M.R.O. 1—77,006—8-6-37.

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(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Public work DEPARTMENT.

G.O. No. 2620-21 Press / ~~Mis.~~

285-37

Dated 14 10 1871.

Not to be folded or roughly handled

Proceedings of the Madras Government, Public Works Department,
14th October 1871.

No. 235. Read the following letter from the Controller of Public Works Accounts, to the Secretary to Government, Public Works Department, dated Madras, 3rd June 1871, No. 608:—

ADVERTING to the Proceedings of Government, No. 1,486, dated 31st May 1871, I have the honour to offer the following remarks.

2. On the occasion of Major Fischer's re-transfer from the Central Provinces to Madras, the Government of India, in their Proceedings of the 23rd January 1869, No. 19—E. I., stated that, if the measure were thought desirable by this Government, they would not object to a *personal allowance* being passed to him* so as to raise his salary to that which he had previously drawn in this Presidency as Controller of Public Works Accounts.

* *Vide* paragraph 2 of G. O., No. 658, dated 6th March 1871.

3. The pay and allowances to which Major Fischer is entitled *under the rules* as an Executive Engineer of the 1st grade, Officiating as a Superintending Engineer, is Rupees 993-10-0,* but as this is less than the salary† which Major Fischer drew in this Presidency prior to his transfer to Nagpore, a personal allowance of Rupees 100 is passed to him under the orders of the Government of India above quoted.

	Rs.	A.	P.
* Pay as Executive Engineer ...	600	0	0
Deputation allowance... ...	100	0	0
Military allowance	293	10	0
	993	10	0
† Staff Pay	800	0	0
Military allowances	293	10	0
	1,093	10	0

4. It has always been understood that a personal allowance ceases as soon as the officer to whom it is granted draws, on promotion or otherwise, a salary equivalent to, or higher than, that which he was in receipt of before the orders for that personal allowance were issued. In Major Fischer's case a personal allowance of Rupees 50 is authorized in paragraphs 3 and 4 of the Proceedings under reply, notwithstanding that, on that Officer's promotion to the rank of 2nd* and 1st† class Lieutenant-Colonel, respectively, his receipts, *in accordance with rule*, will be higher than the pay‡ and allowances to which he was entitled prior to his transfer to Nagpore. Moreover, in the concluding paragraph of the order of the 31st ultimo, the Government grant to Major Fischer, on promotion to the rank of 1st class Lieutenant-Colonel, pay and allowances at the rate of Rupees 1,458-12-0, which is in excess of the maximum salary (Rupees 1,350) prescribed for a Superintending Engineer of the lowest grade by Rupees 108-12-0. In addition to this, the order in question gives Major Fischer a personal allowance of Rupees 50, thus raising that Officer's receipts to Rupees 158-12-0 in excess of what he would be entitled to as a *permanent* Superintending Engineer of the 3rd grade.

	Rs.	A.	P.
* Pay as Executive Engineer, 1st Grade	600	0	0
Deputation allowance ...	100	0	0
Military allowance	576	9	0
	1,276	9	0
† Pay and Deputation allowance as above	700	0	0
Military allowance... ...	650	0	0
Maximum provided for a 3rd Grade Superintending Engineer	1,350	0	0
‡ Staff pay	800	0	0
Military allowance	293	10	0
	1,093	10	0

5. The pay and allowances authorized in the order under acknowledgment are *special*, and appear to have reference to what Major Fischer's receipts would amount to if, continuing in the position of Controller of Public Works Accounts in this Presidency, he had elected the old rules; but as, under the Circular recorded in Proceedings of the 3rd April 1871, No. 978, the sanction of the Supreme Government is necessary to the passing of establishment charges not provided for by rule, I respectfully beg that the Proceedings of this Government may be reported to the Government of India for confirmation.

No. 236. ORDER THEREON, 14th October 1871, No. 2,620.

ESTABLISHMENT, No. 19.

ORDERED that the Government of India be addressed on the subject of this letter.

(Here enter No. 2,621, dated 14th October 1871.)

(True Extract.)

(Signed) J. CARPENDALE, Colonel, R.E.,
Secretary to Government.

To the Controller of Public Works Accounts.

Exd. S. T. Augustin.

PUBLIC WORKS DEPARTMENT,
OOTACAMUND, 14*th October* 1871.

No. 237.

No. 2,621.

To

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

ESTABLISHMENT, No. 20.

