle with 3 Encls.
Disposed
2 Civil Paymasters -

Public Works 1862 Departt

Pro: of Govt for March

No 367.

Proceedings of the Madras Government.

Dated 6th March 1862.

Recd

Letter from Dy Chief Engr Central Circle recommending that Lt Prendergast be relieved from the retrenchment made by the Civil Paymaster on account of Civil Salary overdrawn by him with orders thereon.

No 70 & 71