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MADRAS RECORD OFFICE

Government of Madras

Public works

DEPARTMENT

G.O. No.	699-700	Press
B.P. No.		Mis.
90-6937		
Dated	4-3-	1873

Not to be folded or roughly handled

*Proceedings of the Madras Government, Public Works Department,
4th March 1873.*

No. 90. Read the following letter from the District Engineer, Presidency, to the Chief Engineer and Secretary to Government, Public Works Department, dated Fort St. George, 10th January 1873, No. 2,798:—

I HAVE the honour to request that you will have the goodness to bring to the notice of Government the extreme hardness with which the rules of 1865, prescribing maximum salaries for the various grades of the Engineers Establishment of the Public Works Department; bear upon my individual case.

2. In the *Fort St. George Gazette*, dated 13th November 1872, I was appointed District Engineer, and under the impression that the maximum rates of 1865 would not apply to me as I had been originally appointed as District Engineer seventeen years ago in 1856, and continued a District Engineer for the seven years following, I submitted my abstract to the Controller without reference to those rules; but I am informed that I must be considered as an executive, and that I am subject to the maximum rules in question pending the decision of Government.

3. As already stated, so long ago as 1856 I was appointed to the position of District Engineer, which had a staff salary attached to it of Rupees 600 per mensem. Nearly seventeen years have passed away, and I now find myself, after a total service of twenty-seven years, in relatively the same rank, namely, that of Executive Engineer, 1st grade. The reductions ordered in 1863 (when I reverted to the title of Executive Engineer, but on the District Engineer's salary,) and the subsequent re-organizations of the Department, have no doubt rendered any improvement in my departmental standing difficult, if not impracticable, and in this view of the matter I am, perhaps, not in a worse position than other officers. It is however with reference to the maximum rates of pay, which restrict my receipts in the Public Works Department to an arbitrarily fixed limit, that I have now ventured to trouble Government. Had I when a District Engineer held the rank of Lieutenant-Colonel, or had I attained that rank in 1864, I should now be on the receipt of total income, irrespective of pay proper, of Rupees 1,358-12-0, or Rupees 1,458-12-0 calculated as follows:—

Staff salary as Executive Engineer	...	...	...	...	RS.	A.	P.
Military pay as Lieutenant-Colonel	...	...	...	...	600	0	0
					758	12	0
					<hr/>		
					1,358	12	0

4. The maximum rates, however, restrict my receipts as an Executive Engineer, 1st grade, to Rupees 1,250, and I am thus put to a loss* of Rupees 108-12-0 per mensem, or Rupees 1,295 per annum.

5. Looking to the circumstances of my present position (District Engineer) in the department being the same as that which I held in 1856 and seven following years, and that at that time and for nine years after the maximum rules were not in existence, that the chances of the departmental promotion seem very remote, and that the charge which I now hold independently, and held for several years, under the general directions of the Superintending Engineer, 4th Division, is one of the most important in this Presidency, I trust that you will have the goodness to commend my application to the favourable consideration of Government, with a view to their recommending to the Government of India, as a special case, my exemption from the rules of 1865, already quoted.

*Proceedings of the Madras Government, Public Works Department,
4th March 1873.*

6. This concession will not establish a precedent. Mine is a peculiar and solitary case, not capable of repetition, as all Lieutenant-Colonels who are my seniors, and every one of whom are graded as Executive Engineers, 1st grade, and District Engineers (with two exceptions, which are still more favoured) and all those who are my juniors and in similar positions as myself, have by a fortunate concatenation of circumstances, such as going on leave to England or returning at favourable opportunities, escaped the misfortune under which I now labour from circumstances beyond my control and from no fault of mine. There is not one of them a sufferer consequent on the maximum rule.

No. 91.

ORDER THEREON, 4th March 1873, No. 699.

ESTABLISHMENT, No. 12.

