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MADRAS RECORD OFFICE

Government of Madras

Public Works DEPARTMENT

G.O. No. 107-108 Press Original
~~B.P. No.~~ ~~Mis.~~

Dated 14 - 1 - ~~195~~ 1815

Not to be folded or roughly handled

No. 230. Read the following letter from S. BROCK, Esq., Controller of Public Works Accounts, on leave, to Colonel G. W. WALKER, R.E., Secretary to Government, Public Works Department, dated Madras, 3rd December 1874:—

I HAVE the honor to request that you will have the goodness to submit the following circumstances in connection with my case for the favorable consideration of His Excellency the Governor in Council.

2. I originally entered the Madras public service as a Public Works Accountant on the 1st August 1855, and, passing through the intermediate grades, attained the position of Chief Assistant to the Secretary to Government in the Public Works Department in May 1863. This latter appointment I continued to fill until the 2nd June 1868, when it having been determined, in pursuance of the orders of the Secretary of State, to throw open the post of Controller of Public Works Accounts in Madras to the *Un*covenanted Service, I was selected for the appointment on the strong recommendation of General Orr, then Secretary to Government.

3. The circumstances which induced General Orr to put forward my name for the appointment in question are fully stated in a letter from that officer to Lord Napier and Ettrick, under date the 29th May 1868. General Orr's nomination having received the strongest support of other officers who had had numerous opportunities of judging of my work, I was duly gazetted, and assumed charge of the Controller's Office on the 3rd June 1868.

4. On the 23rd April 1870, the then Accountant-General of the Public Works Department, Colonel George Chesney, R.E., bore the following testimony in my favor:—

"I am satisfied, from the way in which you have conducted your duties as Controller, and the prompt way in which the Madras Accounts are rendered, that the Madras Government have made a very good selection in your appointment."

5. This demi-official note was followed by an official from the Secretary to the Government of India, to the Secretary to the Madras Government, under date the 27th April 1870, No. 234A.—G., in which the result of an inspection of my office by the Deputy Accountant-General is communicated, with the observation that "the Governor-General in Council is gratified to hear that the accounts and records are kept in a satisfactory manner." In his report, the Deputy Accountant-General states that "the accounts and records in this office are kept strictly according to rule, and call for little or no remark."

6. Within nineteen months of the date of the letter from the Government of India last quoted, an inspection of my office was made by Colonel Innes, Accountant-General of the Public Works Department. That report, although based upon an examination closely following the inspection made by the Deputy Accountant-General, was unfavorable; but on the several matters noticed by the Accountant-General being explained by me, the Madras Government, after a full review of the whole case,* expressed themselves "satisfied with the manner in which Mr. Brock has conducted the duties of his office under the very difficult circumstances in which he was placed," and, with this remark, forwarded my reply to the Government of India.

* In G. O., No. 284, dated 28th January 1873. See also G. O., No. 2,758, 23rd Nov. 1872.

7. The late Governor of Madras, writing on the 15th July 1874, states "I had occasion frequently to hear of you from the Secretary for the Department Public Works, and he has constantly recommended you to my consideration as a most able, industrious, and efficient public servant, unusually capable of the discharge of the functions with which you were charged." Sir Alexander Arbuthnot adds his testimony in these words "I have long entertained a very high opinion of your work," while Mr. R. S. Ellis and other high officers of Government have repeatedly expressed their satisfaction with the way in which I had conducted my duties as Controller.

8. At the time that I was gazetted to the office of Controller, the appointment was absolutely in the gift of the *Madras* Government, and I accepted it in the full assurance that, like all *Uncovenanted* Officers appointed by the *Local* Government I would not be required to serve out of the Madras Presidency. On the 11th July 1870, a change was ordered by the Government of India, who ruled that the officers of the Public Works Account Department of Madras and Bombay, with those of the rest of the country, should form one body for employment and promotion, and owe allegiance to the Accountant-General of the Public Works Department. Before giving effect to these orders, the Madras Government resolved to address the Secretary of State upon the subject, but I am not aware whether the representation made in pursuance of that resolution has yet been finally disposed of. Simultaneously with the issue of these Proceedings, the Madras Government, under instructions from the Government of India, requested me to report whether I was willing to join the Public Works Account Department of that Government. My reply (paragraph 4 of letter No. 83, dated 10th April 1871,) was as follows:—

"I beg to add that both I and the Deputy Controller are most anxious to remain in the Accounts Branch, and that, although we do not elect for general service, we are quite prepared, in our present offices, to carry out any orders that we may receive, to the highest satisfaction of this Government and of the Government of India."

