

(1) Number of pages 4(2) Date of repair 12-12-1942

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.

Government of Madras.

Public Work DEPARTMENT.

G.O. No. <i>2878</i>	Press
<i>686-687</i>	~~Mis.~~
Dated <i>28-9-</i>	<i>1865.</i>

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
23th September 1865.*

No. 686. Read the following letter from Captain J. G. RYVES, R. E., Superintending Engineer, 1st Division, to Colonel C. A. ORR, R. E., Secretary to Government, Public Works Department, dated Waltair, 13th September 1865, No. 885 :—

SIR,

1. The Accountant in the Executive Engineer's Office having died, I authorized Captain Philipps to employ an Accountant named Basca Row, temporarily, until the scale of new Range Offices had been determined, and the managements consequent thereon were made.

2. It appears, however, that under paragraph 18 of the Uncovenanted Service *Vade Mecum*, quoted by the Controller in a Memorandum, dated 22nd ultimo, his pay will be disallowed after one month's service, unless the special sanction of Government be obtained for the issue of pay to the man until he is relieved by the permanent incumbent just now appointed.

3. I have, therefore, the honor to request that the special authority, required by the Controller, be accorded.

No. 687. ORDER THEREON, 28th September 1865, No. 2,878.

ESTABLISHMENT, No. 64.

The Controller of Public Works Accounts is authorized to pass the salary of P. Basca Row, until he is relieved by the person who has been permanently appointed to the post of Accountant in No. II. Range of the Ganjam District.

(True Extract.)

(Signed) J. H. M. SHAW STEWART, Major, R. E.,
Under Secretary to Government.

To the Superintending Engineer, 1st Division.
,, Controller of Public Works Accounts.

Erd. S. T. Augustin.

No 885,

Superintending Engineer's Office
Waltair. 13 September 1865.

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From Captain J. G. Ryves R.E.
Superintending Engineer 1st Div.

To Colonel C. A. Orr
Secretary to Government P.W.D.
Madras.

Sir, The accountant in the Executive Engineer's Office having died, I authorized Captain Philipps to employ an accountant named Basca Row temporarily until the scale of new Range offices had been determined and the management completed. Thereon were made -

2 It appears however that under para 18 of the uncovenanted Service Rules the man quoted by the Controller in a Memo dated 22nd ultimo, his pay will be disallowed after one month's service unless the special sanction of Government be obtained for the issue of pay to the man until he is relieved by the permanent incumbent just now appointed.

3 - I have therefore the honor to request that the special authority required

I have the honor to be

Your most Obedt Servt

W. L. L. - S. Capt. R. C.
Superintending Engineer 1st Div.

[illegible][illegible]

(1) Number of pages 2(2) Date of repair 12-12-1962

(3) Initials of the Referencer _____

MADRAS RECORD OFFICE.**Government of Madras.***Public Works* **DEPARTMENT.**

G.O. No. 2879780	Press ~~Mis.~~
688-680X91	
Dated 28. 9. 18.65.	

Not to be folded or roughly handled

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*Proceedings of the Madras Government, Public Works Department,
23th September 1865.*

Read the following papers :—

No. 688. Endorsement of the Consulting Engineer for Railways, dated Bangalore, 12th September 1865, No. 456.

From Major H. N. D. PRENDERGAST, V. C., R. E., Acting Deputy Consulting Engineer for Railways, to Lieutenant-Colonel J. C. ANDERSON, R. E., Consulting Engineer for Railways, dated Madras, 9th September 1865, No. 27 :—

SIR,

I have the honor to send herewith a copy of letter No. 1,157, dated 8th September 1865, from the Controller of Public Works Accounts, in which he expresses his opinion that Captain Lindsay is not entitled to any of the allowances of his present appointment, and that he forfeits his appointment by paragraph 37, Section I, page 8, of the Audit Regulations. As Captain Lindsay was aware that he would not be entitled to any allowances of his appointment during his absence, and as he has no intention of returning to India in time to resume the appointment in the Railway Department, I have no hesitation in requesting you will do me the favor to move Government to cancel the "Erratum" in page 326 of "Fort Saint George Gazette," dated 1st September 1865, which appoints me to act as Deputy Consulting Engineer for Railways during the absence of Captain Lindsay, and to confirm the appointment in the Railway Department, in page 306 of "Fort Saint George Gazette," dated 29th August 1865.

