M R.O. 1—77,006—8-6-37.

(1) Number of pages

(2) Date of repair

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

PUBLIC WORKS DEPARTMENT.

G.O. No. 2067 Press Mis.
113-14
Dated 11-8- 1871.

Not to be folded or roughly handled

8/21

Proceedings of the Madras Government, Public Works Department,
11th August 1871.

No. 113. From Captain A. T. FRASER, R. E, on furlough, to the Secretary to Government, Public Works Department, dated London, 29th May 1871:—

I HAVE the honour to request that this further representation on the subject of my position, whilst Acting 2nd Assistant District Engineer in the South Canara District, may, with the accompanying abstract amounting to Rupees 551-9-9, be laid before the Government for favourable consideration. The case was last dealt with in Public Works Department Proceedings of the 18th December 1863, and I did not carry it further at the time; but reading over the papers connected with it lately, I am so convinced that I have good grounds for the measure that I do not hesitate to ask the forbearance of Government in bringing forward the claim again.

2. As a long interval has elapsed I would desire to remind the Government that I was posted early in 1861 to the North Canara District, and held the Sedashaghur Range till June 1862, when the district was transferred to Bombay I think the Government will be able to find that, whilstin this charge, I was favourably reported upon by Captain Walker, R. E., the District Engineer. In the arrangements made consequent upon the transfer I was removed to the South Canara District with a Civil salary reduced by 25 per cent, or one so much lower, in fact, than the smallest salary given in the department Passing through Madras at this time I had an official interview with the then Chief Engineer, Colonel Horsley, who assured me that after six months I would obtain the full salary of my grade. The occasion of this and previous references was that at the end of fourteen months I found myself still upon half salary, and an amount about one-third of the salary enjoyed by my contemporaries in the Bengal and Bombay Presidencies. I was also prevented taking up an appointment on a higher salary in the Mysore Public Works Department, as it was stated I could not be spared. On eventually quitting employment in the Madras Presidency, I submitted my abstract for arrears to the Auditor of Public Works Accounts, who, after a lengthy correspondence, reported to Government he could not, according to the strict rules of his office as he read them, pass the moiety of salary, but strongly recommended the claim to the consideration of Government.

3. In former correspondence I took exception to the decision of the Audit Office. I failed to see the applicability of the Financial Resolution of the 10th August 1863, No 3,655, to my antecedent claims, or that it stood in the way of my receiving like consideration with Messrs. Flint, Payne, and Prendergast in 1862, demurred to having joined any new appointment, as I continued all the time in the selfsame charge and district; was unwilling to concede that my case was in any way special so as to call for the interference of the Supreme Government; and expressed a belief that the cases of Messrs. Dopping and Prendergast who had permanent substantive appointments said to be similar would, on examination, prove different

4. I will not here take up the time of the Government by going over these questions again, as, from the tenor of the correspondence, I am led to attribute the disallowance of the Audit Office to shortcomings in the promotion branch of the Chief Engineer's office.

5 The Controller and Auditor in his No 248 of the 26th March 1863, to the address of the Chief Engineer, states that a full salary was available for me, and

again reiterates in his No. 2,021 of the 7th December 1863, to the Secretary to Government, Public Works Department, that funds were available and no one else drew the pay.

6 It would seem only fair that the posting of officers should be so managed by this branch of the Chief Engineer's office as to utilize all available salaries; and unreasonable that a salary should lapse for months when there was a qualified officer actually doing the work for which it was provided.

7. It cannot also be the intention of Government, from full salaries having been granted to three officers in 1862, that other officers should suffer on account of any mistake which may have occurred in the manner of their posting.

8. I would, therefore, venture to prefer the request that Government may be pleased to call the attention of the Chief Engineer to the oversight that has permitted the salary available for me to be absorbed, in order that my name may be put in such a position retrospectively as that the Controller may pass the arrears according to the interpretation he has set on the rules of the department, or else that redress may be granted in such way as Government may consider suitable.

No 114. ORDER THEREON, 11th August 1871, No. 2,063.

ESTABLISHMENT, No. 12.

His Excellency the Governor in Council declines to reopen and reconsider a question that was disposed of seven years ago on grounds of which the Government still recognize the validity.

(True Extract.)

Captain, R.E.,
Under-Secretary to Government.

To Captain A. T Fraser, R E.