9. On the 14th April 1873, I was compelled to proceed to Europe on sick leave. My health had been completely shattered by overwork in the service of the Government of this Presidency, and when I left Madras I had no doubt but that, on my return, I would be allowed to resume charge of my late office. My furlough will not expire till the 14th April next, but feeling stronger, and being unable, with my comparatively small furlough allowance, to bear the expense of living in England, I resolved to return in September last. In coming to this decision, I was, to some extent, influenced, 1st, by a note from my *locum tenens*, in which he said that he did not care "how soon the day for giving over charge in Madras came round; and, 2nd, by a letter from Colonel Innes, dated the 27th February 1874, of which the following is the concluding sentence:—"Please let me know in good time when you propose coming out again, that I may be able to make the necessary arrangements." The desired intimation was given to Colonel Innes in June 1874, and although I did not embark till three months later, I received no reply, nor was any notice given to me of the changes which were in contemplation till my arrival at Galle, when the following telegram from Colonel Walker was placed in my hands:—"The Government of India order you to proceed direct to Calcutta." On my arrival at Madras I received a copy of another telegram, in

which the Government of India request the Madras Government to "inform Mr. Brock his posting is to Bengal in 2nd class, 1st grade."

10. These are the circumstances of my case. I have served the Government of Madras faithfully since the 1st August 1855; have repeatedly been commended by my official superior, and enjoyed the full confidence of Government up to my departure to Europe in April 1873. I am not aware of the existence of a single order in the records of the Madras Government, in which dissatisfaction is expressed with reference to me, displeasure implied, or a censure, even of an indirect character, conveyed. Under the eyes of that Government I worked as a gazetted officer from the 3rd June 1868 to the 14th April 1873, and the opinions which were entertained of me by the late Governor and the Members of Council may be gathered from the Government records and the extracts quoted above. Under these circumstances, I feel at a loss to understand the recent action of the Government of India in my case. By the telegrams above quoted, I am, 1st, transferred from Madras, where I am known, and my services are acknowledged, to another part of India, where I shall be a complete stranger, and be placed at a great disadvantage; and, 2ndly, degraded, summarily and unexpectedly, from the rank of a Controller of the 1st class, 2nd grade, to that of a Controller of the 2nd class, 1st grade, and reduced from the pay (Rupees 1,600) of an officer of the 1st class, 1st grade, to the allowance (Rupees 1,100) of one of the 2nd class, 1st grade.

11. Had I been aware that, in taking up the appointment of Controller, I rendered myself liable to be transferred to all parts of India, I should never have accepted the position with all its advantages; but having accepted it in 1868 under the rules applicable to the Madras Uncovenanted Service, and been allowed a choice in 1870, I unhesitatingly declined (letter No. 83, dated 10 th April 1871,) to elect for service out of this Presidency.

12. My impending transfer to Central India, and degradation to a lower grade have come upon me so unexpectedly that I am completely unnerved, and feeling keenly the disgrace which would, of necessity, follow me to a new sphere of duty, to the abandonment of all hope of giving that satisfaction which, under other circumstances, I am admitted to have rendered, I throw myself on the consideration of His Excellency the Governor in Council, feeling assured that, as an old servant of the Madras Government, His Excellency will be pleased, on a consideration of my past services, and the peculiar circumstances of my case as now explained, to support my prayer for reinstatement in my late position under the Madras Government.

No. 231. ORDER THEREON, 14th January 1875, No. 107.

ESTABLISHMENT, No. 8.

ORDERED that the following letter be sent:—

(Here enter No. 108, dated 14th January 1875.)

(True Extract.)

(Signed) G. W. WALKER, Colonel, R.E.,
Secretary to Government.

To Mr. S. Brock.

Exd. S. T. Austin.
Spare Copies

PUBLIC WORKS DEPARTMENT,
FORT ST. GEORGE, 14*th January* 1875.

No. 232.

No. 108.

FROM

COLONEL G. W. WALKER, R.E.,
Secretary to the Government of Madras,
Public Works Department,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
Public Works Department.

ESTABLISHMENT, No. 9.

SIR,—I am directed to transmit, for the orders of His Excellency the Governor-General in Council, copy of a letter from Mr. S. Brock, late Controller of Public Works Accounts at Madras, in which he claims to be reinstated in that position, on grounds which, I am instructed to say, commend themselves to His Excellency the Governor in Council as just in themselves, and well deserving of consideration.

