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MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No. 2857	Press
368-367	~~Mis.~~
Dated 16-9	1967.

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department.

16th September 1867.

No. 368. Read the following letter from the Superintending Engineer, 7th Division, to the Secretary to Government, Department Public Works, dated Coonoor, 31st August 1867, No. 94 :—

1. I have the honor to submit, for the orders of Government, an appeal made by Captain F. Hankin, Assistant Engineer, of the Neilgherry Range, against a retrenchment notified in the Controller's letter to his address, No. 1,396 of 12th August, also forwarded.

2. Under the circumstances detailed by Captain Hankin, and vouched for by Major Farewell's countersignature, I am of opinion that the Controller, under the Standing Orders as to audit, is not justified in retrenching sums drawn originally under his own instructions, and not objected to within the prescribed time for audit of Monthly Accounts; the fact being, as I understand, that such audits have been months in arrears.

3. With reference to the subject of maximum allowances of the grades of this Department, I take this opportunity of observing that they press with great severity on the few Staff Corps Officers in its ranks, of whom there are but four; and of these four, especially on Captains Law and Hankin, who through ill-fortune remained Assistant Engineers some twelve or thirteen years after their first appointment. It would be a misfortune for the Department to lose the services of these most hard-working Officers on their promotion to Major, by the operation of a Regulation which came into effect years after they entered it.

From the Assistant Engineer in charge of the Lawrence Asylum Works, to the Superintending Engineer, 7th Division, dated Ootacamund, 23rd August 1867.

1. With reference to the enclosed letter from the Controller of Public Works Accounts, I have the honor to request that you will be good enough to submit my appeal against the retrenchment therein ordered, for the consideration of His Excellency the Governor in Council.

2. In March 1866, when Captain G. V. Law was promoted from Assistant Engineer, 2nd grade, to Assistant Engineer, 1st grade, Major Farewell who had to draw Captain Law's pay, and I who was interested in it, knowing that I then stood first for promotion and would probably therefore soon be affected by the order, carefully studied paragraph 16 of G. O., 26th September 1865, No. 615. The conclusion we arrived at was that promotion would not in a pecuniary point of view benefit either Captain Law or myself, consequently no increase of pay for Captain Law was drawn by Major Farewell; the abstract, however, was altered in the Controller's Office, and a remark made on it to the effect that Captain Law was entitled to the increase of pay of Rs. 50, which amount was therefore passed and ordered to be paid by the Controller in excess of the amount entered in the pay abstract. The conclusion I arrived at was that Officers at present in the Department would not be affected by the order in question till promotion to a new appointment, as from Assistant to Executive, or Executive to Superintending Engineer. In the June following I was promoted, and in accordance with the Controller's own order above quoted, Rupees 250 was drawn as my staff salary, which was, and up to the present, has continued to be, duly passed; now, however, it is discovered that the Controller's order above referred to was incorrect, and I am retrenched in the, with reference to my salary, enormous sum of Rupees 586, and this sum the Controller states he shall deduct from my pay at the rate of Rupees 100 per month. I very respectfully submit that the extra 50 Rupees per mensem having been drawn in accordance with the decision given by the Controller in the case of Captain Law, and having been passed for nearly a year by the Officer whose duty it is to audit the salaries of the Officers of the Department, it will be a very serious hardship to me if I am now required to refund the amount which it is alleged has been overdrawn.

*Proceedings of the Madras Government, Public Works Department,
16th September 1867.*

3. It will be in the recollection of His Excellency in Council that on the promotion of Captain Law from Assistant Engineer, 1st grade, to Executive Engineer, 4th grade, the decision of the Controller that that Officer was only entitled to Rupees 600, the maximum salary of his present grade, was overruled by Government under date the 9th August 1867, and it was ordered that the sum of Rupees 624-1-0, the amount which Captain Law had drawn as Assistant Engineer, 1st grade, should be continued to be paid to him. I submit that in passing this order the Government recognized in the case of Captain Law the increase of Rupees 50 paid on promotion to Assistant Engineer, 1st grade, as a properly paid increase, and I would beg that the same principle may be recognized in my case. I would add that I have been in the Department Public Works nearly fourteen years; I can honestly say I have worked hard, and I believe that the different District and Superintending Engineers under whom I have served, have expressed themselves satisfied with the way I have performed my duties. Although I have on several occasions acted in appointments higher than those which I held permanently, the Officers who acted in my grade on such occasions for me are all far above me now. I have never had a permanent step in promotion till that which has led to the present disastrous loss to me of a sum exceeding the total amount of my full Military and Civil pay for one month; for although this sum now retrenched has been received by me, the re-payment of it, I submit, is a loss, and one that is felt by a small income in far greater measure than if I had never been ordered by the Controller to draw it.