Exd E C Shunker.

3

H. M. Govt. of Madras ——————— Dr.
To
Capt. A. T. Fraser R.E.

Arrears

To Amount of Moiety of my Civil Salary as Assistant District Engineer 2d Class South Canara District from the 6th January 1863 to the 17th August 1863 being 7 11/31 Months at Rs 75 per Mensem ——————— Rs 551 " 9 " 9

Rupees Five Hundred and fifty one Annas Nine and pie nine

A Fraser Capt. R.E.

London
May 29. 1871

Please turn over.

Amount of Abstract payable to the Agent.
Oriental Bank Corporation Madras.

London
May 29 1871

A D Fraser
Capt R E.

P. W. 8184/71

List of Letters relating to Claim preferred by Capt. A. T. Fraser R E to accompany his letter to the Secretary to Govt in the Public Works Deptt. dated London May 29 1871.

No Not known. Date 26th September 1863 From Capt. Fraser to the Controller And Auditor P.W.D Madras.

No 1571 of the 29th September 1863 From the Controller & Auditor P. W. D. To Lieut A. T. Fraser R E.

Proceedings of the Madras Government P.W.D of the 21st August 1863.

No 248 dated 26th March 1863 From the Controller And Auditor P.W.D To the Chief Engineer & P.W.

Proceedings of the Madras Government P.W.D of the 16th November 1863

Ditto Ditto of the 19th December 1863

No Not known Dated 28th Novr 1863 From Lieut A.T. Fraser to the Controller & Auditor P.W.D Madras.

London
May 29 1871

A D Fraser
Capt R E.

P. W. 8184/71

To the Works 1871 Department

From
Capt. A. T. Fraser
Royal Engineers
on Furlough

No. 3184

To
The Secretary
to the Govt. of Madras
in the P.W. Depart

Dated May 29. 1871
Received July 1st

Forwards an Abstract for arrears of Civil Salary payable to the Agent Mercantile Bank Corporation Madras.

No. 25 July

From
Capt. A. T. Fraser
Royal Engineers
On Furlough

The Secretary
To the Government of Madras
in the Public Works Department

London
May 29 1871

Sir

I have the honor to request that this further representation on the subject of my position whilst Acting 2nd Assistant District Engineer in the South Canara District may with the accompanying Abstract amounting to Rs 551=9-9 be laid before the Government for favorable consideration. The case was last dealt with in P.W.D. Proceedings of the 18th December 1863. And I did not carry it further at the time, but reading over the papers connected with it lately am so convinced that I have good grounds for the measure that I do not hesitate to ask the forbearance of Government in bringing forward the Claim again.

2. As a long interval has elapsed I would desire to remind the Government that I was posted early in 1861 to the North Canara District & held the Sedashaghur Range till June 1862 when the District was transferred to Bombay. I think the Government will be able to find that whilst in this charge I was favorably reported upon by Capt Walker

January 1863 when I

Walker R.E. the District Engineer. In the Arrangements made consequent upon the transfer I was removed to the Canara District with a Civil Salary reduced by twenty five per cent. or more & which came in fact than the Smallest Salary given in the Department.

Passing through Madras at this time I had an official interview with the then Chief Engineer Col Moseley who assured me that after six months I would obtain the full salary of my grade. The occasion of this & previous references was that at the end of fourteen months I found myself still upon half Salary and an Account about one third of the Salary enjoyed by my Contemporaries in the Bengal and Bombay Presidencies. I was also prevented taking up an appointment on a higher Salary in the Mysore P.W.D. as it was stated I could not be spared. On Eventually Quitting Employment in the Madras Presidency I submitted my Abstract for arrears to the Auditor of Public Works Accounts who after a lengthy Correspondence reported to Government he could not According to the strict Rules of his Office as he read them pass the Moiety of Salary but strongly recommended the Claim to the Consideration of Government.

3 In former Correspondence I took exception to the decision of the Audit Office. I failed to see the applicability of the Financial Resolution of the 10th August 1863 No 3655 to my antecedent claim or that it stood in the way of my receiving what in Consideration with Messrs Plunt Payne & Reidergadt in 1862 I demurred to having joined any new

appointment as I continued to the functions in the respective Branches and District I was unwilling to consider that my Case was in any way special to ask for the interference of the Superintending Engineer and expressed a belief that the Cases of Special Stepping and Non-Stepping Assistants who had permanent substantive appointments said to be similar Rules or Recommendations were different & I still must not take up the time of the Government by going over these Questions again as from the tenor of the correspondence I am led to attribute the disallowance of the Audit Office to shortcomings in the Promotion Branch of the Chief Engineers Office.