It is obvious from the circumstances explained by Major Prendergast, that Captain Lindsay has forfeited his appointment. I would recommend, therefore, that Major Prendergast's acting appointment be cancelled, and that he be confirmed as Deputy Consulting Engineer for Railways from the 1st instant.

(Signed) J. C. ANDERSON, Lieut.-Colonel, R. E.,
Consulting Engineer for Railways.

The Controller of Public Works Accounts is requested to report on what authority he asserts that Captain Lindsay obtained his last leave to England on Medical Certificate as a Staff Officer, retaining his Staff appointment, and whether he has any information to show that Captain Lindsay drew a portion of his Staff salary during his absence.

FORT SAINT GEORGE,
14th September 1865.

(Signed) CHARLES A. ORR, Colonel, R. E.,
Secretary to Government, P. W. D.

No. 689. Report of the Controller of Public Works Accounts, dated Madras, 18th September 1865, No. 1,288.

With reference to the Memorandum from the Secretary to Government in the Public Works Department, dated the 14th instant, without number, on the

Enclosures 2.

documents herewith returned, the Controller of Public Works Accounts has the honor to observe that Captain (then Lieutenant) Lindsay, R. E., was granted sick leave to Europe for 18 months under the New Regulations in the "Fort Saint George Gazette" of the 19th April 1861, page 539, and his departure is notified in the same Gazette of the 30th idem, page 594; also in the Gazette of the 11th June 1861, page, 813, the following Notification appears:—

*Proceedings of the Madras Government, Public Works Department,
28th September 1865.*

Public Works Department, General—Establishments, Fort William, the 28th May 1861
No. 138.

APPOINTMENT.—“ Lieutenant J. G. Lindsay of the Madras Engineers, late Officiating Executive Engineer, Oorai Division, now included in the Jhansi Division, “ is appointed an Assistant Engineer, 1st Class, with effect from the date of his “ quitting his charge to proceed on sick leave.

“ (Signed) H. YULE, Lieutenant-Colonel,
“ Secretary to the Government of India.”

This leads to the conclusion that Captain Lindsay held an officiating appointment at the time of obtaining his leave to Europe on sick certificate, and that he was retained on the strength of the Public Works Department under the Supreme Government, as he was confirmed in the same Department subsequent to his departure with effect from date of quitting his charge, he must therefore be considered to have retained his Staff appointment; whether he drew any portion of his Staff salary or not is a matter of no moment, he was entitled to it, and it was quite optional with him to draw it or to allow it to lapse, and therefore by paragraph 37, page 8 of the Pay and Audit Regulations, he is not entitled to retain his present appointment.

(Signed) J. F. FISCHER, Captain, R. E.,
Controller of Public Works Accounts.

No. 690. ORDER THEREON, 28th September 1865, No. 2,879.

ESTABLISHMENT, No. 65.

As it is clear that Captain Lindsay never joined the appointment to which he was gazetted by the Government of India, and could not therefore have drawn any portion of the salary attached to it, application will be made to that Government for the Notification, dated 23th May 1861, No. 138, being cancelled, with retrospective effect.

Ordered that the following letter be sent :—

(Here enter No. 2,880, dated 28th September 1865.)

(True Extract.)

(Signed) J. H. M. SHAW STEWART, Major, R. E.,
Under Secretary to Government.

To the Consulting Engineer for Railways.
,, Controller of Public Works Accounts

Exd. S. T. Augustin.

PUBLIC WORKS DEPARTMENT,
FORT SAINT GEORGE,
28th September 1865.

No. 2,880.

No. 691.

From

MAJOR J. H. M. SHAW STEWART, R. E.,
Under Secretary to the Government of Fort Saint George, P.W.D.,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
PUBLIC WORKS DEPARTMENT.

SIR,

ESTABLISHMENT, No. 66.

Public Works Department, General Establishments, Fort William, the 28th May 1861, No. 138.

APPOINTMENT.—“ Lieutenant J. G. Lindsay, of “ the Madras Engineers, late Officiating Executive Engineer, Oorai Division, now included in the Jhansi Division, is appointed an “ Assistant Engineer, 1st Class, with effect “ from the date of his quitting his charge to “ proceed on sick leave.
“ (Signed) H. YULE, Lieut.-Col.,
“ Secy. to the Govt. of India.”