It is observed that Lieutenant-Colonel Goddard was appointed a District Engineer of the 2nd class on a staff salary of Rupees 600 in addition to his Military pay and allowances in 1856; that on the introduction of the rules attaching a maximum rate to the pay of an Executive Engineer of the 1st grade the following general conditions were laid down:—"The foregoing changes will take effect from the 1st October next, but no reduction will be made in the salaries of those officers who are at present in receipt of higher allowances than those now prescribed as the maximum of their grades. In the case of such officers the change will be prospective only, and they will continue to draw their present salaries until they become entitled to an increase, by promotion to a class or grade the maximum salary of which exceeds their present allowance drawn in this Department in each case." From this date, therefore, the staff salary of Rupees 600, although the same in amount as that attached to the grade to which Lieutenant-Colonel Goddard stood posted, became virtually a personal allowance to which that officer is guaranteed, until, in the words of the order above quoted, he is promoted to a class or grade the maximum salary of which exceeds the present allowance drawn in the Department Public Works. His Excellency the Governor in Council, on a reconsideration of the grounds on which the claim is now advanced, is clearly of opinion that not having accepted the consolidated salary rules or been departmentally promoted, Lieutenant-Colonel Goddard is entitled to a continuance of his staff salary of Rupees 600 guaranteed to him in 1865.

The Government of India will be again addressed on this subject:—

(Here enter No. 700, dated 4th March 1873.)

(True Extract)

Colonel, R.E.,

Secretary to Government.

To the District Engineer, Presidency.

Exd. S. T. Austin.

PUBLIC WORKS DEPARTMENT,
FORT ST. GEORGE, 4th March 1873.

No. 92.

No. 700.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,

PUBLIC WORKS DEPARTMENT.

ESTABLISHMENT, No. 13.

SIR,—I am directed again to address you on the subject of Lieutenant-Colonel Goddard's claim referred to in

your letter No. 394-E. B., 2nd August 1872. I am to express the regret of His Excellency the Governor in Council that, in submitting his case in the first instance, Lieutenant-Colonel Goddard did not advance the grounds now put forward, which, in the opinion of His Excellency, clearly entitle that officer to the rate of pay he solicits.

2. It will be observed that Lieutenant-Colonel Goddard was appointed a District Engineer of the 2nd class on a staff salary of Rupees 600 in addition to his Military pay and allowances in 1856; that on the introduction of the rules attaching a maximum rate to the pay of an Executive Engineer of the 1st grade the following general conditions were laid down:—"The foregoing changes will take effect from 1st October next, but no reduction will be made in the salaries of those officers who are at present in receipt of higher allowances than those now prescribed as the maximum of their grades. In the case of such officers the change will be prospective only, and they will continue to draw their present salaries until they become entitled to an increase, by promotion to a class or grade the maximum salary of which exceeds their present allowances drawn in this Department in each case." From this date, therefore, the staff salary of Rupees 600, although the same in amount as that attached to the grade to which Lieutenant-Colonel Goddard stood posted, became virtually a personal allowance to which that officer is guaranteed, until, in the words of the order above quoted, he is promoted to a class or grade the maximum salary of which exceeds the present allowance drawn in the Department Public Works.

3. As Lieutenant-Colonel Goddard elected to remain under the old rules of unconsolidated salaries, and has not been promoted departmentally since 1865, when his staff salary was guaranteed to him, I am to request that His Excellency the Governor-General in Council will sanction a continuance of his personal allowance.

I have the honour to be,

Sir,

Your most obedient servant,

Colonel, R.E.,

Secretary to Government.

Exd. S. T. Austin.

In 1865, Colonel Goddard
drew Rs 893-10-0 in the
PA Dept, as follows:

Staff	—	600-0-0
Miss Alice	—	293-10-0
as Capt	—	893-10-0

Since 1865, he has
not drawn his pay, but
for some time past, his
receipts have been
greater - viz. \$1250.

Staff	—	600-0-0
Miss Alice	—	650-0-0
	—	1250-0-0

make up the margin,
he is the owner of the funds.

