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MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No.	1430-31	Press
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Dated	10-6-	1872.

Not to be folded or roughly handled

9-1

*Proceedings of the Madras Government, Public Works Department,
10th June 1872.*

Read the following letters:—

No. 137. From Captain A. deC. SCOTT, R.E., Under Secretary to Government, Public Works Department, to the Secretary to Government, Public Works Department, dated Fort St. George, 12th April 1872.

I HAVE the honour to draw your attention to Order No. 340, of 1872, of the Government of India, regulating the terms on which Royal Engineer Officers of the Imperial List may obtain furlough after eight years' service in India, and to make the following observations thereon.

2. The principle on which the Furlough Regulations of 1868 are based, as is evident from the spirit of the rules and the terms used in the illustrations for the calculation of the periods due in different cases, is that the performance of certain length of service places to the credit of the officer a proportionate amount of furlough, and no obligation is inferred or hinted at in any paragraph whether of the Military or Civil Service Regulations, as existing on the part of any officer to return to his service at the expiration of his term of furlough simply because he has enjoyed the privilege acquired by previous service.

3. As a matter of fact it is notorious that numbers of the Civil and Military Officers of the Government of India proceed on furlough and quit the service at the expiration of that furlough. Yet no difficulty is made by the Government in granting the leave of absence without demanding engagements for their return; no exception is taken to their retirement at the expiration of their term of leave, and still less are they required to refund allowances in excess of those which they would have received had they resigned the Government service on the occasion of their leaving India.

4. The effect of the order of the Government of India under notice will be to place Engineer Officers of the Imperial service under disabilities in respect of furlough privileges to which there is no parallel in the case of other officers—Civil, Military, or Uncovenanted—from whom no pledges of the kind referred to are demanded, and who are not rendered liable to a crushing fine as Imperial Engineer Officers now are in the event of their failing to revert to service in India at the expiration of their furlough.

5. The order will tend to prevent Royal Engineer Officers from attaching themselves to the Indian service. In my own case I can declare positively that with every wish to remain in that service, I should consider that the exercise of common prudence required that I should decline to give the assurance required by that order to enable me to obtain furlough under the Regulations of 1868, as I should thus render myself liable to the ruinous penalty implied, in the event of failure in health, a change in personal or family circumstances, or other possible contingency to which every one is liable, rendering it impossible or very inexpedient for me to return to this country. From the risk of being placed in such a dilemma officers of all other services are free.

6. The alternative in my own case and that of officers of my corps generally would be to resign Indian employment at the expiration of the usual tour of service and to take duty at home. This course I should feel compelled to adopt with regret, and as it is difficult to conceive that any officers would risk incurring

the serious liabilities to which they would now be exposed on their taking regular furlough, it is probable that by far the greater number would act in the same manner.

It is hardly necessary to point out that when the connection of an officer with the Indian service has been broken, and his lien on his appointment and his place in a department has been lost, there would be little probability of his return to the country.

7. There is one consideration, the weight of which is endorsed by the experience of many, which is that officers having a lien on their appointments are far more likely to elect at the termination of a term of furlough for a renewal of their service in India, than they are if the alternative is presented to them immediately after a tour of service in this country and on the eve of their departure for England.

8. The inducements held out to Government Officers in the purely local services, causing them to attach themselves to the country during the more active portion of their lives, consist not only in the emoluments of their offices, but in a scale of pensions on retirement proportioned to length of service, and considered in connection with the circumstances of the country and its climate. In these advantages Engineer Officers of the Imperial List do not participate in the smallest degree, while they have now been selected for the operation of an order which will place them under still greater disadvantages.

9. My hope in addressing you is that you may consider the subject in its general aspect, affecting as it does the *personnel* and administration of the Public Works Department in this Presidency, of sufficient importance to submit for the consideration of Government, and in giving it such consideration a knowledge of the personal feeling of officers concerned, in regard to the operation of the order, is an element of some importance.

No. 138. From Lieutenant C. H. P. CHRISTIE, R. E., Acting Deputy Consulting Engineer for Railways, to the Secretary to Government, Public Works Department, dated Madras, 6th May 1872.

I HAVE the honour to ask that you will submit, for the consideration of the Government, the following remarks upon Resolution of the Government of India, No. 340 of 1872, in which it is laid down that "a Royal Engineer Officer of the Imperial List on permanent staff employment under Government, who has served eight years in India without proceeding to England at the conclusion of his regular tour of seven years, will be eligible for furlough to Europe under the rules of 1868, but only on his undertaking to return to India at its termination, for a further term of service;" and that "should he fail to return he will be required to refund all the Indian pay and allowances he may have received from the Government of India during his furlough, and be restricted for that period to the English pay of his regimental rank."