4. Government were not pleased to accede to my request and grant me a fixed travelling allowance, as was done in the case of other Officers, the nature of whose duties like my own, debar their drawing anything under the present Travelling Allowance Rules. Indeed, since the introduction of the present rules I have only drawn a total of Rupees 156, or an average of Rupees 6-15-2 monthly, although a day hardly passes that my duties do not necessitate my riding at least ten miles. I, in addition to my ordinary Department Public Works duties, have charge of 500 convicts, forming one of the largest Jails in the Presidency; for this I receive nothing extra, and under this present retrenchment I shall receive for the next six months Rupees 100 only as staff salary.

5. Taking all these circumstances into consideration, I trust that you will feel yourself justified in recommending Government to cancel the Controller's order, directing me to re-pay the sum of Rupees 586, and to sanction my continuing to draw the staff salary of Rupees 250 per mensem, which has been passed to me since my promotion to Assistant Engineer, 1st grade.

Submitted through the Executive Engineer, Neilgherry Range.

(Signed) F. G. HANKIN, Captain,
Executive Engineer.

From the Acting Deputy Controller of Public Works Accounts, in charge, to the Assistant Engineer, 1st Grade, Neilgherry Range, dated Madras, 12th August 1867, No. 1,396.

1. While in the rank of Assistant Engineer, 2nd grade, you drew Rupees 574-1-0 monthly as your Staff and Staff Corps pay, which, although in excess of the maximum pay of the 2nd as well as the 1st grade, Rupees 450 and Rupees 500 respectively, was passed to you under paragraph 16 of G. O., 20th September 1865, No. 615, until the excess could be absorbed by promotion.

2. From the above circumstance your promotion to the 1st grade, on the 10th July 1866 should have resulted in no increase to Rupees 574-1-0, drawn by you as Assistant Engineer, 2nd grade, which is in itself in excess of the maximum pay Rupees 500, in the 1st grade; but from some misunderstanding, you appear to have drawn Rupees 624-1-0, instead of Rupees 574-1-0, the excess or difference, Rupees 50, between these two sums, from the 10th July 1866 up to 30th June 1867, aggregating Rupees 586-7-8, will accordingly be retrenched at Rupees 100 per mensem from your pay abstract, commencing with the pay for July last.

*Proceedings of the Madras Government, Public Works Department,
16th September 1867.*

No. 369.

ORDER THEREON, 16th September 1867, No. 2,857.

ESTABLISHMENT, No. 47.

* Rupees 624-1-0.

† Rupees 574-1-0.

In issuing the Order of the 9th August 1867, No. 2,426, the Government were in ignorance of the fact that the amount of salary* passed to Captain Law, as an Assistant Engineer of the first grade, was Rupees 50 per mensem in excess of what† he was entitled to under the Orders of the 26th September 1865, No. 2,845. That circumstance should have been clearly noticed in the Controller's report of the 1st August 1867, No. 1,257, and the orders of Government sought on the question of liability for the charge which had been unauthorizedly incurred. As it was, the Government, entertaining no doubt of Captain Law's right to the salary of Rupees 624-1-0 which had been passed to him as an Assistant Engineer of the first grade, sanctioned the continuance of its payment on that Officer's promotion to the rank of Executive Engineer of the fourth grade, the maximum salary of which is fixed at Rupees 600 per mensem. Captain Law's salary will hereafter be restricted to this latter sum, and the Controller will report what amount has been drawn by that Officer in excess of the salary to which he was entitled. A similar report will be furnished in respect to Captain Hankin, to whom these orders will be made applicable, and full explanation will be submitted by the Controller of the circumstances under which the rules of the Department, and the orders of this, as well as of the Government of India have been disregarded in the cases under notice. On the receipt of the Controller's reply, His Excellency in Council will be in a position to pass final orders on the correspondence above recorded.

(True Extract.)

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

To the Superintending Engineer, 7th Division.
,, Controller of Public Works Accounts.

Ed. S. T. Augustin.

Office of the Controller of P.W.
Accounts
Memorandum 12th August 1867

N^o 1396.

From
The Controller of Public Works Accounts

To
Captain F. G. Hau Nam Staff Corps
Assistant Engineer 1st Grade
Nilgerry Range

Sir,

While in the rank of Assistant Engineer 2nd Grade you drew Rupees 574-1-0 monthly as your Staff and Staff Corp pay, which although in excess of the maximum pay of the 2nd Grade as well as the 1st Grade, Rupees 450 and Rupees 500 respectively, was passed to you under para 16 of G.O. 20th September 1865 N^o 615, until the excess could be absorbed by promotion.