SIR,—In their letter of the 23rd January 1869, No. 19—E. I., the Government of India, in replacing the services of Major Fischer at the disposal of this Government, remarked that they "would be glad if the first opportunity were taken to give him employment in the Madras Presidency in a position suitable to his standing in the service and his qualifications," and they added that "if it be thought desirable by the Madras Government, the Government of India would not object to permitting Major Fischer to draw as a personal allowance such higher rate of salary in addition to that of any post to which he could at once be appointed as will place him on the footing which he would have occupied had he not been transferred to the Central Provinces." Since Major Fischer's return to the Madras Department Public Works this Government have not been able to assign to him a higher position than that of an Executive Engineer of the 1st Grade, officiating as Superintending Engineer, and in consideration of the circumstances of his case and the wish of the Government of India, Major Fischer has while in the grade of Regimental Captain and employed as Acting Superintending Engineer been paid as follows:—

	RS.	A.	P.
Staff pay as Executive Engineer, 1st Grade ...	600	0	0
Deputation allowance as Officiating Superintending Engineer	100	0	0
Military allowances as Captain	293	10	0
Personal allowance	100	0	0
Total...	1,093	10	0

the personal allowance of Rupees 100 having been granted to prevent his being subjected to any loss of income.

2. On his renewed application as to what his pecuniary position would be in the event of his Regimental promotion, G. O., No. 1,186, 31st May, was issued, which in his letter as per margin the Controller points out will have the effect of securing to Major Fischer while officiating as a Superintending Engineer Rupees 73-7-0 a month in excess of the authorized salary of the appointment for such period as he may be a Lieutenant-Colonel on Major's pay, and Rupees 108-12-0 in excess of the authorized salary so soon as he attains the Regimental position of Lieutenant-Colonel on Lieutenant-Colonel's pay. As Captain (Major) Fischer will shortly be promoted to Lieutenant-Colonel by the demise on the 8th

No. 608, dated 3rd June 1871.

ultimo of Colonel A. J. M. Boileau, it becomes necessary to take action on the Controller's letter, and I am accordingly directed to request the sanction of the Government of India to the Order of this Government, No. 1,486, 31st May 1871.

I have the honour to be,

Sir,

Your most obedient servant,

Colonel, R.E.,

Secretary to Government.

Erd. S. T. Augustin.

Office of the Controller of Public Works Accounts.

Madras, 3rd June 1871.

No. 608

From,

The Controller of P.W. Accounts,

To,

The Secretary to Government,

Public Works Department,

Fort St. George.

Sir,

Adverting to the Proceedings of Government No. 1486, dated 31st May 1871, I have the honor to offer the following remarks.—

2. On the occasion of Major Fischer's retransfer from the Central Provinces to Madras, the Government of India, in their Proceedings of

of the 23rd January 1869, No. 19 E I, stated that, if the measure were thought desirable by this Government, they would not object to a personal allowance being passed to him × so as to raise his salary to that which he had previously drawn in this Presidency as Controller of Public Works Accounts.

× Vide para 2 of G.O. No. 658, dated 6th March 1871.

3. The pay and allowances to which Major Fischer is entitled under the rules as an Executive Engineer of the 1st Grade, officiating as a Superintending Engineer, is Rupees 993-10- but as this is less than the salary which

† Pay as Executive Engineer Rs. 600—
Deputation allowance — 100—
Military allowances — 293-10
993-10

‡ Staff Pay Rs. 800—
Deputation allowance — 293-10
1093-10

which Major Fischer drew in this Presidency prior to his transfer to Nagpore, a personal allowance of Rupees 100 is passed to him under the orders of the Government of India above quoted.

4. It has always been understood that a personal allowance ceases as soon as the officer to whom it is granted draws, on promotion or otherwise, a salary equivalent to, or higher than, that which he was in receipt of before the orders for that personal allowance were issued. In Major Fischer's

Fischer's case, a personal allowance of Rupees 50 is authorized in paras 3 and 4 of the Proceedings under reply, notwithstanding that, on that Officer's promotion to the rank of 2ª and #1ª Class Lieutenant Colonel respectively, his receipts, in accordance with rule, will be higher than the pay and allowances to which he was entitled prior to his transfer to Nagpore. Moreover, in the concluding para of the order of the 31st Ultimo, the Government grant to Major Fischer, on promotion

⊕ Compared Engineer 1st Grade Rs 600—
Deputation allowance — 100—
676-8-
727-6-8

Pay and deputation allowance drawn as Military Accountant Maximum provided for a Superintending Engineer Rs 1350 — 650 — 700 — 1350 —

× Staff Pay Rs 800—
Military allowances — 293-12
1093-12

to the rank of 1st Class Lieutenant Colonel, Pay and allowances at the rate of Rupees 1,458-12-, which is in excess of the maximum salary (Rs 1,350) prescribed for a Superintending Engineer of the lowest grade by Rupees 108-12-. In addition to this, the order in question gives Major Fischer a personal allowance of Rupees 50, thus raising that Officer's receipts to Rupees 158-12- in excess of what he would be entitled to as a permanent Superintending Engineer of the 3ª grade.—

5. The pay and allowances authorized in the order

under

under acknowledgment are special, and appear to have reference, to what Major Fischer's receipts would amount to if, continuing in the position of Controller of Public Works Accounts in this Presidency, he had elected the old rules, but as, under the Circular recorded in Proceedings of the 5th April 1871, No. 978, the sanction of the Supreme Government is necessary to the passing of Establishment charges not provided for by rule, I respectfully beg that the Proceedings of this Government may

(11)

may be reported to the Government of India for confirmation.

