Archives I—10,006—16-8 77.

(1) Number of pages 126
(2) Date of repair 30.12.86 ?
(3) Initials of the Referencer

MIL NADU ARCHIVES

ERNMENT OF TAMIL NADU

Public Works DEPARTMENT

G.O. No. / B.P. No. 2429 & 2430 W Press. / Mis.

21 10
Dated 20 . 8 . 1880 197 .

[illegible]

folded or roughly handled

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT, dele

21st October 1880, No. 2,429 W.

~~General.~~
Establishment.

Print in full

Read the following paper :—

~~No. 92.~~ From the Government of India, dated 20th August 1880, No. 1,531 G.

~~No. 93.~~ Order thereon, 21st October 1880, No. 2,429 W.

Ordered that the following letter be sent.

(Here enter No. ~~2,430 W., dated 21st October 1880.~~)

102

(True Extract.)

(Signed) C. H. Sankey Lt.-Col.

~~Major,~~ R.E.,
~~Under~~ Secy. to Govt., P.W.D.

Exd. S. T. Austin.
Spare Copies

GENERAL.
ESTABLISHMENT.

Govt. of (1880) Madras.

PUBLIC WORKS.

To

Dated October, 21st.

Issued

Recd. Encl.

G. O., 21st October 1880, No. 2,429 W.

OCTOBER.
Nos. 92-93.

Pensions of Officers and Subordinates who after retirement from the Public Works Department under the reduction orders obtained appointments under the several Local Fund Boards.—The Government of India addressed on the subject of withholding the —.

PUBLIC WORKS DEPARTMENT.

General.
Establishment.

No. 2,430 W.

~~No. 94.~~

FROM
THE SECRETARY TO THE GOVERNMENT OF MADRAS,
Public Works Department,

To
THE SECRETARY TO THE GOVERNMENT OF INDIA,
Public Works Department. Oct 21

SIR,—In reply to your letter, No. 1,531 G., of the 20th August, on the subject of withholding the pensions of Officers and Subordinates who after retirement from this Department under the reduction orders of 1879 took service under the several Local Fund Boards, constituted by Act IV of 1871, I am desired to submit the following observations for the favorable consideration of His Excellency the Governor-General in Council.

2. My letter No. 2,277 W., dated 1st October 1880, submitting for sanction the normal scale of establishment for this Department, and other communications therein referred to, will have informed the Government of India of the circumstances under which the officers and subordinates transferred their services to Local Fund Boards, as also of the general constitution of these bodies and character of the work executed by them.

3. In dealing therefore with the subject of paragraph 2 of your letter under reply, it may suffice to request a reference to these communications as showing the constraint under which this Government felt themselves placed in carrying out loyally the demands made on them for reduction of establishments in the only way that lay in their power, with the result of for the first time giving that full and complete independence to the Local Fund Boards, which, though contemplated by the framers of the Act IV, had never till then been carried out in its entirety.

4. With reference to paragraphs 3 and 4 of your letter, I am to forward for the information of the Government of India a fairly complete list of all officers and subordinates employed by Local Fund Boards, whose cases are dependent on the decision that may now be arrived at, showing column 3, "Retiring Pension," to which claim is laid; column 4, "Pay given by Local Fund Boards;" column 6, "Deductions on account of decreased travelling allowances;" column 7, "Net value of present position;" column 8, "Previous pay drawn in Public Works Department at time of retirement."

5. The majority of the officers now draw as travelling allowance under the Local Fund Boards only 4 rupees per diem instead of Rs. 5 as formerly in this Department; it is therefore considered requisite that some fair deduction should be made on this account in estimating the net value of their present salaries as compared

Pbk 106

power of appointing and dismissing their own servants, are in a position analogous to that of Municipal Boards under Act III of 1871, or of Highway and other County Boards at home administering County Funds. The Government are powerless to dictate to them whom they shall employ in the execution of their works, and certainly could in no case be justified in imposing on them more expense for this purpose than the Board themselves deem necessary.

21. The State has effected large economy by transferring many of their Public Works establishment to the pension list, and these pensioners can afford to give the Local Fund Boards superior service for comparatively small pay. But if the Boards are precluded from retaining them in their service with their pensions, the only result will be to drive the Boards to other sources of supply, such, for instance as the Railway establishment afford. The State can derive no possible benefit from this result, while their former servants will be grievous sufferers. It cannot be the wish of Government to compel their former servants to serve new masters for less pay than they formerly received from the State, and at the same time to deprive them of the pensions they were awarded on discharge from State service.

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

Major, R.E.,
Under Secy. to Govt., P.W.D.

Fort St. George,
21st October 1880.

Exd. S. T. Austin.
Spare Copies

GENERAL.
ESTABLISHMENT.

Govt. of {1880} Madras.

PUBLIC WORKS.

To

THE SECRETARY TO THE
GOVERNMENT OF INDIA.

attach with Original

Dated October, 21st.

Issued

Recd. Encl.

G. O., 21st October 1880, No. 2,430 W.

OCTOBER.

No. 94.

SUBMITTING for favorable consideration certain observations on the subject of withholding the pensions of Officers and Subordinates who after retirement from the Public Works Department under the reduction orders took service under the Local Fund Boards.

P. W. Dept.

12/10

To

The Secretary to the Govt. of India
P. W. Department.

Sir,

In reply to your letter No. 1531 G. of the 20th August on the subject of withholding the pensions of Officers and Subordinates who after retirement from this Department under the reduction orders of 1879 took service under the several Local Fund Boards, constituted by Act 4. of 1871 I am desired to submit the following observations for the favourable consideration of His Excellency the Governor General in Council.

2. My letter No.
Submitting for sanction the normal scale of Establishment for this Department and other communicatio

therein referred to, will have ~~placed~~ informed the Government of India ~~in possession~~ of the circumstances under which the Officers and Subordinates transferred their services to Local Fund Boards as also of the general Constitution of these Bodies and Character of the work executed by them -

3 In dealing therefore with the subject of paragraphs 2 of your letter under reply it may suffice to request a reference to these communications as shewing the constraint under which this Government felt themselves placed in carrying out loyally the demands made on them for reduction of Establishments in the only way that lay in their power, with the result of for the first time giving that full and complete independence to the Local Fund Boards, which though contemplated by the framers of the Act IV, had never till then been carried out in its entirety

4. With reference to paragraphs 3 and 4 of your letter I am to forward for the information of the Government of India a fairly complete list of all Officers and Subordinates employed by Local Fund Boards whose cases are dependent on the decision that may now be arrived at, shewing Col: 3 Retiring pension to which claim is laid, Col: 4. Pay given by Local Fund Boards, col. 6. Deductions on account of decreased travelling allowances, Col: 7 Net value of present position, Col: 8 Previous pay drawn in Public Works Department at time of retirement -

5. The majority of the Officers now draw as travelling allowance under the Local Fund Boards only 4 Rs per diem instead of

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Rs 5 as formerly in this Department; it is therefore considered requisite that some fair deduction should be made on this account in estimating the net value of their present salaries as compared with what it was ~~been~~ before retirement - In one case, vizt that of Mr J. O'Shaughnessy (who is both Municipal and Local Funds Engineer) the salary he now draws (Rs 400) is consolidated, and includes travelling allowances - During the last 6 months of this Officer's service in the Department his Travelling Allowance had averaged close on Rs 180 per mensem and as his present expenses on this account cannot be less than Rs 120 per mensem a deduction to this amount is shown -

6. For the Subordinates, though no deduction is given in the statement, a certain amount might reasonably be claimed as due in most of the cases to (1) loss of Subdivision Allowance of Rs 30 per mensem. (2) Difference of present and past travelling allowances &ca.

If as I think is the case Mr O'S. is the Munict & L.F.E. on this Rs 400 - I s'd state the fact.

He is dead I think - if so it s'd be mentioned as noted.

Yes. he is dead.
M.P.
18/10

7. On the whole it will be observed that of the 6 Retired Officers who (officiated) are now occupying the position of Engineers to Local Fund Boards (two dead) only one, Captain Bailey, may be said to have drawn more including pension than formerly, and there may be special circumstances which a further enquiry may prove to reduce the excess even in his case -

8. Of the Subordinates ~~seven~~ nine of all those who retired, apparently including pension draw less than they did, while the ~~great~~ majority draw much more, as above observed, however, adjustments in partial reduction of the apparent excesses might be applied -

9. It must also be borne in mind that with the exception of the first Officer on the list, Mr W. S. Harington, all whose -

names are shown in the statement were in a position to serve on for much higher pensions, and that one and all they must now lay by, by deductions from their salaries for any future provision they may wish to make, as no pensions are granted under the Local Fund Boards. Mr. Harington had served the full time for the pension wh. was awarded to him but this was withheld by order of Supr. Govt. altho. his L.F. pay is only Rs. 500. against Rs. 950. formerly drawn in the Govt. R.W.D.

10. The general conclusion therefore seems to be that while the State has made a large and clear saving by the retirements in question, the present position of the Officers who retired (even including the pensioners) is decidedly worse than it was, and that although several of the subordinates may have gained in immediate pay the prospects of most of them are certainly not improved. This will be clearer from the remarks further on showing the precarious tenure of the appointments under Local Boards as now empowered by the Act.