2. From the above circumstances, since your promotion to the 1st Grade on the 10th July 1866 should have resulted in no increase to Rupees 574-1-0 drawn by you as Assistant Engineer 2nd Grade which is in itself in excess of the maximum pay Rupees 500 in the 1st Grade - but from some misunderstanding you appear to have drawn Rupees 624-1-0

instead

instead of Purpes 574-1-0, the excess or def.
ference Purpes 50. between these two sums,
from the 10th July 1866 up to 30th June 1867,
appropriating Purpes 586-7-8, will ac-
cordingly be retroacted at Purpes 100 per
mensure from your pay abstract, commencing
with the pay for July last.

I have the honor to be,

Sir

Your Most Obedient Servant

Acting Dy. Controller of M. Repts.
In Charge

Remittance letter 22/10/95
of 10/10/95, 1867, note
"By way of reimbursement
against Cash Voucher
Number 10/10/95"

CPA 11/3326/67

Remittance letter 22/10/95
of 10/10/95, 1867, note
"By way of reimbursement
against Cash Voucher
Number 10/10/95"

Lawrence Clayton Esq.
Colonial and 20th August 1867
From
Captain T. G. Hamilton
Assistant Engineer in charge
Lawrence Clayton Esq.

To
Colonel G. W. Hamlyn Esq.
Superintending Engineer of Division
Colonial

Sir,
With reference to the enclosed letter from
the Controller Public Works Account, I have the
honor to request that you will be good enough to
submit my appeal against the instructions and
therein ordered, for the consideration of His Ex-
cellency the Governor in Council.
2. In March 1866, when Captain G. W. Hamlyn
was promoted from Assistant Engineer 2nd Grade to
Assistant Engineer 1st Grade, Major Barwell, who
had to draw Captain Hamlyn's pay, and who was
interested in it, knowing that I then stood first
for promotion, and would probably therefore soon be
affected by the order, carefully studied paragraph
16 of G. O. 26th September 1865. The conclusion we
arrived at was that promotion would not in a
pecuniary point of view benefit either Captain Hamlyn
or myself, consequently no increase of pay for Captain
Hamlyn was drawn by Major Barwell. The abstract
however was altered in the Controller's office and a
remark made on it to the effect that Captain
Hamlyn was entitled to the increase of pay of Rupees fifty
which amount was therefore passed and ordered to
be paid by the Controller in excess of the amount
entered in his pay abstract. The conclusion arrived
at was that officers at present in the Department
would not be affected by the order in question till
promotion to a new appointment, as from Assistant
to Secretary, or Executive to Superintending Engineer.
In the June following I was promoted and in ac-
cording with the Controller's own order above quoted,
Rupees two hundred and fifty was drawn as my
staff salary, which was, and up to the present has
continued to be, duly passed, now however it is deemed
that the Controller's order above referred to was in-
correct, and I am retroacted in the, with reference to
my salary increment of Rupees 500, and this sum the
Controller states he shall deduct from my pay at

5. It will be in the recollection of His Excellency in Council, that on the promotion of Captain Lane from Assistant Engineer 1st grade to Executive Engineer 1st grade, the decision of the Controller that that officer was only entitled to Rupees 600 the maximum salary of his present grade, was overruled by Government under date the 9th August 1867 and it was ordered that the sum of Rupees 625.5.0. the amount which Captain Lane had drawn as an Assistant Engineer 1st grade should be continued to be paid to him. I submit that in passing this order the Government recognized in the case of Captain Lane the increase of Rupees fifty paid on promotion to Assistant Engineer 1st grade as a properly paid increment, and should beg that the same principle may be recognized in my case. I would add that I have been in the P. & W. nearly 11 years, & can honestly say I have worked hard, and I believe that the different District and Superintending Engineer's under whom I have served, have expressed themselves satisfied with the way I have performed my duties. Although I have on several occasions acted in appointments higher than those which I held permanently, the officers who acted in my grade on such occasions, for me and all far above me now, I have never had a permanent step in promotion, till that which has led to the present derangement, less than of a sum, to wit the total amount of my full Military and Civil pay for our month, for although this sum now I submit is a loss, and one that is felt by a small income in far greater measure than it should have been valued by the Controller to draw it. Government were not pleased to accede to my request and grant me a fixed travelling allowance, as was done in the case of other officers, the nature of whose duties like my own, debar their drawing anything under the present travelling allowance.