2. I venture respectfully to submit that the rule here promulgated is altogether unfair to the officers concerned, and will in its operation prejudicially affect the efficiency of the Government service.

3. Royal Engineer Officers of the Imperial Establishment, when compared with their brother officers of the Indian Establishment, labour already under disadvantages in respect of pension and retirement; and it is, I respectfully submit, extremely unfair to place them under a further disadvantage by imposing upon them, when they become eligible for furlough, a severely penal condition from which their brother officers on the Indian Establishment are entirely exempt.

4. In the Furlough Rules of 1868 it is laid down that an officer, at the end of a certain period of service, is to be credited with a certain amount of furlough; no condition of any sort is prescribed; the language of the rules admits of one reasonable interpretation only, namely, that furlough is given as a reward for past service, as part of the pay for past service, without any reference whatever to the future; and the fact that officers who proceed on furlough with the avowed intention of retiring at the expiration of their furlough are not called upon to refund their allowances, seems to afford conclusive evidence that the above interpretation is acquiesced in by the Government of India.

5. The manner in which this rule may be expected to affect the efficiency of the Government service is a question for the consideration of Government alone; but believing that Government desire to secure for the service of the Public Works Department a body of officers who have deliberately elected an Indian career, rather than a succession of officers sent, against their inclinations, to this country and bent upon severing their connection with the country at the earliest opportunity, I venture to point out that the rule now promulgated is certain to induce almost all Royal Engineer Officers of the Imperial Establishment to return to Imperial employment at the expiration of their regular term of seven years service.

6. A Royal Engineer Officer who, at the expiration of his term of seven years, elects to remain in India with the intention of taking furlough, does virtually signify his intention of adopting an Indian career; but no man in his senses will so remain when he knows that, at the expiration of his furlough, he may be called to refund the whole of the pay which he has received during that period, if, through illness or any other cause, he should be unable to return to India.

7. The Government of India say that an officer will, under these circumstances, be restricted the English pay of his regimental rank; but I can see no guarantee that even this small amount of pay will be given; for the officer is to be called upon to refund the whole of his Indian pay and allowances to the Government of India, and I know of no regulation under which an officer can draw even the regimental pay of his rank whilst on leave at home.

8. In the interests of the public service it is desirable that officers of the Public Works Department should have occasional opportunities, by visits to Europe, of making themselves personally acquainted with the progress of engineering science and practice; such opportunities are afforded by the periods of furlough which are allowed; but in order that an officer may turn these opportunities to any useful purpose, it is necessary that his allowances whilst on furlough should be tolerably liberal; and it cannot possibly be expected that an officer will devote his time and his money to the attainment of professional knowledge, in the interests of the public service, when he knows that he may be

*Proceedings of the Madras Government, Public Works Department,
10th June 1872.*

called upon, at the expiration of his furlough, to refund the whole of the pay and allowances which alone give him the means of attaining that knowledge.

No. 139.

ORDER THEREON, 10th June 1872, No. 1,430.

ESTABLISHMENT, No. 11.

ORDERED that these papers be forwarded for the consideration and orders of the Government of India.

(Here enter No. 1,431, dated 10th June 1872.)

(True Extract.)

Colonel, R. E.,

Secretary to Government.

To Captain A. DeC. Scott, R. E.

„ Lieutenant C. H. P. Christie, R. E.

Exd. S. T. Augustin.

PUBLIC WORKS DEPARTMENT,
FORT ST. GEORGE, 10th June 1872.

No. 140.

No. 1,431.

To

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

ESTABLISHMENT, No. 12.

SIR,—I am directed to forward for the consideration and orders of the Government of India the accompanying

letters from Captain A. deC. Scott and Lieutenant C. H. P. Christie of the Imperial List of Royal Engineers, in which those officers remonstrate against the Resolution of the Government of India No. 340 of 1872, on the grounds of its injurious bearing on the interests of the officers concerned and its prejudicial effect on the efficiency of the Government service.