Special consideration of this point. For it can scarcely be argued that any person compulsorily retired from State service could have been debarred from accepting any ~~[illegible]~~ means of improving their circs. ~~or that~~ the terms of G of I Resolution No 2620-2642 E-G of 21st Novr. 1879 which dealt solely with voluntary retirements could be held applicable in such cases

11. To this it may ~~further~~ be added that retirement from the Department was practically in nearly all cases made compulsory, Officers having been given to understand that if by a certain date they did not tender their acceptance of the conditions offered by the Government their retirement would be enforced. I am to request

12. As regards the observation contained in paragraph 5 of your present communication that the Local Fund Boards are in no sense in the position of private individuals, I am to submit for consideration that, inasmuch as Municipal Bds. although as pointed out, the Government, under Section 24 of the Act, have power to regulate the number and the rates of salaries of Local Fd. servants ~~Officers to be employed, merely~~ for purposes of general restraint, they have no power to appoint or dismiss a

single individual - They cannot make the Boards employ any retired Public Works Officer nor impose on them more expense than they themselves deem to be necessary - Not only are the Boards practically independent of Government, but they are in great measure composed of non-officials.

13. The Presidents of the several Boards have not only this complete power of appointment of all servants under the Act but, what is even of still greater importance, of absolute power of dismissal without any appeal lying to Government - As a fact ~~several~~ numerous cases of late years have ~~already~~ often occurred of the exercise of this power on the part of Presidents, and the Government though appealed to, have found themselves barred by law ~~unable to interfere or~~ from interference - ~~afford any redress~~.

14- Viewed in this light therefore it is thought that in this respect the

no restriction was placed
on the acceptance of pensions
and
by Officers who were
compulsorily retired

the Boards have all the independence of private individuals, and it is submitted that this fact has a material bearing on the case of all the Officers and subordinates now under consideration -

15- In reference moreover to the expression to which the Govt. of India apparently take exception that "a direct breach of faith" would be involved were the pensions now stopped - I am to remark that both on the part of the individuals who retired as also on that of this Government no doubt was at the time entertained ~~but~~ that all persons so circumstanced, & who accepted service under Local Fund Boards, would do so under precisely the same conditions as if they had taken service under Municipalities; although therefore no guarantee was either demanded or given that pensions could not be stopped such was distinctly understood and accepted by both parties as an element ~~condition~~ of retirement -

16. This Government saw no necessity at the time to take any legal opinion regarding the precise bearing of the Act in this respect, and now that the Supreme Government has called in question the validity of the inferences drawn it would clearly be improper for them to take any action in this direction; ~~but~~ I also am directed to solicit attention to the following general considerations which influenced them in regard to this point -

but as will be observed from the annexed Proceedings of Govt. in the Judicial Dept. [G.O. of 21st Aug 1880 No 1209] the Advocate General has given his opinion ~~that~~ Presidents of Local Fund Boards are not Officers of Government within the meaning of Sect. 88 of the Indian Registration Act 1877; in addition to which Sect. 46, rule 11 of the Civil Pension Code distinctly classes L.F. Officers under Foreign Service

(17) Section No. 37 of the Madras Municipal Act No. IV of 1878 reserves to Government 1st the right of appointing by name the Engineer of the Municipality and 2nd of assigning to him a large and increasing salary without any reference to the President or the Municipal Commission; again by section 38 the Government can protect him against any arbitrary dismissal by the Municipal authorities. Yet an officer so appointed, salaried, and protected by Government under the Act, would under the rules in force be enabled to retain the pension to which he had become entitled by his previous service in any Government Department -

18. As compared with this full exercise of power by Govt. in the case of the Madras Municipality the powers conferred on Presidents of the Local Fund Boards clearly places these bodies [Section 24 of the Act] in a very much more independent position; under these circumstances it never occurred to the Govt. to suppose that where so much greater freedom of action was

guaranteed under the Local Fund Act, any doubt could be entertained regarding the claims of the retiring Officers to retain their pensions; and they are still induced to hope that on a full reconsideration of the matter the Government of India may be disposed to take the same view and rescind the order conveyed in your letter under reply.

19. I am to add that it is feared the only effect of adhering to the present decision will be to deprive the persons concerned of their Local Fund employment, while the State, which must on this occurring still pay the pensions, can gain nothing. Pressing appeals which from the point of view of this Government are well founded, have already reached them; and others which are no doubt now suspended under the belief that the case is under submission to the Supreme Govt. are certain to pour in if the claim be again negatived, and (will probably be followed up by a very undesirable and harassing agitation) which in the opinion of His Grace the Governor in Council it would be well to avoid.

I don't quite like this phrase
H.L.

[illegible] the [illegible]

10/10/80

Briefly the position is viewed by this Govt as follows

The Local F. Bds. under Act 4 of 76. being bodies corporate by law. composed in great measure of non officials & [illegible] with absolute power of apptg & dismissing their own servants. occupied a position analogous to that of Municipal Bds. under Act 3 of 76 or of the [illegible]

County Boards at home administering County funds. The Govt. are powerless to dictate to them whom they shall employ in the execution of their works - & certainly could in no case be justified in imposing on them more expense for the purpose than the Bds. themselves deem necessary.

The State has effected large economy by transferring many of their P.W. Estabt. to the pension list - & these pensioners can afford to give the L.F. Bd. superior service for comparatively small pay. But if the Bds. are precluded from retaining them in this service, with their pensions, the only result will be to drive the Bds. to other sources of supply such [illegible] as the P.W. Estabt. afford. The State can derive ~~no~~ visible benefit from this result - while their former servants will be grievous sufferers. It cannot be the wish of Govt. to compel their former servants to serve new masters for less pay than they formerly recd. from the State & at the same time to deprive them of the pensions they were awarded on discharge from State service.

Cir 11-10-80.

O.L. Shel. 72 Augt

Hon. W. Hudleston

His Grace the Governor

Draft letter to Secy for approval

11/10/80

11/10

I have passed the minutes

WC

18/10

2429/80
12

Hon. W. Hudleston

For orders

Having just now received this draft back from circulation I resubmit it to the H.M. as it appears to me that in addition to the several amendations by the H.M. and His Grace one or two other (vide those in pencil paras 12, 15, & 16) might with advantage be adopted.

Immediately on receiving the H.M.'s assent orders for the 'Special' printing of the letter will be issued.

18.10.80

Urgent

CAW

Have fair [illegible] be printed early tomorrow & send me fair copy before despatch

The letter could be printed specially

AHH
18-10-80

Signed. Please [illegible] of letter
[illegible]
19/10

Very urgent
C!

G.O. No. 2429/2430 W of 21-10-80

CAW

To be printed Specially

AHH
19/10

Dy S.W.

For perusal. Fair copies of papers sent to the Press with instructions to make special arrangements to print them immediately.

S.S.
20/10

O.L. Shel. 72 Augt

Thr. Stats 3

[illegible]

L.W. [illegible] make a renewed representn to G.O. urging that these P.W.Dt were practically compulsorily retired in as much as they were told in so many words that if they did not go voluntarily they wd be retired or reduced compulsorily.

That the Govt has no power to compel L.F.Bd under Act 4/75 to employ P.W.D. & that the power to regulate salaries of [illegible] by Act rests with Govt was unquestionably [illegible] for purposes of [illegible]

[illegible]

Cir 1 Augt

O.L. Shel. 72 Augt

[illegible]

For orders

The annexed letter from the L.F.B. No 1531 G of 20 August would have been circulated for orders before this but it was been necessary to obtain certain statements connected with the salaries of offrs and subordinates who were retired under the reduction orders to the service under the L.F.Bd.

There has been delay in obtaining these from the Examiner and the Accountant General's Office and even now the salaries of several accountants who retired are not as yet forthcoming. I hope the Examiner will soon be able to ascertain these from the A. Genl and in the meanwhile there is doubtless sufficient in the information now put up to allow of a decision being arrived at.

As regards paras 1 & 2 of the letter under reference the subject has been very fully dealt with lately in drawing up the scale for the normal P.W. Estab.t and in other communications, it may therefore be considered sufficient to refer the Govt to these

With regard to para 3 I now beg to submit the following statements relating to the pay of the Officers and Subordinates who on retirement were engaged by the several Local Funds. viz:

(A) giving salaries past and present of Officers and Subordinates concerned (excepting accountants) as furnished by the Examiner P.W. Accts on information from the Accountant General.

(B) giving the savings to Government by the retirements effected also by the Examiner

(C) ~~Statement~~ of salaries and travelling allowances of the Officers & Subordinates who have been appointed Engineers to the Local Boards supplied by the Deputy Accountant General

(D) Statement from the Examiner P.W. Accts giving the average of travelling allowances drawn by the Officers concerned during the last 6 months passed in the P.W.D.

I propose or the L.F.B. more expensive than they seemed necessary:

That the Bd are independent of Govt in the main. being partly measures consisting of non-officials:

That they are bodies supported by law. For almost identical positions the Municipal Bd as comparison of lists 3 & 4 of 71 will show.

That they have full discretion as to whom they will employ as their Ex. Engr. - & that we are powerless to dictate in the matter. Certainly cannot require them to employ a more expensive agency than they choose.

That the effect of refusing to allow them to employ Govt pensioners will only be to throw them into the general market for men.