I have the honor to be,
Sir,
Your most obedient servant,

Colonel, R.E.,
Secretary to Government.

Exd. S. T. Austin.
Spare Copies

No. 184

Govt. of India

Fin. Dept.

Pol. Dec. 59

Madras.

3rd December 1874.

6

To

The Secretary to Government

P. W. Department

Fort St. George.

Sir.

I have the honor to request that you will have the goodness to submit the following circumstances in connection with my case for the favorable consideration of His Excellency the Governor in Council.

2. I originally entered the Madras public service as P.W. Accountant on the 1st August 1855, and, passing thro' the intermediate grades, attained the position of Chief Assistant to the Secy to Govt in the P.W.Dept in May 1863. This latter appointment I continued to fill until the 2nd June 1868, when, it having been determined, in pursuance of the orders of the Secy of State, to throw open the post of Controller of P.W. Accounts in Madras to the Uncovenanted Service, I was selected for the appointment on

the strong recommendation of General Orr, their Secretary to Govt

3 The circumstances which induced General Orr to put forward my name for the appointment in question are fully stated in a letter from that Officer to Lord Napier and Ettrick undated the 29th May 1868. General Orr's nomination having received the strongest support of other Officers who had numerous opportunities of judging of my work, I was duly gazetted, and assumed charge of the Controller's Office on the 3rd June 1868.

4 On the 23rd April 70, the
then Accountant-General of
the P.W.Dept, Col George Cheney R.E,
bore the following testimony in my
favour

"I am satisfied, from the"
"way in which you have con-"
"ducted your duties as Paymaster,"
"and the prompt way in"
"which the Madras Accounts"
"are rendered, that the Madras"
"Govt have made a very good"
"selection in your appointment"

5. This demi-official
note was followed by an
official from the Secretary to

the Government of India to the
Secretary to the Madras Govt
undated the 27th April 70 No 234 Ep
in which the result of an inspec-
tion of my office by the Dy Accountant
General is communicated, with
the observations of the Governor
General in Council is gratified
to hear that the Accounts and
records are kept in a satisfactory
manner" ——— In his report, the
Dy Accountant General states
that "the Accounts and records"
in this Office are kept strictly
according to rule and call for
little or no remark ———

6. Within fourteen months
of the date of the letter from the
Govt of India last quoted, an
inspection of my Offices was
made by Col Innes, Accountant
General of the P.W. Dept. That
report, although based upon an
examination closely following
the instructions issued by the Ac-
countant General, was unfavour-
able; but on the several matters
noticed by the Accountant General
being explained by me, the
Madras Govt, after a full review
of the whole case, x expressed them-
selves "satisfied with the manner

x Desp. G. to Ho. 28th, dated 28 January 1773.
See also G.O. 27 Feb. 1773.

in which Mr Brooks had conduc-
"ducted the duties of his office
"under the very difficult cir-
"cumstances in which he was
"placed," and, with this remark,
forwarded my reply to the
Government of India.

7. The late Governor of
Madras, writing on the 15th
July 1774, states "I had occasion
"frequently to hear of you from
"the Secretary for the P. W, and
"he has constantly recommend-
"ed you to my considerations as
"a most able, industrious, and
"efficient public servant unusually

"capable of the discharge of the"
"functions with which you were"
"charged" Sir Alexander Arbuthnot
adds his testimony in these words
"I have long entertained an"
"very high opinion of your worth",
while Mr. R. S. Ellis and other
high Officers of Government have
repeatedly expressed their satis-
faction with the way in which
I had conducted my duties as Controller
&c. &c. At the time that I
was gazetted to the office of
Controller, the appointment was
absolutely in the gift of the Madras
Govt. and I accepted it in the

full assurance that like all
Uncovenanted Officers appoint-
ed by the Local Government
I would not be required to serve
out of the Madras Presidency.
On the 11th July 1870 a change
was ordered by the Government
of India, who ruled that the Offices
of the P. W. Account Depts of Madras
and Bombay, with those of
the rest of the country, should form
one body for employment and
promotion, and owe allegiance
to the Accountant General of
the P. W. Dept. Before giving
effect to these orders, the Madras

Government resolved to address the Secretary of State upon the subject, but I am not aware whether the representations made in pursuance of that resolution has yet been finally disposed of. Simultaneously with the issue of these proceedings, the Madras Government, under instructions from the Government of India, requested me to report whether I was willing to join the P.W. Account dept of that Government. My reply (Para 4 of letter No 83 dated 10th April 1873) was as follows.