There is no change
in Col. Goddard's Staff
pay - that (Rs 600) remains
the same as before - the

maximum rules of 1865
 affect Col Ford and
 personal, in that, if
 those rules had no
 existence at the present
 time, and Col Ford
 had been allowed to
 continue under the
 operation of the rules
 which were formerly in
 force, he would be
 entitled to draw

As Staff Salary — \$1,200.00
 As his Allowance — 758.12-00
 Total 1358.12-00

Under the maximum
 rules, however, as by Capt
 of the 7th grade command
 draw \$1,200.00 more than

\$1,250, and Col Ford had
 thus lost \$108.12-00 in
 money

The maximum ^{rules} of 1865 guaranteed to ^{all} officers
 the salaries which they then
 drew. Col Ford in
 case, his total receipts at
 that time amounted to
 \$1,893.10-00, as shown
 above, so that he really
 gets more in 1873, than
 as Captain of R E, he was
 entitled to in 1865. Still
 the rules of 1865 have been
 in my opinion, in Col
 Ford's case, which
 requires a special mention
 appointed a Major, with
 a Staff Salary of \$1,200.00
 in money, Col Ford had

had no idea of the introduction of any maximum rules, or of regulations which, in any way, would restrict his receipts in the P. M. Dept. to a specified amount. He has since 1856 used no penmanship which would give him a better departmental position than that of a P. M. Officer of the 2nd Class or of an Ex. Engr of the 1st Grade - He holds, in fact, ~~in~~ relating, the same departmental rank now as he had 16 years ago - and it seems hard that in the absence of

any ^{definitive} ~~definitive~~ ^{restriction} he should now not be entitled to draw what he would undoubtedly have received ~~early~~ from 1856 to 1884 inclusive; if he had then attained the rank of Lt Col in the Corps of Royal Engrs -

If an exception is made in his favor, not to grant him the same staff salary now as he drew in 1856 for that he receives but to exempt him from the operation of

the maximum rules
of 1865, it appears to me
that it will be necessary
to retain the sanction
of the Govt of India.

J. Wood

2-2-73

Under the maximum rules
of 1865, as well as under
previous regulations, pay
paper was paper
as an addl charge. It is
for this reason that I
have not included
ld for dnd's pay paper
with the figures given
above.

His Excellency
the Governor in Council
regrets that he cannot
entertain the claim
put forward by
Lieut. Col. Gaddard.
That Officer's salary
is clearly subject to
the limit imposed by
the maximum
rules of 1865 which
were not optional,
and which only
guaranteed that

no reduction would
be made in the salaries
of those Officers who
were then in receipt
of higher allowances
than those prescribed
as the maximum
of their grades.

Dec. 13 City
PM

I do not understand why
this draft is circulated
M. S. M., though thinking
Mr. can help, has
signed the draft letter
to Mr. J. W. of India who
should accordingly
be despatched

W

Examination

N. 90-92.

c. 14 July 173 A. 15

6 no 125

N. 67 P. B. D. 173
Proceedings of the Madras Govt.
Read the following

From

The Lt. Engineer
Presidency

(H. E. No. 2798 of 10th Jan 173)

It is observed
that Lieut. Colonel
Goldard was appointed
a District Engineer of
the 2nd Class on a Staff
Salary of Rupees 600
in addition to his
Military pay and
allowances in 1856;
that on the intro-
duction of the rules
attaching

J. D. L.

I find this is
irrelevant when
the new rules came
out in 1865, Col
(then Capt.) Goldard
 drew Rs 893 - and
not less than this
was guaranteed to

attaching a maximum
rate to the pay of an Execu-
tive Engineer of the 1st
grade the following
general conditions were
laid down: The foregoing
changes will take effect
from the 1st October next, -
but no reduction will

be made in the salaries
of those Officers who
are at present in
receipt of higher allow-
ances than those now
prescribed as the
maximum of their
grades. In the case
of such Officers
the

him - he has
known since
been drawing
Rs 1250 - &
that the guarantee
has been
respected.