I have the honor to be,
Sir,
Your most Obedient Servant,

Sd/ Sheed

Controller of P.W. Accounts.

No. 2621.

To The Secretary to the
Government of India
F.D.

Sir

In their letter of
the 23rd January 1869
No. 19 S. I. the Govern
ment of India, in re
placing the services of
Major Fischer at the
disposal of this Govt.
remarked that they
would be glad if the
first opportunity were
taken to give him
employment in the

N.
F.

Enclosure of Despatch.

Enclosure. Extract Letter from Secretary to Government, Public Works Department, dated 3rd June 1871. Rec'd 5th June 1871. No. 1608.

Forwarding remarks with reference to G.O. No. 1486 dated 31st May 1871, regarding Major Fischer's proposed allowances, and suggesting that the Pro= visions be extended for the confirmation of the Government of India. No. 2620. 26 21-14 Oct 71

From, The Controller of Military Accounts,
To, The Secretary to Government, Public Works Department, British Burma Circle.

Dated 3rd June 1871.
Rec'd 5th June 1871.
No. 1608

Sir,

I have the honor to forward herewith, for the consideration of the Government of India, the letter noted in the margin.

I have &c.
(Sd) J. Allen Major
Controller of Military Accounts.

Madras Presidency
in a position suitable
to his standing in
the service and his
qualifications," and
they added that "if
it be thought desirable
by the Madras Govt.
the Govt. of India
would not object to
permitting Major
Fischer to draw as a
personal allowance
such higher rate of
salary in addition
to that of any post
to which he could
at

at once be appointed
as will place him on
the footing which he
would have occupied
had he not been trans-
ferred to the Central
Provinces". Since Major
Fischer's return to the
Madras P.W. the
Govt. have not been
able to assign to him
a higher position than
that of an Executive
Engineer of the 1st grade
officiating as Superintending
and in consideration
of the circumstances
of

of his case and the work of the Govt. of India, while for Fischer has while in the grade of Regimental Captain and employed as Acting Superintg. been paid as follows -

Staff pay as Executive Engr. 1st grade Rs. 600 — — —
Deputation allowance as Offg
Asstg. Engineer ——— 100 — — —
Military allowances as Captain — 293 — 10 —
Personal allowance ——— 100 — — —
Rs 1093 - 10 — —

the personal allowance of Rs. 100 having been granted to prevent his being subjected to

any loss of income -

On his renewal application as to what his pecuniary position would be in the event of his Regimental promotion, G.O. No. 1486 31st May was issued, which in his letter as per margin the Controller points out will have the effect of reducing to Major Fischer while officiating as a Supg Engr Rs. 75.7 a month in excess of the authorized salary of the appointment for such period as he

No. 608 of 30th June/71

he may be a Lieut Colonel on Major's pay and Rs 108.12— " in excess of the authorized salary per annum as he attains the Regimental position of Lieut Colonel or Lieut Colonel's pay. As Capt Emi (Major) of Fraser will shortly be promoted to Lieut Colonel by the demise on the 8th ultimo of Colonel A Mc Bolean it becomes necessary to take action on the Contractor's letter and

I am accordingly directed to request the sanction of the Govt of India to the order of this Govt No 1486 31st May 1871 -

I have &c
Sd/- H. Fitzpatrick
Secy to Govt

Recd 26/6/71 with copy of Govt No 1486 of 31st May 71 - & returned 26/6/71

Letter / Requesting
sanction of the ~~...~~
of the Board ... June-July
31st Aug 1871 No-1486 regarding
~~...~~ salary & allowances
of Major Franks acting Supt
Supr of the ... Dn —

C. No. 2529

Govt. of {1871} Madras.

PUBLIC WORKS.

To The Controller of Public Works Accounts

and

To The Secretary to the Govt. of India

Dated

Read.

Ans.

G. O. No. 1147 (Revenue), dated 26-20-262

Nos. 235-236 to 239

Major Fisher's pay & allowances

Papers ordered to be called for from the Comptroller of P. W. Accounts explaining reasons for and suggesting that the Proceedings be reported for the sanction of the Secretary of State.