"I beg to add that both I"
"and the Dy Controller are most"

"anxious to remain in the"
"Accounts Branch, and that"
"although we do not elect for"
"General service, we are quite"
"prepared in our present offices,"
"to carry out any orders that"
"we may receive, to the highest"
"satisfaction of this Government and"
"of the Government of India."

9. On the 14th April 1873 I was compelled to proceed to Europe on sick leave. My health had been completely shattered by overwork in the service of the Government of this Presidency and when I left Madras I had

no doubt but that, on my return, I would be allowed to resume charge of my late office. My furlough will not expire till the 11th April next, but feeling stronger, and being unable, with my comparatively small furlough allowance, to bear the expences of living in England, I resolved to return on September last. In coming to this decision, I was, to some extent, influenced perhaps by a note from my locum tenens, in which he said that he did not care "how soon the day for giving

over charge in India" [illegible] said 2nd by a letter from Colonel Innes dated the 27th February 1874, of which the following is the concluding sentence. "Please let me know in good time when you propose joining, as I again, that I may be able to make the necessary arrangements." The desired intimation was given to Colonel Innes in June 1874, and although I did not hear back till three months later, I received no reply, nor was any notice given to me of the changes which were in contemplation till my arrival at Galle, when the follow

Telegram from Col Walker was placed in my hands "The Govern=ment of India prefer you to proceed direct to Calcutta" On my arrival at Madras, I received a copy of another Telegram, in which the Govt of India request the Madras Govt to inform Mr Brock his posting is to Bengal in Second Class First Grade

10. These are the circumstances of my case - I have served the Govt of Madras faithfully since the 1st August 1855; have repeatedly been commended by my official Superiors, and enjoyed the full confidence of Govt up to my departure to Europe in April 1873 - I am not aware of the existence of a single order in the records of the Madras Govt in which dissatisfaction is express=ed with reference to me, displeasure implied, or a censorious tone or indirect character, conveyed. Under the eyes of that Govt I worked as a garristed Officer from the 3rd June 1868 to the 11th April 1873, and the opinions which were entertained of me by the late Governor and the Mem=bers of Council may be gathered from the Govt records and the extracts quoted above - Under

these circumstances I feel at a loss to understand the recent action of the Govt of India in my case. By the Telegram above quoted, I am, at present, transferred from Madras, where I am known, and my services acknowledged, to another part of India, where I shall be a complete stranger, and be placed at a great disadvantage, and, 2nd, degraded, summarily and unexpectedly, from the rank of a Controller of the 1st Class 2nd Grade to that of a Controller of the 2nd Class 1st Grade, and reduced from the pay (Rupees 1800) of an Officer of the 1st Class 1st Grade, to the allowance (Rupees 1100) of one of the 2nd Class 1st Grade.

11. Had I been cognizant that, in taking up the appointment of Controller, I rendered myself liable to be transferred to all parts of India, I should never have accepted the position with all its advantages; but having accepted it in 1868 under the rules applicable to the Madras Income Tax Service, and been allowed a choice in 1870, I unhesitatingly declined (Letter No 83 dated 10th April 71) to elect for service out of this Presidency.

12. By unfeelingly transfer

to Central India, and degrada-
tion to a lower grade have
come upon me so unexpectedly
that I am completely unnerved,
and feeling keenly the disgrace
which would, of necessity, follow
me to a resumption of duty, to the
abandonment of all hope of
giving that satisfaction which,
under other circumstances, I
am confident to have rendered,
I throw myself on the
consideration of His Excellency
the Governor in Council, feeling assured
that, as an old servant of the
Madras Govt, His Excellency

will be pleased, after con-
sideration of my past services
and the peculiar circumstances
of my case as now explained,
to direct my proper re-
instatement in my late
position under the Madras
Government.

I have the honor &c
Sir
Your most obedient Servant
J. Thodl
Controller of P. W. Accounts – on leave

P. W. 1874 Dept
Abs: of Ord for Copy
From No: 7542
L. Brock Esq.
Controller of P. W. Accts Ootacamund
To
The Secretary to Govt
P. W. D.

Dated 3
Recd 3 } December 1874.