Now as regards the pensioners - permit me to point out that as stated ~~the bulk of~~ the superior officers of whom [illegible] remarks to apply [illegible] are in aggregate there before pensioned.

— that Mr Harris [illegible] had fully earned his pension by service under the Mily —

— that Mr O'Shaughnessy is Municipal Ex. E. as well as L.F.B.

do. — on the pay of

(E) A Statement which I have compiled from the above showing as nearly as possible the net-value of present as compared with past salaries.

The Statement A it will be observed includes the value of the horses in each case but Govt. officers do not notice these and as the Hble it is understood considers that such are only compensations given for the sudden curtailment of pay &c. I have omitted these from my Statement (E) which purports to give a generally fair comparison of the present with the previous pay.

With this view I have shown in Column (6) of this Statement deductions which I think should be made on account of the difference due to the travelling allowances under the L.F. Bd. and the PWD.

The allowances under

Stated ([illegible] is the case.)

& that restoration to the State P.W.D. can effect no economy of State funds while it [illegible] place most of them by P.W.D. in positions to earn higher pensions but that practically such restoration is not in our power — as Govt. cannot provide for or pay them & L.F. Bd. will not give us higher charge than at present.

And request G.G. to reconsider their orders & allow these former servants of the State to draw their pensions while employed

L.F. Bd. who administer not State funds but (quasi Municipal) funds corresponding in fact with County funds in England.

Govt. add that the only effect of insistence by G.G. on their decision will be to deprive these men of L.F. employ.

The State can gain nothing — unless they
represent that L.F.B. the pensions
they spent as the
[illegible] — to the
must leave — the
State Service.

5/10

8/10

the former range from Rs 120 to Rs 150 per mensem during the period of actual absence from Hd. Qrs. and if an Officer is away say half his time he would therefore be entitled to Rs 60 and 75.

Statement (D) shows what the same officers on the average of the last 6 months spent in this dept. actually drew, and it will at once be seen that the amounts were considerably higher. I have therefore shown the small deductions fairly due to this cause in calculating the net value of present incomes.

Mr. O'Shaughnessy's is a special case as his salary of Rs 400 under the L. F. Bd. includes travelling allowance

It will be observed from Statement (D) that he previously drew on an average Rs 180 per mensem travelling allowance and I have therefore deducted Rs 120 as representing the probable amount which travelling costs him

Columns (9) and (10) show as nearly as possible the present position of the 9 individuals who graded as Engineers to L. F. Bd. i.e. supposing them all to draw their pension in full

Captain Bailey, with Messrs Leton, Douglas and Stephens (who were previously subordinates in this Dept.) all

drew considerably more than before while the others drew less or about the same as previously

If it be remembered ~~that~~ the 6 Engrs could have served on for their max.m pension, and must now set aside a proportion of their incomes with the object (there being no pension attached to L. F. Service) of providing for the future, and further if it be taken into account that their chances of receiving promotion and increased salaries are very much less ~~worse~~ than if they had remained in the Dept. it cannot be doubted that on the whole they are worse off than before

Of the men who occupying subordinate

posts under L F Bds
seem drawn less than
before, and the rest
more — see Statement A

// Para 5 — The Govt
here contend that as
Sect. 24 of Act IV
gives Government the right
to lay down the numbers
and Salaries of L F
Servants these Boards
are in "no sense in the
"position of private
"individuals" — But
if certain powers are
thus reserved by Government still
more important ones are
it is submitted conferred
by the Act on the several
Presidents who can
dismiss any servant
without his even having
an appeal to Government

who have the appts

Several cases have
already come under
notice of this power
having been acted on
already and posts
have declined to
interfere — In this
way therefore it is
thought that the Presidents
have fully the position
of private individuals
and the bearing of this
on the present position
of the Officers who have
taken service under the
Local Boards has a
direct bearing on the
question at issue

As regards the Ex-
pression to which im-
portance is attached
that "a direct breach
of faith" would be in-
volved were the pensions
now stopped, it may
be urged that both on
the part of the men who
retired and on that
of Government no doubt
was at the time enter-
tained that those who
took service under the

Divisional L. Fund Bd.
would be regarded as
being in a different position
from similarly entertained
Servants under the
various Municipalities

In fact as clearly
stated to the G of I
L. F. Boards were held
to be on a footing analogous
to private individuals
or Municipalities

Although therefore
no direct guarantee was
either demanded or
given that the pensions
should not be stopped
Such was clearly under-
-stood

It may also be said
that Sect. 24 places
L. F. Bd. in a more
independent position
than the corresponding
Section of the Madras
Municipal act No V
of 1878 by which

I was not aware that
in any of the [illegible] there was
[illegible]
[illegible]
[illegible]
[illegible]

Yes. And it is also
[illegible] that
[illegible]
[illegible]
words that if they [illegible]
[illegible]
[illegible]
[illegible]

Yes

(Section 37) Government
reserves the appointment
of the Engineer by name
and provides for a large
and increasing salary
and again (Section 38)
protects him entirely
against arbitrary dismissal
Yet an Engineer so
appointed & protected
would under the rules
retain any pension he
had earned

// It will now remain
for Government to decide
whether a representation
of the above considerations
shall be submitted
in reply to the G of I, as
the stoppage of the
pensions in question
inflicts a very serious
and undeserved hardship on the
officers & subordinates
concerned, and will
no doubt if generally
understood cause

modified if not
indeed altered
materially by action
taken in regard to
them

In conclusion it will
be observed from Statement
(B) that the savings
effected in the way of
Salaries by the reductions
carried out amounts
to about Rs 5000 per
mensem or Rs 60,000
per annum exclusive
of all other savings in
travelling allowances,
Offices &c.

4/10/80

2229w
2230w

1083

Please see the
pencil addition,
with which the
draft can issue
as modified by
his pen on the
draft.

It is proposed to
have the letter
printed before
issuing it. ~~[illegible]~~
Orders for its
special printing
will be given.

15/10

[illegible]

For information

In continuation of my
note circulated specially
on the 5th instant with
reference to [illegible] of
letter on the subject of
the Pensions being withheld
from all Officers and Subordinates
who took service under
L.F. Boards, I beg to pre-
sent the amended statement
just received from the
Examiner P.W. Accounts

I had received the
A/c from the D: Acct: Genl
with the observation that
it does not contain the
same information as that
previously furnished
and which was cir-
-culated [illegible] my
note [illegible]

modified if not indeed altered materially the action taken in regard to them

In conclusion it will be observed from Statement (B) that the savings effected in the way of Salaries by the reductions carried out amounts to about Rs 5000 per mensem or Rs 60,000 per annum exclusive of all other savings in travelling allowances, Offices &c

4/10/80

[illegible]

For information

In continuation of my note circulated privately on the 5th instant with reference to ¶ of letter on the subject of the pensions being withheld from all Officers and Subordinates who will leave with D.F. Boards, I beg to present the amended statement just received from the Examiner P.W. Accounts

As I had received the a/c from the Dy Acct. Genl with the observation that it does not contain the same information as that previously furnished and which was circulated [illegible] of note [illegible]

[illegible]

Circ 7-10-80. Retd 19-10-80.

O.L. Shel 7 Oct.

I do not myself see that so far as concerns the details of pay & T. Allce it gives materially, but on the other hand it gives much more information as to the total amount of supervision enjoyed by the several L. F. Bd.s

Were there the whole charges under Estabt. viz. Rs 4,40,357 per annum the percentage charge as against works (say 41 — 4·40 = 36·7 lakhs in current year) would be only 12; but the charges for much of the petty Estabt., offices accounts &c. are not given, and till this is supplied it will be impossible to state even what the percentage

At the same time judging roughly by the statement it seems clear that L. F. Bd.s in future will be paying sensibly less than the 25 % formerly charged by this Department

This is as it should be, they having nothing it may be said now to pay for "Direction" or to meet claims for pensions

The question now is whether the Govt. desire to await the information as the exact charge now incurred by L F Bd.s for supervision under all heads before addressing the S of S on the subject of levy pensions note

I doubt much if the information would be available in a sufficiently complete form under a month or six weeks

7/10/83

[illegible]

2423/80
22

No. 1531 G.

All communications should be addressed to the Secretary.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

GENERAL.

To,

The Secretary to the Govt. of Madras
Public Works Department.

Simla 20th August 1880.

Sir,

I am directed to acknowledge your letter without number dated 13th ultimo on the subject of the employment by Local Fund Boards of Officers specially retired from the service under the terms of Resolution in the Department of Finance and Commerce No. 2079 dated 31st July 1879.