2. In paragraph 3 of letter of 23rd August 1869, from the Adjutant-General to the Secretary to the Government of India, Military Department, forwarded with Order No. 105, of 6th October 1869, it is stated to be “of the highest importance that Royal Engineer Officers who have achieved a confidence in the Department Public Works should be attached by motives of interest to service in India.” And it is contended by these officers that liability to a penalty of refunding all furlough pay in excess of English pay of their rank, if through illness or any other cause they should be unable to return to India at the expiration of their furlough, would effectually preclude them from entering into an unconditional engagement to return to Indian duty.

3. And I am desired to state that this Government, valuing the services of those officers and conceiving them hardly dealt with as regards the spirit of the Furlough Regulations of 1868, which recognize the principle of a certain period of furlough being earned by a certain term of service, would respectfully suggest, for the consideration of the Government of India, that the Secretary of State for India be moved to cancel all restriction on the grant of furlough to Royal Engineer Officers of the Imperial List under the Regulations of 1868.

I have the honour to be,

Sir,

Your most obedient servant,

Colonel, R. E.,

Secretary to Government.

Exd. S. T. Augustin.

Fort George. 12 April 1872

Secretary to Government.

Public Works Department. Madras.

I have the honor to draw
your attention to Order
No 340 of 1872 of the Govt of
India regulating the terms
on which Royal Engineers
Officers of the Imperial List
may obtain furlough after
certain years' service in
India & to make the following
observations thereon.

2. The principle on which the
furlough regulations of
1868 are based, as is evident
from the spirit of the rules &
the terms used in the
illustrations for the calculation
of the periods due in different
cases, is that the performance
of a certain length of service

places to the credit of the
Officer a proportionate
amount of furlough and
no obligation is imposed
or hinted at in any paragraph
whether of the Military or Civil
Service Regulations, as
existing on the part of any
Officer to return to his
Service at the expiration of
his term of furlough simply
because he has enjoyed the
privileges secured by
previous service.

3. As a matter of fact it is
notorious that numbers
of the Civil and Military
Officers of the Government of
India proceed on furlough
and quit the Service
at the expiration of their
furlough. Yet no difficulty

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is made by the Government
in granting the leave of
absence, without demanding
engagements for their return,
no exception is taken to their
retirement at the expiration
of their term of leave &
still less are they required
to refund all wages in
excess of those which they
would have received had
they resigned the Govt. Service
on the occasion of their
leaving India.

4. The effect of the Order of
the Govt. of India under
notice will be to place
Superior Officers of the Imperial
Service under disabilities
in respect of furlough privileges
to which there is no parallel
in the case of other Officers

Civil, Military, or Naval, and from whom no pledges of the kind referred to are demanded, and who are not rendered liable to a crushing fine, as Imperial Engineer Officers now are in the event of their failing to report to Service in India at the expiration of their furloughs.

5. The Order will tend to prevent Royal Engineer Officers from attaching themselves to the Indian Service. In my own case I can declare positively that with every wish to remain in that Service I should consider that the exercise of common prudence required that

9.6 3

I should decline to give the assurance required by that Order to enable me to obtain furlough under the regulations of 1860 as I should thus render myself liable to the pecuniary penalty implied, in the event of failure in health, a change in personal or family circumstances or other possible contingencies to which every one is liable rendering it impossible or very inexpedient for me to return to this country. From the risk of being placed in such a dilemma Officers of all other Services are free.

6. The Alternatives in my own case & that of Officers

of my Corps generally,
would be to assign
Indian employment at
the expiration of the usual
tour of service and to take
duty at home. This course
I should feel compelled
to adopt, with regret, and
as it is difficult to conceive
that any Officers would
risk incurring the serious
liabilities to which they
would now be exposed
on their taking regular
furlough, it is probable
that by far the greater
number would act in
the same manner.

It is hardly necessary to
point out that when the
connection of an Officer
with the Indian Service
has been broken, his

lien on his appointment
& his place in a Department
has been lost, there would
be little probability of his
return to the Country.

7. There is one consideration
the weight of which is
endorsed by the experience of
many: which is that Officers
having a lien on their appointments,
are far more likely to elect
at the termination of a
term of furlough for a
renewal of their service
in India, than they are
if the alternative is
presented to them immediately
after a tour of service in
this Country and on the
eve of their departure for
England.

8. The Indemnities held
out to Government Officers

in the family local
Services, causing them
to attach themselves to
the country during the
more active portion of
their lives, causing not
only in the emoluments
of their offices but in a
scale of pensions on retirement
proportioned to length of service
and considered in connection
with the circumstances
of the country and its
climate. In these advantages
of the Imperial List
Engineer Officers do not
participate in the smallest
degree, while they have now
been selected for the operation
of an order which will
place them under still
greater disadvantages.