G. O. No. 107. 14-1-75.

Praying for reinstatement to his late position under The Madras Government

Ordered that the following letter be sent to the Govt. of Madras

Dated

c. 10-12-74 R 12-12-74.
No 230

This matter will require very careful handling if this Govt. move at all – the difficulty of which I doubt.

Mr Brock's letter is practically an invitation to this Govt. to step in between an Officer of an Imperial Department and the Govt. of India, he being dissatisfied with his work – on what he considers insufficient grounds – have disposed of their subordinate's case without reference to

this Government.

The Govt: of India are not out of order in so doing. They never ask us about Civil or Military Accountants, and it is not clear to me that our intervention is justified.

The only point at all open to us is the fact that Mr. Brook did not elect for General Service in the Depart.t in 1871 and that we as Govt. failed, as I gather from the Draft, to intimate this unwillingness at the time. This course may have been unwise but receiving no reply - which might have enabled

enabled him to make arrangement at the time for four years, the Govt. of India are justified in acting on the general rules of the Department, and we cannot I think now make more of the matter than merely state it as a fact for their consideration.

I do not see that the Govt. of India are bound to consent to give Mr. Brook the permanent Exclusive lien on a high appointment in the Depart.t without conformity to the rule as to General Service.

I think that the better plan would be to let Mr. Brook address the head of this Depart.t and

To

The Secretary to the
Government of India
in the Public Works Department

Sir,

I am directed to transmit for the orders of His Excellency the Governor General in Council copy of a letter from Mr. J. Brock late Controller of Public Works Accounts at Allahabad; in which he claims to be reinstated in that position on the grounds to which I am directed to say I commend themselves to His Excellency the Governor in Council as just, in themselves, and deserving of consideration with reference to the recent order shown to this Govt in

and if advisable that Govt might forward it with a certificate & statement of facts so far as they are concerned

19/12

I think Mr. Brock has been very kindly treated indeed & that he has been treated with much discourtesy. The draft leaves Govt free to proceed thus, but I would advocate the Govt Resolution being framed & then forwarded

19-12

ordering his supersession and removal.

2. The Controller [illegible] Controller and Examiner of Railway Accounts at Allahabad were ordered by Resolution of the Govt of India communicated with Proceedings No 2997 A of 26th July 1869 to be brought on the general list of the Public Works Account Department of the Govt of India if they were willing to join it.

It would appear from a letter No 83 of 10th April 1871 herewith submitted that the two former declined to elect for General Service in the Accounts Department and from P.C. No 3132 of 2 Sept 1869 recording the assent of the Examiner of Railway Accounts, that no action was taken in

communicating such of replies to the Govt of India pending the result of the protest made to the Secretary of State against the proceedings of the Govt of India similar reticence has continued up to the present time under the circumstances noted in my letter No 357 of 3rd February 1873; this Government not having accepted the silence of the Secretary of State as conclusive of the discussion.

3. Under these circumstances the action of the Govt of India in suddenly removing and degrading an officer, after under their orders and possessing their confidence, was considered by this Govt as un-

warrantable, though as no time was allowed for remonstrance, the orders received were simply communicated to avoid any unseemly collision with superior authority - And at the same time to put a stop to such a state of affairs, it was intimated to the Govt of India in Proceedings communicated Docket No 3103 C.C. of 31st Oct: that the Madras Govt had withdrawn from the unequal struggle, and conceded every point in dispute including the re-assimilation of the systems of Accounts - 4. Mr Brock is clearly entitled, in the opinion of His Excellency the Governor in Council to exactly the

same consideration of his claims to future employment in the Uncovenanted Service as the Government of India would have been bound to give them, had his letter of 10th April 1871 been forwarded at the time; and is quite unobservant of the treatment he has actually received - With which expression of his views I am directed by His Excellency in Council to state his conviction that the claims both of the late Controller of the Madras P.W. Accts Deptt, and of the present Dy Controller will meet with the most liberal

consideration

No 7572

Govt. of Madras. 1875

PUBLIC WORKS.

To

Mr. S. Brock
&
Secy. to Govt. of India

Dated

Rec'd. Encl.

G. O. 4 January, No. 107 /75

Nos. 210-212.

Mr S Brocke appeal

to be reinstated in his late position under the Madras Govt; ordered to be forwarded to the Govt of India —

Consideration at the
hands of the Govern
ment of India

Signed by Mr Caprin Vth Copies of previous Proceedings 15/1/75