No. 1642 B [illegible]

2 In para: 3 of P. W. Department letter No. 1281 G dated 21st June it was ordered that in all cases

in

in which Government money is made over for expenditure by Local Fund Boards, it shall be a condition of such allotment of funds that the Boards shall take over any superfluous staff of the P. W. Department. It is stated in reply in para: 2 of your present letter that the Local Fund Boards are not disbursers of Government money, & but have to do with the management and expenditure of those funds only that are raised under the Act, with the exception of cases of isolated works which they would undertake on payment for the use of their Establishments. I am to point out that from the accompaniments of your letter No. 266 W d/ 3rd February 1880, it was evident that grants in aid for the maintenance of small Irrigation Works formed an essential part of the new arrangements

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then proposed, and it was plainly stated in P. W. Department letter No. 725 G dated 19th March that the Government of India understood, that the reduction of Establishment had rendered it "necessary to make over to Local Fund Boards the maintenance of the minor Irrigation and other local works, giving them grants in aid, when considered necessary, from Imperial Funds." I am to state that the Government of India regrets that it should have been allowed to remain under this misapprehension until the receipt of your letter of the 13th July. It is now understood that the grants in aid are placed at the disposal of the Collectors individually, and not as Presidents of the Local Funds Boards, and that there are in fact three sets of disbursers of public money on Public Works viz

the

the Department proper, the Local Fund Boards, and the Collectors. I am to enquire if the Government of India has now correctly apprehended the matter.

3 In para: 3 of your letter under reply it is stated that as a rule the members of the P. W. Department, who, after retirement from the public service, have taken employment under Local Fund Boards, are receiving less in the shape of pension and Local Fund salaries together than the salaries formerly drawn in the P. W. Department. Judging from the only facts that have come before it, the Government of India has been under the impression that this was not the case. I am to refer to the letter of the Accountant General, Madras, recorded in the

Proceedings

Proceedings of the Madras Governmen in the P. W. Department as 64 A (General Establishments) of the month of May last. In the cases therein mentioned the salaries drawn under the Local Fund Boards were larger than those previously drawn in the P. W. department. It would have been satisfactory if the Government of India had been furnished with the complete facts of the case.

4. As regards the amount of salary the Local Fund Boards can afford to pay, the Govt of Indi has only one fact before it, viz that the aggregate estimated expendit from Local Funds in 1879-80 exceeded 41 lakhs and this is below the norm amount.

5 In regard to the rest of the letter under reply, I am to remar

that

that the money raised and expended by the Local Fund Boards is public money, and that the Boards are in no sense in the position of private individuals. The power to regulate the number of Officers and the rates of salaries of persons employed by Local Fund Boards is distinctly reserved to the Govt in Section 24 of the Act. It is not in the least understood on what ground it is said, in para: 6, that to enforce the instructions of the Government of India would involve a direct breach of faith with the pensioners. The Govt of India never contemplated the case of pensioners relinquishing Local Fund service for the sake of drawing their pensions. It does not appear so far as the Govt of India is informed, that they are likely to do so. The drift

of

of para: 8 is not understood, but I am to observe that the Govt of India has never had any intention of restoring the pensioners to the position they held prior to retirement.

6 The Govt of India declines to discuss the question whether Sections 107 or 110 or any other sections of the Civil Pension Code are applicable to the cases of these pensioners. The terms of retirement were special to effect the special object in view, viz, a large reduction of Establishment.

7 In the absence then of any comprehensive statement of facts the only aspect of the case that presents itself to the Govt of India is that the action of the Madras Government has led to the anomalous position that the Govt has paid large sums of public money to effect the retirement

of

P50/6/63

of officers, who have been reengaged for the management of similar public funds on salaries paid from public funds in addition to the pensions and gratuities paid to effect their retirement.

8 The Governor General in Council sees no option but to request that the former instructions may be carried out.

I have the honor to be,
Sir,
Your most Obedt. servant,

Alex: Fraser M. Genl.
~~Under~~ Secy: to the Govt. of India.

P.W.D.
26AUG80
No.

Cal.

Recr 11-10-80 Rtd 19-10-80
Cir 4-10-80. ~~Rtd~~ Rtd 11-10-80
Coty 26/8/80 R 21-10-80

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Statement Shewing Net value of Salaries of present L F Salaries &c & other Officers & Subordinates P W D who retired and were appointed Ex: Engineers to L F Bds

Name	Local Fund circle in which Employed	Present salaries			Deduct for difference of Travelling Allowance	Net present Salary	Public Works Salary before retirement	Now draw		Remarks
		Pension Rs	Salary Rs	Total Rs				Less Rs	More Rs	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	
W S Harington	Madura	417	500	917	20	897	950	53		Present travelling allowance 5 Rs per diem when away from H.Qrs
Capt. H Bailey	Calicut & Tellicherry	150	700	850	20	830	700		130	ditto
J O'Shaughnessy	Nilgiris	314	400	714	120	594	650	56		No travelling allowance all being included in Salary
R E Napier	South Arcot	167	500	667	20	647	650	3		Present T.A. Rs 5 per diem when away from H Qrs
F Bricknell	Masulipatam	96	500	596	30	566	550		16	ditto Rs 4 per diem
M R Norris	Guntoor	134	350	484	30	454	550	96		– ditto –
C Seton	Vizagapatam	63	400	463		463	300		163	– ditto
W F Dunphie	Chingleput	78	350	428		428	250		238	– ditto
B Stephens	Coimbatore	57	300	357		357	200		157	T.A. Rs 85 per mensem

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No 605 of 1.10.80
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TO W.

HEREWITH A STATEMENT, GIVING THE AVERAGE TRAVELLING AND OTHER ALLOWANCES DRAWN BY THE OFFICERS REFERRED TO IN YOUR OFFICE NOTE OF 20TH. INSTANT

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OFFG. C.

O. 1-10-80

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R. No. 950 of 80-81
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C.

With reference to your late note on the subject of pay now drawn by Officers and Subordinates who on ~~retirement~~ from the Dept. took service under the L. F. Bd. I should wish your Office to give me as soon as possible the average of Travelling and other allowance drawn by the 10 individuals named overleaf during the 6 months prior to their retirement from this Dept.

In other allowances would be included the Subdivision allowance of 30 Rs per mensem

drawn by the
Subordinates named
inf.

Exe. Engineers

1 — W. S. Harington
2 — Capt. H Bailey
3 — J. O'Shaughnessy
4 — R. E. Norfor
5 — F. Brickwell
6 — M. R. Norris

Upper Subordinates

1. Sub Engr. Cond. C Seton
2. Sub Engr W. F. Donaghue
3. Supervisor B Stephens

The information should rather than already asked for in response to the Accountants be supplied at early convenience

20/9/80

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Statement of average travelling and other allowances drawn by certain Officers during 6 months prior to retirement in the Public Works Department.

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Name and Rank in P.W. Dept		Average Travelling Allowance			Sub-Divisional Allowance			Remarks
Engineer Establishment								
Mr. W. R. Norris	Ex: Engineer	119	"	"	"	"	"	
" F. Brickwell	— Do —	74	8	"	"	"	"	
" R. E. Norfor	— Do —	118	8	"	"	"	"	
" J. O'Shaugnessy	— Do —	179	11	4	"	"	"	
Captain H. Bailey	— Do —	120	1	4	"	"	"	
Mr. W. S. Harington	— Do —	133	2	"	"	"	"	
Upper Sub Ordinate Est.								
Conductor C. Seton	Sub Engineer	92	"	"	"	"	"	
Mr. W. F. Donaghue	— Do —	41	6	9	30	"	"	
" B. Stephens	Supervisor	38	5	4	"	"	"	

Chepauk
1st October 1880.

Major R.E.
Offg. Examiner P.W. Accounts

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istrict	Name of Engineer	Pay	Travelling Allowance	Remarks
Madura	Harington	500 „ „	150 „ „	The Travelling Allowance is only for the Nº of Days travelled during the month
Malabar	Bailey	700 „ „	150 „ „	
Nilgiri	Shaughnessy	400 „ „	„ „ „	
th Arcot	Norfor	500 „ „	„ „	„ Travelling Allowance at Rs 5 per diem under rules of D. P. W.
asulipatam	Brickwell	500 „ „	„ „	„ Batta ——— 4 — „ ———
Guntur	Norris	350 „ „	„ „	„ Batta at Rs 4 per diem. The pay fixed in Govt. G. O. Nº 60 dated 10th Jany 1880 is Rs 400.
agapatam	Seton	400 „ „	120 „ „	
hingleput	Donaghue	350 „ „	„ „	– With Mileage & Travelling Allce according to P. W. Code at Rs. 4 per diem.
Coimbatore	Stephens	300 „ „	„ „	„ The pay fixed in Govt. G. O. Nº 71, dated 12th January 1880 is Rs 400. In the scheme sanctioned in this G. O. the Travelling allowance is not distributed but ente in a lump sum Rs 385. per mens. for the whole Estt. From the bills in this off it is seen that Mr. Stephens draws Rs. 3 per diem as Travelling Allowance

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Abstract Statement showing the net savings to Government in consequence of the retirement of Engineers and Upper Subordinates under the Govt. of India Resolution No. 2079 dated 31st July 1879.

1	Total Pension and Monthly value of bonus	Add Salaries drawn from Local Funds	Total 2 + 3	Salaries drawn in P.W. Dept. at time of retirement	Difference 5 – 4 Net Savings	Remarks
	2	3	4	5	6	7
	Rs A P	Rs. as per Statement C.	Rs A P	Rs.	Rs A P	
Engineer Establishment.						Accounts Branch will be separately shown –
As per Statement A.	3,406 6 9	2,950.	6,356.6 9	9,400	3,043.9 3.	
Upper Subordinate Establishment.						
As per Statement A	3,192 6 4	"	"	8,500		
Do. Do. B.	*230.12 2			720		*Approximate.
	3,423 2 6	3,850.	7,273 2 6	9,220.	1,946.13 6.	
Totals	6,829 9 3	6,800	13,629 9 3	18,620.	4,990.6 9.	