My hope in addressing
you is that you may

9.8.5
Consider the subject in
its general aspect affecting
as it does the personnel &
Administration of the Public
Works Department in this
Presidency; of sufficient
importance to submit for
the consideration of Government
& in giving such consideration
a knowledge of the personal
feeling of Officers concerned,
in regard to the operation
of the Order is an element
of some importance.

I have the honor to be

Sir,

Your most obedient Servant

Adm. Sato

Capt. W.E.

Under Secy to Govt. P.W.D.

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P.W. 1872 *Sept*
Pro of ffr, June
No 2448.

From
Captain A. de Lott
R.E.
Underkey to Govt
P.W.D.

Date 12 April / 72
Recd 15 May / 72

Making certain
observations relative to
the terms upon which
pardon to Europe is
granted, after eight years
service in India, to Royal
Engineer officers of the
Imperial List.

No 1430-1431-10^o Dec / 72

This should be
circulated.

101

To
The Secretary to the Government
of India, P.W.D.
I am directed to for-
ward for the considera-
tion and orders of the
Government of India
the accompanying letters
from Captain A. de L.
Scott, and Lieutenant
L. H. R. Chryotie of the
Imperial List of Royal
Engineers in which those
officers (protest) against
the Resolution of the Govt
of India No. 341 of 1872,
on the grounds of its
injuring training in the
service towards the
officers

officers concerned and its
prejudicial effect on the
efficiency of the Govt service.

2/ In para 3 of letter of
23rd August 1869 from the
Adjutant General to the
Secretary to the Govt of
India Military Department
forwarded with order
No 105 of 6 October 1869
it is stated to be of the
highest importance that
Royal Engineer officers
who have achieved a
confidence in the Department
Public Works should be
attacked by motives of
interest to service in India.
And it is contended by
these officers that liability
to a penalty of refunding
all Furlough pay in
excess

13
excess of English pay of
their rank, if through
illness or any other cause
they should be unable to
return to India at the
expiration of their Fur-
lough, would effectually
preclude them from
entering into any uncon-
ditional engagement
to return to Indian duty.
And I am desired to state
that this Govt valuing
the services of these officers
and concerning them
hardly dealt with as
regards the spirit of
the Furlough Regulations
of 1868, which recognize
the principle of a certain
period of Furlough being
earned by a certain term
of service, would respectfully

suggest for the considera-
tion of the Govt of India, the following modification
of its order under review. viz. That officers of
Royal Engineers on
the Imperial list
after 8 years service in
the Public Works Dept.
or similar qualifying
Staff or Civil employ be
entitled to Furlough pay
unconditionally in the
proportion of two months
Furlough to each year
of qualifying service re-
verting to English Re-
gimental Pay for the
remainder of the two years
Furlough. Thus an officer
who had served for 9 years
would draw Furlough
Pay

I hardly see the necessity
of this limitation. Why not give the full
two years. It will
not materially benefit
the public service but
these officers must
be deprived of some
months between a brown
out of the two years
of furlough & the
deprivation may often
cause material
inconvenience to mili-
tary officers.

I would give them
the full benefit of the
Furlough Regulations

I concur
in this view.

that the Secretary of State
for India be moved to
cancel all restriction on
the grant of Furlough to
Royal Engineer officers
of the Imperial list
under the Regulations
of 1868.

whether he returned to
India at the end of 2 years
or reverted to duty in
England. It is considered
by this Government that
such an arrangement
would meet the require-
ments of the case, both
as regards the claims
of the officers concerned,
and the policy of retaining
their services for India.

W
A
A

Recd 11/6/72 circ 35
Specd of 14/20/72.

22

W.D. J.W. Dalk 9-13
No 143030

Proceedings of the Madras Government
Under date the 10th June 1872
Read the following

From Captain A. de C. Scott
J.C.
Under Secretary to Govt. (Here enter No 2712 April 1872)

From Captain C. H. O. Christie
J.C.
Asst Dy Commr Esq.
for Railways. (Here enter No 2715 May 1872)

Ordered that the
following letter be sent.
No 1431.

To Capt. A. de C. Scott, R.E.
- do - C. H. O. Christie, R.E.
Desp^d 11/6/72.

To The Secretary to the
Government of India
J.W.D.

Here enter.

Wm. D. D.

1831

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