* Vide “Fort Saint George Gazette,” page 539.
† Page 494.

shortly afterwards received an appointment in the Public Works Department of this Presidency. As he therefore never joined the appointment to which he was gazetted by the Government of India, he could not have drawn any portion of the salary attached to it.

3. Lieutenant (now Captain) Lindsay has lately been again obliged to apply for leave to proceed to Europe upon sick certificate, and as the Notification in question is held by the Controller of Public Works Accounts to preclude his right to take sick leave with retention of appointment, I am directed to request that it may be cancelled, with retrospective effect.

I have the honor to be,

Sir,

Your most obedient servant,

(Signed) J. H. M. SHAW STEWART, Major, R. E.,
Under Secretary to Government.

Exd. S. T. Augustin.

N^o 1288. 5C

Report of the Controller of P.W. Accounts.

With reference to the memo. from the Secretary to Government in the P.W. Department dated the 14th instant, without N^o., on the documents herewith returned, the Controller of P.W. Accounts has the honor to observe that Captain John Lindsay / Lindsay P. E. was granted sick leave to Europe for 18 months under the new regulations in the Fort St. George Gazette of the 19th April 1861 page 539 and his departure is notified in the same Gazette of the 30th idem page 594 also in the Gazette of the 11th June 1861 page 813 the following notification appears.

Public Works Department - General - Establishments - Fort William,
the 28th May 1861.
N^o 138.

Appointment - "Lieut. J. L. Lindsay, of the Madras Engineers, late officiating Executive Engineer, Coran Division, now included in the Ghansi Division, is appointed an Assistant Engineer, 1st Class, with effect from the date of his quitting his charge to proceed on sick leave."

Signed / H. Gule. Lt. Col.
Secy. to the Govt. of Madras.

This leads to the conclusion that Captain Lindsay held an officiating appointment at the time of obtaining his leave to Europe on sick certificate and that he was retained on the strength of the P.W.D. under

the

the Supreme Government as he was con-
 -firmed in the same Department subsequent
 to his departure with effect from date of
 quitting his charge he must therefore
 be considered to have retained his staff
 appointment, whether he drew any portion
 of his staff salary or not is no matter
 of no moment, he was entitled to it
 and it was quite optional with him
 to draw it or to allow it to lapse and
 therefore by para: 37 para: 8 of the Pay
 and Audit regulations he is not entitled
 to retain his present appointment.

Office of the Controller
 of P.W. Accounts.

Madras 18th Sept. 1865.

Respectfully,
 Captain P.H.

Controller of P.W. Accounts.

To
 The Secretary to Government.
 D.P.W.

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The Controller of Public Works & Accounts is requested to report on what authority he ascertains that Captain Lindsay obtained his last leave to England on Medical Certificate as a Staff Officer, retaining his staff appointment, and whether he has any information to show that Captain Lindsay drew a portion of his staff salary during his absence.

Pub Works Dept
Fort St George
14th Sept 1865

Wm. H. M. Col. R.E.
Secretary to Govt. P. & A. Dept.

To The Controller of Public Works
Resoluted
To be returned.

2125.96X-87

PTM. 1865
Capt. Lindsay
The Controller of Public Works
To
The Secretary to
Government. R.M.

Dated 18th Sept 1865
Decd: 19th Sept 1865
2nd Dec 1865

Following entry
Capt. Lindsay has for
period his appointment
as Regt. Commanding
1st Bn. 1st Bn. 1st Bn.

2125.96X-87

2125.96X-87

To 1865 Dep^y
Secy of Govt for September
No 3573
The Actⁿ Dy Com: Engineer
for Railways.

To The Consulting Engineer
for Railways.

Dated 9th } Sept^r/65.
Rec^d " 9th }
" 14 }
No 3598
2880-2880-2880 Sept^r/65
Q1 27-

Ref^d 2880

Forwarding copy
of a letter from the Controller
of P.W. Accounts, in which
he expresses his opinion
that Captⁿ Lindsay is not
entitled to any of the all^{ces}
of his present appointment
& that he forfeits the same
by Para 27 sec: 1 of the Audit
Regulations.