Office of the Examiner, P.W. Accounts,
Ootacamund, 17th Sept. 1880

D. H. Trail
Major R.E.,
Offg. Examiner, P.W. Accounts.

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List of Officers and Subordinates who retired under the Government of India Financial Resolution No. 2079 dated 31st July 1879 and who have obtained appointments under the Local Fund Boards or Municipalities of the Presidency, (as per statement received with Accountant General's No. 3067 dated 13th September 1880.

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Engineer Establishment

No.	Names of Officers and Subordinates	District or Local Fund Circle or Municipality in which employed	Amount of Pension sanctioned	Monthly income represented by the Bonus sanctioned	Salaries drawn from Local Funds	Total	Salaries in P.W.D. at time of retirement	Remarks
			R. a. p.	R. a. p.	R. a. p.	R. a. p.	Rs.	
1.	Mr. W. S. Harrington, Ex. Engineer 4th Grade	L. F. Engineer, Madras	416 10 8	87 3 6	500 " "	1003 14 2	950.	
2.	Captain H. Bailey — Do. — 3rd do.	" Calicut & Tellicherry	150 " "	65 14 2	700 " "	915 14 2	700.	
3.	Mr. J. O'Shaughnessy — Do. — 3rd do.	" Nilgiri	314 2 8	52 13 5	*400 " "	767 " 1.	650.	* Includes travelling allowance. The net amount which is considered as pay excluding travelling allowance has not been given in the statement furnished by the Accountant General, Madras. The Local Fund Board has allowed Mr. O'Shaughnessy to act as the Municipal Engineer of the Ootacamund Municipality on their consenting to contribute Rs 2000 per annum towards the cost of the Engr. Estabt.
4.	Mr. R. E. Naper — Do. — 3rd do.	" South Arcot	166 10 8	49 9 9	500 " "	716 4 5	650.	
5.	Mr. F. Bricknell — Do — 4th do.	" Masulipatam	96 5 6	29 7 10	500 " "	625 13 4	550.	
6.	" M. R. Norris — " — 4th do.	" Guntoor	134 7 1	25 5 7	*350 " "	519 12 8	550.	* Appointed on Rs 350 with batta at Rs 4 per diem, vice Mr. Prout deceased. Not yet joined.
					Total Rs.	4548 10 10	4050.	

Upper Subordinate Establishment

No.	Names of Officers and Subordinates	District or Local Fund Circle or Municipality in which employed	Amount of Pension sanctioned	Monthly income represented by the Bonus sanctioned	Salaries drawn from Local Funds	Total	Salaries in P.W.D. at time of retirement	Remarks
1.	Conductor C. Seton, Sub Engr. 2nd Grade	L. F. Engr., Vizagapatam	62 8 "	23 12 7	400 " "	486 4 7	300	
2.	Mr. W. H. Doraglue — Do. — 3rd "	" Chingleput	77 12 5	18 " 11	350 " "	445 13 4	250.	
3.	" B. Stephens, Supervisor 1st Grade	" Coimbatore	56 14 6	14 2 4	300 " "	371 " 10	200	
4.	" F. Watkins — " — 1st "	L. F. Supervisor, Tinnevelly	55 3 6	14 9 7	150 " "	219 13 1	200	
5.	" J. E. Prout — " — 2nd "	L. F. Engineer, Guntoor	28 3 6	10 8 3	*300 " "	338 11 9	150.	* With Batta at 4 Rs per diem. Died on the 10th June 1880.
6.	" J. O'Leary — " — 2nd "	L. F. Supervisor, Gooty	40 " "	10 11 7	150 " "	200 11 7	150.	
7.	Munisawmy Mood., Overseer 1st Grade	do. Overseer, Vellore	50 " "	8 2 "	60 " "	118 2 "	100	
8.	A. Vardarajooloo Mood. — Do.	" " Bellary	48 5 4	9 14 11	45 " "	103 4 3	100	
9.	A. M. Vardarajooloo Naidoo — Do.	" " Pennakonda	29 1 "	7 2 6	45 " "	81 3 6	100	Appointed but not yet joined.
10.	Mr. R. W. Thorpe — Do.	" " Tinnevelly	34 9 6	7 3 6	150 " "	191 13 "	100	
11.	M. N. Adykalam Pillay — Do.	L. F. Supervisor, Coimbatore	41 10 8	8 " 2	120 " "	169 10 10	100	
12	T. C. Manwalu Pillay — Do.	" Overseer "	22 8 2	8 9 2	80 " "	111 1 4	100	Held the appointment up to the 27th May 1880 when his services were dispensed with.
13	Mr. J. A. C. Lobo — Do.	Do. Canara	39 7 4	7 12 9	©50 " "	97 4 1	100.	© In addition to salary draws fixed allowance Rs 15.

List of Officers and Subordinates who retired under the Government of India Financial Resolution No. 2079 dated 31st July 1879 and who have obtained appointments under the Local Fund Boards or Municipalities of the Presidency (as per statement received with Accountant General's No. 3067 dated 15th September 1880.

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No.	Names of Officers and Subordinates.	District or Local Fund Circle or Municipality in which employed.	Amount of Pension sanctioned	Monthly income represented by the Commn. sanctioned	Salaries drawn from Local Funds	Total	Salaries in P. W. D. at time of retirement	Remarks.
14.	Mr. R. Francis Overseer 1st Grade	L. F. Overseer, Calicut	45 „ „	8 4 1	60 „ „	113 4 1	100	
15.	C. Krishnaya Pantulu Do. 2nd Do.	L. F. Supervisor Huzoor [illegible] Court of wards	9 13 11	3 3 10	*100 „ „	113 1 9	80.	*With Batta at 2Rs. per diem. 24 29 } 30 35
16.	Syed Mahomed Shurfoodeen Do. 2nd do.	Do. Pennekonda	19 8 10	5 2 4	125 „ „	149 11 2	80.	
17	T. Ranagoraja Mood. „ 2nd „	L. F. Overseer, South Arcot	*14 „ „	*4 11 4	60 „ „	78 11 4	80.	Approximate.
18.	Mr. W. P. Evans „ 2nd „	L. F. Supervisor, Canara	4 15 4	1 6 10	°120 „ „	126 6 2	80	°With fixed monthly allowance Rs. 20 in addition.
19.	„ B. C. Dumphy „ 2nd „	L. F. Asst. Engr., Calicut and Tellicherry	15 12 3	4 3 11	200 „ „	220 „ 2	80.	
20.	„ J. R. Gorman „ 1st „	Do. Calicut	11 12 5	3 9 11	200 „ „	215 6 4	80.	
21.	„ V. Nery „ 2nd „	L. F. Overseer, Canara	10 7 11	3 3 „	*50 „ „	63 10 11	80.	*With fixed monthly allowance Rs. 15 in addition.
22.	S. Moothiah Pillay „ 3rd „	Asst. Supervisor, Chatrapur	3 14 „	„ 15 9	100 „ „	104 13 9	60.	
23	Mr. G. Dwyer „ 3rd do	L. F. Asst. Engr., Nellore	1 5 4	„ 5 6	125 „ „	126 10 10	60	
24.	V. Bashiam Iyengar „ 3rd do	L. F. Overseer, Nellore	5 6 4	1 5 3	50 „ „	56 11 7	60.	
25.	C. W. Chinnappa Pillay „ 3rd do	„ do: Cuddapah	4 „ „	1 „ 2	*70 „ „	75 „ 2	60	*With fixed monthly Travelling allowance at Rs. 25 in addition.
26.	R. Andiappen „ 3rd do	„ do: Guti	21 „ „	4 6 10	30 „ „	55 6 10	60.	
27.	Balasondra Mood. „ 3rd do	L. F. Sub Overseer, Chittoor	*8 „ „	*2 1 11	60 „ „	70 1 11	60.	*Approximate.
28.	C. Murugasa Mood. „ 3rd do	L. F. Supervisor, South Arcot	17 3 4	4 4 7	100 „ „	121 7 11	60.	
29.	C. Varasawmy Naidu „ 3rd do	L. F. Overseer Do.	*10 8 „	*2 15 9	50 „ „	63 7 9	60	*Approximate.
30.	M. Chinnasawmy Pillay „ 3rd do	„ do Madura	18 7 6	4 4 7	50 „ „	72 12 1	60	
31.	S. Soondra Sastri „ 3rd do	Do. Do.	1 5 4	„ 15 6	50 „ „	52 4 10	60	
32	T. Arumugum Pillay „ 3rd do	Do. Dindigul	2 10 8	„ 10 8	50 „ „	53 5 4	60.	
					Total Rs.	4867 4922 9 1	3,270	

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List of Officers and Subordinates who retired under the Government of India Financial Resolution No. 2079 dated 31st July 1879 and who have obtained appointments under the Local Fund Boards or Municipalities of the Presidency, (as per statement received with Accountant General's No. 3061 dated 13th September 1880.