3. Taking all these circumstances into con-
sideration I trust that you will feel yourself jus-
tified in recommending Government to carry out the
letter of this order directing me to repay the sum of
£1400 00 and to sanction my continuing to draw
the staff salary of £1200 00, for reasons which has
been handed to me since my promotion to a permanent
Engineer 1st grade.

Have the honor to be
 Sir
 Very respectfully
 Yr. obedient servant
 J. M. Rice Captain
 of the 1st Regt. U.S. Cavalry

Submitted through the Executive Engineer,
Military Range

P. Martin Captain
Assistant Engineer

Whose name is the
Successor to the

N^o 94.

Supy. Engineer's Office J. D. S.
Coonoor, 31st August 1887.

From,
Colonel C. W. Walker R. E.
Superintending Engineer J. D. S.

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

Sir,
I have the honor to submit for the orders of Government, an appeal made by Cap. F. Hankin, Assistant Engineer of the Nilgerry Range, against a retrenchment notified in the Controller's letter to his address N^o 1396 of 12th August, also forwarded.

2. Under the circumstances detailed by Captain Hankin, and vouched for by Major Farewell's countersignature, I am of opinion that the Controller, under the Standing Orders as to audit, is not justified in retrenching sums drawn originally under his own instructions, and not objected to within the prescribed time for audit of Monthly Accounts; the fact being, as I understand, that such audits have been monitored in arrears.

3. With reference to the subject of maximum allowances of the Grades of this Department I take this opportunity of observing that they prep with great severity on the few Staff

See letter No 94 of 21st 87
August 1887 to the Secy.
to Govt. D. P. W. Madras
from the Supy. Engineer

From
Capt. F. Hankin
Assistant Engineer
of Nilgerry Range
to the Secy. to Govt.
D. P. W. Madras

21st 87 Co. No. 1887

21st 87 3326/17

Ch. Secy. Govt.

Appeal against the retrenchment made by the Controller's letter to his address N^o 1396 of 12th August 1887.

21st 87 3326/17

[illegible]

Public Works Department.

Q No 2834

PROCEEDINGS of the MADRAS GOVERNMENT.

Under date the 16th Sept/67

Read the following

From The N. E. Y. Am.

(Here enter No. 90 dated 3/22/67)

In issuing the order of the 9th August 1867, ch. 2426, the Government were in ignorance of the fact that the amount of salary passed to Captain Law, as an Assistant Engineer of the first grade, was Rupees 50 per mensem in excess of what he was entitled to under the orders of the 26th September 1865, ch. 2845. That circumstance should have been clearly noticed in the Controller's report of the 1st August 1867, ch. 1257, and the orders of Government sought on the question of liability for the charge which had been unauthorizedly incurred. As it was, the Government, entertaining

+ R₂ 624 - 1

A 18574-1

A handwritten signature in dark ink, appearing to read 'W. H. H.', is located in the lower right portion of the page. The signature is written in a cursive style with a large, sweeping 'W' and a long, trailing flourish extending towards the bottom right corner.

entertaining no doubt of
Captain Law's right to the
salary of Rupees 625-1-0
which had been passed to
him as an Assistant Engineer
of the first grade. Sanctioned
the continuance of its pay-
ment on that officer's pro-
motion to the rank of
Executive Engineer of the fourth
grade, the maximum salary
of which is fixed at Rupees
600 per Mensem. Captain
Law's salary will hereafter
be restricted to this latter
sum, and the Controller
will report what amount
has been drawn by that
officer in excess of the salary
to which he was entitled.
A similar report will be
furnished in respect to
Captain Hankin, to whom
these orders will be made
applicable, and full expla-
nation will be submitted
by the Controller of the
circumstances under which
the rules of the Dept. and the
orders of this, as well as of

the ~~Government~~ Government of
India have been ~~disregarded~~ disregarded
and in the cases under notice.
On the receipt of the
Controller's reply, His
Excellency in Council
will be in a position
to pass final orders on
the correspondence above
recorded.

Ad

72527 Dms
Controller

Recd 17/3/07
2
3

P. W. 1867. Department.

Proc. of Govt. for September

No. 2857

PROCEEDINGS OF GOVERNMENT

of Madras

Dated

16th September 1867

*Instructing the Controller
to report on the subject of the
excess pay which has been paid
to Captains Law & Whitham
Executive and Asst. Engineers
respectively in the Coimbatore
District*

L. 1868-269

642/14/67 P. 95