No. 688

WY

No 1157. Madras 8th Sept 65. 13^c

To the Ag Dy Cons Engineer
for Cys.
Sir

With reference to your letter of the
yt instant, No 26, I have the honor to observe
that Captain Lindsay R.E. then an Assistant
Engineer 1st Class in the Bengal P.W. pro-
ceeded to England on S. C. on the 12th April
1861, and returned to duty in this Presidency
on the 28th November 1862, within the
period enabling him to retain his appoint-
ment. He does not appear to me to be
entitled to any of the allowances of his
present appointment as he has again re-
turned to England on Sick Leave, within
5 years of returning to his duty in India;
and he also forfeits the appointment by
para: 37. Section I page 8, of the
Pay and Audit regulations -

I have &c
Signed J. G. Tucker. Capt R.E.
Controller of P.W. Accounts
/ True Copy /

W. S. Pringle. Major R.E.

Ag. Dy. Cons Engineer for Cys.

Mr. 8/1 143598

Jan. 28. 1868 / 143598

5/1/67 11/5
1290

Public Works Dept.

No 2879
Proceedings of the Madras Government
Under date the 28th September 1865
Read the following

From the Acty Svy Comm.
Engineer for Railways

Forwarding copy of a letter
from the Controller of P.W. Accounts
in which he expresses his opinion
that Captain Lindsay is not
entitled to any of the allowances
of his present appointment and
that he forfeits the same by Para
27 Sec: 1 of the Audit Regulations.

(Here enter 9th Sept 1865
No 27)

From the Controller of
P.W. Accounts.

Explaining why Captain
Lindsay has forfeited his
appointment as Deputy Consulting
Engineer for Railways.

(Here enter 18th Sept 1865
No 288)

As it is clear that
Captain Lindsay never
joined the appointment
to which he was gazetted
by the Government
of India, and could
not therefore have drawn
any portion of the salary
attached

Wdy

attached to it, application
will be made to that
Government for the
Notification dated 28th
May 1861, No 138, being
cancelled, with retro-
-spective effect.

2 Ordered that the
following letter be sent
The Consulting Engr for
Railways
Controller P. B. Accounts
Dated 28th September

To No. 2880
The Secretary to the
Govt of India
P. B. A.

Sir,
I am directed to
request that the atten-
-tion of the Government
of India may be called
to the Notification in per
margin, which appeared
in the Calcutta Gazette
under date the 28th
May 1861. Leave to
proceed to Europe upon
Sick

Public Works Dept. General Estab-
-lishment Fort William
the 28th May 1861.
No 138
Appointment - Lieut J. G. Lindsay,
of the Madras Engineers, late
Offg Executive Engineer, Corai Di-
-vision, now included in the
Mamur Division, is appointed
an Asst Engineer, 1st Class, with
effect from the date of his quitting
his charge to proceed on sick leave.
Signed H. J. A. 24/9/61
Secy to the Govt of India.

* Vide Fort St. George Gazette
page 539.

* Page 594

170
Sick Certificate for 18
months was granted
to Lieutenant Lindsay
upon the 19th April
1861, and his departure
upon the 12th was no-
-tified in the Fort
St. George Gazette of
the 30th Idem. -
Lieutenant Lindsay
returned to Madras
from sick leave upon
the 28th November
1862, and shortly
afterwards received
an appointment in
the Public Works
Department of His
Residency. As he
therefore never joined
the appointment to
which he was gazetted
by the Govt of India, he

he could not have drawn
any portion of the salary
attached to it.

Lieutenant (now
Captain) Lindway has
lately been again obliged
to apply for leave to
proceed to Europe upon
sick certificate, and
as the notification in
question is held by
the Controller of Pub.
Works Accounts to
preclude his right to
take sick leave with
retention of appointment,
I am directed to request
that it may be cancelled,
with retrospective effect.

M.

14

2

St. George }
28th Sept 1865 } Sept 28th September

No 1865 Dapth
Proc. of Govt for Sept

No 2879
Proc. of the M Govt
of 28 Sept/65

To be given to the Government

Certain correspondence
relative to the right of Captain
Sindley, Esq. Genl. Engr. for
Railways, to proceed to Europe
on sick leave with retention
of appointment, with orders
thereon.

No. 688 @ 691