No.	Names of Officers and Subordinates.	District or Local Fund Circle or Municipality in which employed.	Amount of Pension sanctioned	Monthly income representing the Bonus sanctioned	Salaries drawn from Local Funds	Total	Salaries in P.W.D. at time of retirement	Remarks.
	Accounts Establishment							
	Nil							A separate statement will be submitted for the Accounts Branch when the information regarding present employment is obtained—

N.B. In the statement received from the Accountant General, Madras, the following Officers and Subordinate of other Provinces are shown to have been employed on the Local Fund Boards of this Presidency:—
Mr. R. H. Brown, late Assistant Engineer, N.W. Province & Oudh as L. F. Engineer, Godavari, on Rs. 500 per mensem.
" E. A. Parsick, late Do. do, Bengal Presidency as L. F. Engineer Chingleput on Rs. 500 do.
" M. A. Butterfield, late Accountant, 1st grade, Hyderabad, as L. F. Auditor on Rs. 250 per mensem (since resigned).
Information in regard to the payable Pension and Bonus sanctioned for these is not known.
2. In the 2nd to last Column, "Salaries in P.W.D. at time of retirement", the pay of substantive rank held by Officers and Subordinates at the time of retirement is given:—

J. H. [illegible]
Major R.E.,
Offg. Examiner, P.W. Accounts

Office of the Examiner, P.W. Accounts
Ootacamund 17th Septr 1880

Abstract of the cost of Establishments entertained under Local Fund Boards Madras Presidency

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District	Circle	Particulars	Pay	Travelling allce	Remarks
		Engineer Establishment			
Ganjam	Chatrapur				
	Chicacole		"	"	
Vizagapatam	Vizagapatam		400	120	
Godavari	Cocanada		500	150	
	Ellore		400		Amount of Travelling allce not given in the statements received from the Acctt Genl
Kistna	Masulipatam		500	120	
	Guntoor		300‡	120	‡ Sanctioned pay Rs 400 per mensem
Nellore	Nellore		725	240	A further special allce of Rs 35 is granted to the Personal Asst of the President
Cuddapah	Cuddapah		400*	120	* With annual increment of Rs 25 up to Rs 500 p m
	Jedhanapata		300	100	
Bellary	Bellary		400	120	
	Gooty		"	"	
	Penucunda		"	"	
Chingleput	Chingleput		350	120	
North Arcot	Chittoor				
	Vellore		500	120	
Madura	Madura		500	150	
	Dindigul		400	150	
Tinnevelly	Tinnevelly		~~500~~		
	Shermadevi		500		T. A. not given in the statement received from the Acctt Genl
Nilgiri	Nilgiri		300	100	
Coimbatore	Coimbatore		300‡	90	‡ Sanctioned pay Rs 400 per mensem
Salem	Salem		500	100	
	Hosur		200	50	
Malabar	Calicut		1100	330	
	Tellicherry		200	90	
South Arcot	South Arcot		500	150	
Tanjore	Tanjore		400	100	
	Negapatam				
Canara	Canara		400	120*	
Acctt Genl's Office			750	150‡	* The sum of Rs 150 is in addition to bona fide Travelling allce.
		Total Engineer Estt	10825	2910	

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District	Circles	Particulars	Pay	Travelling allowance	Remarks
		Upper Subordinate			
Ganjam	Chatrapur		300	75	
	Chicacole		"	"	
Vizagapatam	Vizagapatam		"	"	
Godavari	Coconada		"	"	
	Ellore		"	"	
Kistna	Masulipatam		"	"	
	Guntur		"	"	
Nellore	Nellore		"	"	
Cuddapah	Cuddapah		280	105	
	Madanapalle		225	60	
Bellary	Bellary		"	"	
	Penukonda		175	45	
	Gooty		150	"	T. A. not given in statement received from the Acct Genl Madras
Chingleput	Chingleput		"	"	
North Arcot	Chittoor		"	"	
	Vellore		"	"	
Madura	Madura		"		
	Dindigal		"		
Tinnevelly	Tinnevelly		300		Travelling allce not given in statement received from the Accountant Genl Madras
	Shermadevi		150		
Coimbatore	Coimbatore		120		
Nilgiri	Nilgiri		"		
Salem	Salem		"	"	
	Hosur		"	"	
Malabar	Calicut		300	180	
	Tellicherry		210	90	
South Arcot	South Arcot		810 ~~240~~	360 ~~120~~	
Tanjore	Tanjore		450 ~~300~~	~~75~~ 135	
	Negapatam		~~240~~ 390	~~60~~ 120	
		Carried over	~~3350~~ 3850	~~988~~ 1140	

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District	Circles	Particulars	Pay	Travelling allce	Remarks
		Btfd	~~3200~~ 3810	1140 ~~900~~	
Canara	Canara		370	105	
Audit Offce			"	"	
		Total Upper Subte Estt	~~[illegible]~~ 4180	~~1000~~ 1245	

Lower Subordinate Estt

District	Circles	Particulars	Pay	Travelling allce	Remarks
Ganjam	Chatrapur		205	82½	
	Chicacole		100	45	Scheme submitted to the Board of Rev: and Sanction not yet received.
Vizagapatam	Vizagapatam		300	97½	
Godavari	Cocanada		480	180	With pony allce for 12 subordinates at Rs 15 per mensem
	Ellore		360	105	
Kistna	Masulipatam		420	150	
	Guntur		320		No T A given in statement received from the Acctt Genl Madras—
Nellore	Nellore		585	217½	
Cuddapah	Cuddapah		"	"	
	Madanapalle		"	"	
Bellary	Bellary		225	"	T.A.—to be regulated with refce to P.W.D Code—
	Penukonda		100 150	45	T.A. not given in statement received from the Acctt Genl Madras—
	Gooty		"	"	
Chingleput	Chingleput		320		Do — Do — Do
N. Arcot	Chittoor		280	120	
	Vellore		200	82½	
Madura	Madura		140	40	
	Dindigul		170	55	
Tinnevelly	Tinnevelly		205		T.A. not given in statement received from the Acctt General Madras
	Shermadevi		160		
Coimbatore	Coimbatore		720	225	
Kurnool	Kurnool		60	45	
		Carried over	5480	1461	

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District	Circles	Particulars	Pay	Travelling allowance	Remarks
		Btfd	5,480	1,460	
Nilgiri	Nilgiri		310	150	
Salem	Salem		465	90	
	Hosur		230	75	
Malabar	Calicut		130	60	
	Tellicherry		~~45~~	30	
South Arcot	South Arcot		"	"	
			~~35~~	42	
Tanjore	Tanjore		~~100~~	37½	
	Negapatam		80	50	
Canara	Canara		"	"	
		Lower Subtl Totl	6,840	1,932½	

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Petty Establishment

District	Circles	Pay	Travelling allowance	Remarks
Ganjam	Chatrapur	"	"	
	Chicacole	"	"	
Vizagapatam	Vizagapatam	"	"	
Godavari	Cocanada	"	"	
	Ellore	"	"	
Kistna	Masulipatam	"	"	
	Guntur	"	"	
Nellore	Nellore	"	"	
Cuddapah	Cuddapah	"	"	
	Madanapalle	"	"	
Bellary	Bellary	70	"	T.A. not given in statement received from the Acctt Genl Madras
	Penukonda	50		
	Gooty	111		
Kurnool	Kurnool	"	"	
Chingleput	Chingleput	"	"	
N. Arcot	Chittoor	"	"	
	Vellore	"	"	
	Carried over	231	"	

2625/30
(41)

District	Circles	Particulars	Pay	Travelling Allowance	Remarks
		Bt. forwd	231	"	
Madras	Madras		80		T.A. not given in statement received from the Acct Genl Madras
	Dindigul		"		
Tinnevelly	Tinnevelly		"	"	
	Shermadevi		"	"	
Coimbatore	Coimbatore		"	"	
Nilgiris	Nilgiris		"	"	
Salem	Salem		"	"	
	Hosur		"	"	
Malabar	Calicut		"	"	
	Tellicherry		"	"	
		Total Petty Esta	311	"	

Office Establishment

Ganjam	Chatrapur		176	45	Scheme submitted to the Bd of Rev; sanction not yet received. T.A. not given in statement received from the Acct Genl Madras.
	Chicacole		21		
Vizagapatam	Vizagapatam		139	13½	
Godavari	Cocanada		303	82½	
	Ellore		237	78¾	
Kistna	Masulipatam		255	76⅛	T.A. not given in the statement received from the Acct Genl Madras
	Guntur		365		
Nellore	Nellore		292		Do Do
Cuddapah	Cuddapah		265	7½	
	Madanapalle		149	45	
		Carried over	2182	348 3/8	

2429/830
42

District	Circles	Particulars	Pay	Travelling allce	Remarks
		B/fwd	2182	345 3/8	
Bellary	Bellary		159		T.A to be regulated in accordance with P.W. Code
	Penukonda		~~45~~ "	"	T.A not given in statement received from the Acct Genl Madras
	Gooty		45		
Chingleput	Chingleput		122		T.A not given in statement received from the Acct Genl Madras
North Arcot	Chittoor Vellore		230	15	
Madura	Madura		63		T.A not given in statement received from the Acct Genl Madras
	Dindigul		151	22	
Tinnevelly	Tinnevelly Shermadevi		230		Do — Do — Do

District	Circles	Particulars	Pay	Travelling allce	Remarks
Coimbatore	Coimbatore		~~225~~ 233	38 1/2	
Nilgiri	Nilgiri		272		T.A not given in statement received from the Acct Genl Madras
Salem	Salem		98		Do — Do — Do
	Hosur		51	8	
Malabar	Calicut		370		Do — Do — Do
	Tellicherry		103		Do — Do — Do
South Arcot	South Arcot		425		Do — Do — Do
Tanjore	Tanjore		329	85	
	Negapatam		161	57	
Canara	Canara		227		Do — Do — Do
District Audit Offices			1040	Nil	
Audit Estt Acct Genl's Office			1320	60	
		Total Office Estt	7819	633 7/8	

2423 30
43

Abstract of the above

	Pay	Travelling Allowance
Engineer Establishment	10,825	2910
Upper Subordinate -"-	4,180	1245
Lower -"- -"-	6,840	1932 1/2
Petty -"-	311	—
Office -"-	7,819	633 7/8
Grand Total per mensem —	29,975	6,721 3/8

29,975
6,721
36,696 R per mensem
4,40,352 R per annum

[illegible] 15/10

[illegible] 5/10

2429/30
A4

24.23, 8 30

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2423 1/0 30
46

Statement showing net value of salaries of pres t Local Fund Salaries &c to the officers and Subordinates of the P. W. Department who retired and were appointed ecutive Engineers &c to Local Fund Boards.