5 The Controller and Auditor in his No 248 of the 26th March 1863 to the Secretary of the Chief Engineer states that a full Salary was available for me, and again reiterates in his No 2021 of the 7th December 1863 to the Secretary to Govt P.W. that funds were available & no one else drew the pay.

6 It would seem only fair that the posting of Officers should be so managed by this Branch of the Chief Engineers Office as to utilize all available Salaries; And unreasonable that a Salary should lapse for months when there was a Qualified Officer actually doing the work for which it was provided.

7 It cannot also be the intention of Government from full Salaries having been granted to three Officers in 1862 that other officers should suffer on account of any mistake which may have occurred in the manner of their posting.

I trusted therefore Pardon to prefer the Request that Government may be pleased to call the attention of the Chief Engineer to the circumstance that has permitted the Salary Available for one to be absorbed, the Order that my Name may be put in such a position Retrospectively as that the Controller may pass the Arrears according to the interpretation he has set on the rules of the Department, or else that redress may be granted in such way as Government may consider suitable.

I have the honor to be

Your Most Obedient Servant

A Fraser Capt R.E.

Memo

Captain C. Pattenden
having obtained leave on
medical certificate on account
of ill health
1862 dated 6th Dec.
2d Assistant District
Superintendent Salt Revenue
Appointed to act as 1st
Assistant vice Captain
Pattenden absent
Appointment as Assistant to
act as 2d Assistant vice
Smith Gazette of
18th March 1862
Pattenden appointment
was permanently filled
up in the Gazette of 6th
January 1868 when Smith
Assistant District
Superintendent
Entered as Assistant

Pro 18 Dec 63 Nos 476 - 477

P.W. 1871 Department
Pros. of Govt. for August
No 3182

From Capt. N. T. Fraser R.C
on Furlough

To The Secy to the Govt of Madras
in the P.W. Dept.

Dd 29th May
Rec'd 6th July 1871

Forwards an Abstract
for arrears of Civil Salary pay-
-able to the Agent Oriental
Bank Corporation Madras.

No 2067 - 11th August 1871

No 113

in his room and Lieut Lindsay, vice Lieut Wasted. By this arrangement Lieut Fraser forfeited his acting appointment and was therefore in the Gazette appointed to act as 2nd Assistant District Engineer vice Lieut Markell. Having acted for more than five months in the first appointment Lieut Fraser considered himself entitled to full pay after that period but the Controller of Public Works Accounts maintained that as the second appointment was also acting Lieut Fraser could not draw full pay in that appointment. The Government confirmed the Controller's view of the question in their orders of 16th November and 18th December 1863 Nos. 3337 and 3753 and ordered exactly similar to the Rules of India declared that claims of the officers concerned to the full salaries of the appointments in which they were officiating to be inadmissible.

After the lapse of more than seven years Lieut Fraser now reiterates the claim and requests that it may be reconsidered, but the

undersigned considers it inexpedient to reopen the question, and proposes that Captain Fraser be simply informed that the Govt declines to reopen and reconsider a question that was disposed of seven years ago.

3181

I agree N.

Rowlandson

or grounds of which the Govt still recognize the validity

N.

Public Works Department

No 2067

Proceedings of the Madras Government

Under date the 11 August 1871

Read the following

From Capt.n A.J. Fraser R.E. H.C. No 1 of 29th May 1871
on Furlough.

His Excellency
the Governor in Council
declines to reopen and
reconsider a question
that was disposed
of seven years ago
on grounds of which
the Government still
recognize the validity.

To Captain A.J. Fraser
R.E.

Given to Mr Stokes on Friday 12/8/71.

5th Aug:

Cp 3184

Govt of {1871} Madras.

PUBLIC WORKS.

To Captain A. T. Fraser R.E.

Dated

Recd. 1 Inst

G.O. 11 Augt 71, No. 2067.

Nos. 1113 & 1114

Capt. A. T. Fraser R.E.

informed that for the decline
to reopen & reconsider his
application for arrears
of Salary.