The only point, I
think, is that
of deferred de.
has intended
promotion & that
I feel in the
as ruled being
that he has
thence was based
on him

J. D. S.

The change will be
prospective only
and they will con-
tinue to draw their
present salaries
until they become
entitled to an
increase, by pro-
motion to a class
or grade the max-
imum salary of
which exceeds their
present allowance
drawn in their de-
partment in each
case. From
Hd

this date there-
fore the Staff
Salary of Rupees
600 although the
same in amount
as that attached
to the grade to
which Lieut Colonel
Goddard stood posted
became virtually a
personal allowance
to which that Officer
is guaranteed until
in the words of the
order above he quoted
he is promoted to a class
or

I cannot find
that any order
was issued. If
it was how then
Col G. been a beneficiary?
has he found a
lost?

Los.

9
or grade the maximum
Salary of which exceeds
the present allowance
drawn in the Depart-
ment Public Works.
His Excellency the
Governor in Council
on a reconsideration
of the grounds on which
the claim is now ad-
vanced is clearly of
opinion that not having
accepted the consolidated
Salary rules or been
departmentally promoted
Lieut Colonel Goddard
is entitled to a continu-
ance of his Staff Salary
of Rupees 600 guaranteed
to

to him in 1865.

The Government of India will be again addressed on this subject.

C.H. L.M.N.

The Honble
Mr. F. M. ...

The Director General

Despatch 7/3/73.

R. 8. July 1873. Q. 10.

10

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

Sir,

I am directed again to address you on the subject of Lieut Col Goddard's claim re.

ferred to in your letter No 394 S. B. 2nd August 1872.

I am to express the regret of His Excellency the Governor in Council

that in submitting his case in the first instance Lieut Col Goddard

did not advance the grounds now put forward which in the opinion

of His Excellency clearly entitle that

Office.

W.C.
J.O.S.
see note on the other side

I think Col Goddard's case a hard one. Submitting him special treatment. It is the shorter way to refer it over to Govt of India & is more likely to be successful than passing an order which must come before the Govt.

to the rate of pay he
receives.

It will be observed
that Smith Coll Goodland
was appointed a Draft
Eng^r of the 2nd Class
on a staff salary of Rs.
600 in addition to his
attendant pay and
allowances in 1856, that
on the introduction of the
rules attaching a maxi-
mum rate to the pay of an
Executive Eng^r of the 1st
grade the following
general conditions were
laid down. "The fore-
going changes will take
effect from 1st Oct^r
next but no reduction
will be made in the
salaries

of those Officers who
are at present in receipt
of higher allowances
than those now prescribed
as the maximum of
their grades. In the
case of such Officers
the change will be
prospective only, and
they will continue to
draw their present
salaries until they become
entitled to an increase
by promotion to a class
or grade the maximum
salary of which exceeds
their present allowances
drawn in this Dept^t
in each case. From
this date therefore
the staff salary of
Rs 600 altho the
same in amount as
that

that attached to the
grade to which Lt
Col. Goddard stood
posted became virtually
a personal allowance
to which that Officer
is guaranteed until
in the words of the Act
above quoted he is
promoted to a class
or grade the maximum
salary of which exceeds
the present allowance
drawn in the D.P.A.

As Lt Col.
Goddard elected to
remain under the old
rules of unconsolidated
salaries, and has not
been promoted departmentally
since 1865 when his

Staff salary was suc-
ceeded to him, ✓
can to request that His
Excellency the Govern-
or General in Council
will sanction a con-
tinuance of his per-
sonal allowance.

Ct. /
E.M.W.

Desd 27/3/73
of Govt 699 of 1873.

CP-158



Govt. of 1873 Madras.

PUBLIC WORKS.

The District Engineer
Presidency
To the Secretary to the
Govt of India

Date:

Recd.

Encl.

G. O. 4th class 699-700.

No. 90-91492

Mr. Jodband R.E.

Asst. Engr., Presidency.

Regarding orders on the
subject of the salary of
Mr. Jodband.

Recommending the
continuance to Mr. Jodband
of his ^{his} ~~per-~~
all manner

Dec 8 July 1730. All manner
25 Feb 1730. A. J.