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95

96

2429 / 30 / 50

2429 / 30 / 48

Name	Local Fund circle in which employed	Present Local Fund salaries			Deduct for difference of Travelling allowances	Net present salary	Public Works salary before retirement	Now draw	
		Pension Rs	Salary Rs	Total Rs				Less Rs	More Rs
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	10
Engineer Establishment									
Mr W. S. Harington	Madura	417	500	917	20	897	950	53	"
Captain H. Bailey	Calicut and Tellicherry	150	700	850	20	830	700	"	130
Mr J. O'Shaughnessy	Nilgiris	314	400	714	120	594	650	56	"
Mr R. C. Nerfor	South Arcot	167	500	667	20	647	650	3	"
Mr F. Brickwell	Masulipatam	96	500	596	30	566	550	"	16
Mr M. A. Norris	Guntur	134	350	484	30	454	550	96	"
Upper Subordinate Establishment									
Conductor C. Seton	Vizagapatam	63	400	463	"	463	300	"	163
Mr W. F. Donaghue	Chingleput	78	350	428	"	428	250	"	178
Mr B. Stephens	Coimbatore	57	300	357	"	357	200	"	157
Mr F. Watkins	Tinnevelly	55	150	205	"	205	200	"	5
Mr J. E. Prout	Guntur	28	300	328	"	328	150	"	178
Mr J. O'Leary	Gooty	40	150	190	"	190	150	"	40
Munisawmy Mudr	Nellore	50	60	110	"	110	100	"	10
A. Vardarajooloo Moodr	Bellary	48	45	93	"	93	100	7	"
A. M. Varderjooloo Naidu	Pennakonda	29	45	74	"	74	100	26	"
Mr R. W. Thorpe	Tinnevelly	35	150	185	"	185	100	"	85
Mr N. Adykalam Pillay	Coimbatore	42	120	162	"	162	100	"	62
T. C. Manivalu Pillay	do	23	80	103	"	103	100	"	3
Mr J. A. C. Lobo	Canara	39	50	89	"	89	100	11	"
Mr R. Francis	Calicut	45	60	105	"	105	100	"	5
C. Krishnaya Pantulu	Nuzvid Estate - Court of Wards	10	100	110	"	110	80	"	30

1st ✓

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2429/J 30/50

2430/J 30/49

Statement showing net value of salaries of present Local Fund salaries &ca to the officers and Subordinates of the P. W. Department who retired and were appointed Executive Engineers &ca to Local Fund Boards.

Name	Local Fund Circle in which employed	Present salaries			Deduct for difference of Travelling allowances	Net present salary	Public Works salary before retirement	Now draw	
		Pension Rs	Salary Rs	Total Rs				Less Rs	More Rs.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Syed Mahomed Shurfoodeen	Pennakonda	20	125	145	"	145	80	"	65
T. Kanagaraja Moodr	South Arcot	14	60	74	"	74	80	6	"
Mr W. St Evans	Canara	5	120	125	"	125	80	"	45
Mr B.C. Dumphy	Calicut & Tellicherry	16	200	216	"	216	80	"	136
Mr J.R. Gorman	Calicut	12	200	212	"	212	80	"	132
Mr S. Nery	Canara	10	50	60	"	60	80	20	"
S. Moothiah Pillay	Chetterpore	4	100	104	"	104	60	"	44
Mr G. Dwyer	Nellore	1	125	126	"	126	60	"	66
V. Bashiem Iyengar	Nellore	5	50	55	"	55	60	5	"
C.W. Chinniappa Pillay	Cuddapah	4	70	74	"	74	60	"	14
B. Andiappen	Gooty	21	30	51	"	51	60	9	"
Balasoondra Moodr	Chittoor	8	60	68	"	68	60	"	8
C. Murugasa Moodr	South Arcot	17	100	117	"	117	60	"	57
C. Veerasawmy Naidu	do	11	50	61	"	61	60	"	1
M. Chinnasawmy Pillay	Madura	18	50	68	"	68	60	"	8
S. Soondra Sastri	do	1	50	51	"	51	60	9	"
T. Arumugum Pillay	Dindigul	3	50	53	"	53	60	7	"

1st

Statement showing net value of salaries of present Local Fund salaries &ca to the officers and Subordinates of the P. W. Department who retired and were appointed Executive Engineers &ca to Local Fund Boards.

Name	Local Fund Circle in which employed	Present salaries			Deduct for difference of Travelling allowances	Net present salary	Public Works salary before retirement	Now draw	
		Pension Rs	Salary Rs	Total Rs				Less Rs	More Rs
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)

2423/50

100

FROM MAJOR D.H.TRAIL R.E.,

OFFG. EXAMINER P.W.ACCOUNTS,

MADRAS.

TO THE SECRETARY TO GOVERNMENT

PUBLIC WORKS DEPARTMENT.

NO. 123 W   MADRAS, 2 ~~OCTOBER~~ November 1880.

SIR,

I HAVE THE HONOR TO FORWARD FOR THE INFORMATION OF GOVERNMENT AN ABSTRACT OF THE COST OF THE ADDITIONAL ESTABLISHMENT ENTERTAINED BY THE SEVERAL LOCAL FUND BOARDS OF THE PRESIDENCY AND BY THE ACCOUNTANT GENERAL'S (MADRAS) OFFICE SINCE THE TRANSFER TO THEM OF THE LOCAL FUND PUBLIC WORKS.

SENT WITH DEMI OFFICIAL LETTER OF 4TH. OCTOBER 1880.

2. THIS ABSTRACT HAS BEEN PREPARED FROM STATEMENTS RECEIVED FROM THE ACCOUNTANT GENERAL'S (MADRAS) OFFICE.

I HAVE THE HONOR TO BE,

SIR,

YOUR MOST OBEDIENT SERVANT,

D. H. Trail

MAJOR R.E.
OFFG. EXAMINER P.W.ACCOUNTS.

4

P.W.D.
3 NOV 80
No. 6464

FROM THE EXAMINER P. W. ACCOUNTS,

MADRAS.

TO THE SECRETARY TO GOVERNMENT,

PUBLIC WORKS DEPARTMENT.

G.O. 2429 W/2430 W
21 October 1880

NO. 123 W

DATED 2 ~~OCTOBER~~ November 1880.

RECD.

EXTRA ESTABLISHMENT, EMPLOYED
BY THE LOCAL FUND BOARDS. FORWARDS
ABSTRACT OF THE COST OF-

No 2429 W

Read the following 21st Oct 1880

Letter from G. of I. (Ho. No 1531 G. d/20 Aug. 80)

Ordered that the following letter be sent.

Ho. No 2430 d/21 Oct/80

To,
The Secy to the Govt of India
P. W. Dept

Sir,

In reply to your letter No 1531 G. of the 20th August on the subject of withholding the pensions of officers and subordinates, who after retirement from this Dept under the reduction orders of 1879 took service under the several Local Fund Boards, constituted by Act 4 of 1871, I am desired to submit the following observations for the favorable consideration of His Excellency the Governor General in Council.

2. My letter No. 2277W d/1st October 1880 submitting for sanction the normal scale of estabt. for this Dept., and other communications therein referred to, will have informed the Govt. of India of the circumstances under which the officers and subordinates transferred their services to Local Fund Boards, as also of the general constitution of these bodies and character of the work executed by them.

3. In dealing therefore with the subject of para. 2 of your letter under reply, it may suffice to request a referance to these communications as showing the constraint under which this Govt. felt themselves placed in carrying out loyally the demands made on them for reduction of estabts. in the only way that lay in their power, with the result of for the first time giving that full and complete independence to the Local Fund Boards, which though contemplated by the framers of the Act IV, had never till then been carried out in its entirety.

4. With reference to paras. 3 and 4 of your letter I am to forward for the information of the Govt. of India a fairly complete list of all officers and subordinates employed by Local Fund Boards whose cases are dependent on the decision that may now be arrived at, showing column 3 "Retiring Pension" to which claim is laid, column 4 "Pay given by L. F. Boards", column 6 "Deductions on account of decreased travelling allowance",

column 7 "Net value of present position," column 8 "Pension pay drawn in P. W. Dept. at time of retirement."

5. The majority of the officers now draw as travelling allowance under the Local Fund Boards only 4 Rs per diem instead of Rs 5 as formerly in this Dept.; it is therefore considered requisite that some fair deduction should be made on this account in estimating the net value of their present salaries as compared with what it was before retirement. In one case viz. that of Mr. J. O'Shaughnessy, who is both Municipal and Local Fund Engineer, the salary he now draws (Rs 400) is consolidated, and includes travelling &c allowances. During the last 6 months of this Officers service in the Dept. his travelling allowance had averaged close on Rs 180 per mensem, and as his present expenses on this account cannot be less than Rs 120 per mensem a deduction to this amount is shown.

6. For the subordinates, though no deduction is given in the statement, a certain amount might reasonably be claimed as due in most of the cases to (1) loss of sub division allowance of Rs 30 per mensem, (2) difference of present and past travelling allowances &c.

7. On the whole it will be observed that of the 6 retired officers who obtained the position of Engineers to Local Fund Boards only one, Captain Bailey (now dead) may be said to have

drawn more than formerly including pension, and there may be special circumstances which a further enquiry may prove to reduce the excess even in his case.

8. Of the subordinates nine of all those who retired, apparently draw less including pension than they did, while the majority draw much more; as above observed, however, adjustments in partial reduction of the apparent excesses might be applied.

9. It must also be borne in mind that with the exception of the first officer on the list, Mr W. S. Harington, all whose names are shown in the statement were in a position to serve on for much higher pensions, and that one and all they must

now lay by, by deductions from their salaries for any future provision they may wish to make, as no pensions are granted under the Local Fund Boards. Mr Harington had served the full time for the pension which was awarded to him, but which is now withheld by order of Supreme Govt. although his Local Fund pay is only Rs 500 against Rs 950 formerly drawn in the Govt. P.W. Dept.

10. The general conclusion therefore seems to be that while the State has made a large and clear saving by the retirements in question, the present position of the officers who retired (even including the pensions) is decidedly worse than it was, and that although several

of the subordinates may have gained immediate pay, the prospects of most of them are certainly not improved. This will be clearer from the further remarks showing the precarious tenure of the appointments under Local Boards as empowered by the Act.

11. To this it may be added that retirement from the Depts. was practically in nearly all cases made compulsory; officers having been given to understand that if by a certain date they did not tender their acceptance of the conditions offered by the Govt. their retirement would be enforced. I am to request special consideration of this point, for it can scarcely be argued that any persons compulsorily retired from State service could have been debarred from accepting any means of improving their circumstances, or that the terms of Govt. of India Resolution No. 2620-2642 E.G. of 21st Novr. 1879 which dealt solely with voluntary retirements could be held applicable in such cases.

12. As regards the observation contained in para: 5 of your present communication that the Local Fund Boards are in no sense in the position of private individuals, I am to submit for consideration that they are as much so as Municipal Boards for although as pointed out, the Govt. under section [illegible]

Act, have power to regulate the number and the rates of salaries of Local Fund servants for purposes of general restraint, they have no power to appoint or dismiss a single individual. They cannot make the Boards employ any retired Public Works Officer nor impose on them more expense than they themselves deem to be necessary. Not only are the Boards practically independent of Govt., but they are in great measure composed of non-officials.

13. The Presidents of the several Boards have not only this complete power of appointment of all servants under the Act, but, what is even of still greater importance, of absolute power of dismissal without any appeal lying to Govt. As a fact numerous cases of all classes have often occurred of the exercise of this power on the part of Presidents, and the Govt., though appealed to, have found themselves barred by law from interference.

14. Viewed in this light therefore it is thought that in this respect the Boards have all the independence of private individuals, and it is submitted that this fact has a material bearing on the cases of all the officers and subordinates now under consideration.

15. In reference moreover to the expression to which the

Govt. of India apparently take exception that a direct breach of faith would be involved were the pensions now stopped. I am to remark that no restriction was placed on the acceptance of pension by officers who were compulsorily retired, and that both on the part of the individuals who retired as also on that of this Govt. no doubt was at the time entertained that all persons so circumstanced, and who accepted service under Local Fund Boards, would do so under precisely the same conditions as if they had taken service under Municipalities; although therefore no guarantee was either demanded or given that pensions could not be stopped such was distinctly understood and accepted by both parties as an element of retirement –

16. This Government saw no necessity at the time to take any legal opinion regarding the precise bearing of the Act in this respect, and now that the Supreme Government has called in question the validity of the inferences drawn, it would clearly be improper for them to take any action in this direction, but as will be observed from the annexed proceedings of Government in the Judicial Department [G.O. of 21st May 1880 No. 1209] the Advocate General has given his opinion that Presidents of Local Fund Boards are not officers of Government within the meaning of Section 88 of the Indian Registration Act 1877; in addition to which Section 46, rule 11, of the Civil Pension Code distinctly classes Local Fund officers under Foreign Service

17. I am also directed to

solicit attention to the following general considerations which influenced ~~them~~ the Government in regard to this point. Section No 37 of the Madras Municipal Act No V of 1878 reserves to Government 1st the right of appointing by name the Engineer of the Municipality and 2nd of assigning to him a large and increasing salary without any reference to the President or the Municipal Commission; again by section 38 the Government can protect him against any arbitrary dismissal by the Municipal Authorities. Yet an officer so appointed, salaried, and protected by Government under the Act, would under the rules in force be enabled to retain the pension to which he had become entitled by his previous service in any Government Departme

18. As compared with this full exercise of powers by Govt in the case of the Madras Municipality, the powers conferred on Presidents of the Local Fund Boards clearly places these bodie (section 24 of the Act) in a very much more independent position; under these circumstan it never occurred to this Govt to suppose that where so much greater freedom of action was guaranteed under the Local Fund Act any doubt could be entertained regarding the cla of the retiring officers to retain their pensions; and they are still induced to hope that on a full reconsideration of the matter the Government of India may be disposed to ta the same view and rescind the order conveyed in your letter under reply.

19- I am to add that it is feared the only effect of adhering to the present decision will be to deprive the persons concerned of their Local Fund employment, while the State, which must on this occuring still pay the pensions, can gain nothing - Pressing appeals which from the point of view of this Government are well founded, have already reached them; and others which are no doubt now suspended in the belief that the case is under submission to the Supreme Govt: are certain to pour in if the claims be again negatived, and this in the opinion of His Grace the Governor in Council it would under the circumstances be well

to avoid -

20- Briefly the position is viewed by this Govt: as follows.

The District Local Fund Boards under Act 4 of 71 being bodies corporate by law composed in great measure of Non-Officials, and vested by law with absolute power of appointing and dismissing their own servants, are in a position analogous to that of Municipal Boards under Act 3 of 71, or of Highway and other County Boards at home administering County funds - The Govt: are powerless to dictate to them whom they shall employ in the execution of their works; and certainly could in no case be justified in imposing on them more expense for this purpose than the Board themselves deem necessary.

21 The State has effected large economy by transfering many of their Public works establishment to the pension list, and these pensioners can afford to give the Local Fund Boards superior service for comparatively small pay - But if the Boards are precluded from retaining them in their service, with their pensions, the only result will be to drive the Boards to other sources of supply, such for instance as the Railway Establishments afford - The State can derive no possible benefit from this result, while their former servants will be grievous sufferers - It cannot be the wish of Govt: to compel

910 24A/133/62

their former servants to serve new masters for less pay than they formerly received from the state and at the same time to deprive them of the pensions they were awarded on discharge from State service

19.10.80

Dealt to
Sent a with
Statement &
Judicial Deptt
G.O. No 1209 of
4 May/80

G.O. 1381 of 31-7-79 Finl. Deptt

" 2305 W – 17-11-79 – P.W.
" – 3142 W – 9-12-79 – Do
" 248 W – 2-2-80 – Do
" – 249 W – " – " – "
" – 285 W 3 – " – "
" – 286 W – " – " – "
" – 1095 A W – 5-5-80 –
" – 1096 A W – " – " – "
" – 1258 A W – 26 – " – "
" – 1342 A W 7-6 – " – Do
" – 1770 W – 2-7 – " – "
" – 1842 A W – 13 – " – "
" – 1843 W – " – " – "

To The Supdt. Govt. Press.

17/10 C

Special arrangements to be made for the immediate printing of these papers.

R. Sarkar
/Chief Secty
P.W. Dept.
21.10.82

1880

Govt. of [illegible]

PUBLIC WORKS.

Immediate

21-10-80

To

Dated

Issued

Recd.

Encl.

G.O. 21st Oct 1880 2129-2130 W

Nos. 92-94

Submitting for favorable consideration certain observations on the subject of withholding the pensions of Officers & Subordinates, who after retirement from the P.W.D. under the reduction orders took service under Local F. of P.W.D.

Pensions of Officers and Subordinates who after ~~other~~ retirement from the P.W.D. under the reduction orders obtained appointments under the several Local Fund of P.W.D. The Govt. of India addressed on the subject of withholding the