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GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

18th September 1880, No. 2,199 W.

General.
Establishment.

Read the following papers :—

No. 101. Proceedings of the Madras Government in the Political Department, dated 3rd March 1880, No. 91.

From the Resident in Travancore and Cochin, dated 21st February 1880, No. 21.

With G.O., Public Works Department, 6th December 1879, No. 3,126, I received, for communication to Mr. Barton, the Proceedings of the Government of India, Public Works Department, of 25th November, No. 2,679, with the Resolution in the same department, dated 21st November, Nos. 2,620, 2,641 E.G., and forwarded it home according to Mr. Barton's address.

2. By this it was ordered that in the case of officers whose salaries are not a direct charge on the General Revenue who had applied to be allowed to resign, and whose resignation had not been accepted under the Resolution in the Financial Department, No. 2,079, of the 31st July 1879, none would be allowed to retire unless the saving to the public treasury by his retirement exceeds the cost of the special concessions which he would enjoy under the resolution.

3. When Mr. Barton sent his application for retirement he informed the Travancore Government of the fact, but stated his willingness to continue in the Travancore service after his retirement from the British, should the Travancore Government desire it.

4. Under his existing agreement with Travancore he becomes entitled to full pension in May next. The Government had before them the option of accepting his offer which was so put as to make it a favor on his part remaining or to close the engagement, and they decided on the latter course, and intimated to him that they would consider his engagement terminated on the 10th May, from which date they inferred that his pension would be considered due even if he did not rejoin in the interval. Mr. Barton has written to resent this, but the Travancore Government desire to adhere to the arrangement.

5. When it was made the contingency of Mr. Barton's application to resign the British service being refused was not contemplated, but in any case it would for many reasons be difficult for the Travancore Government to recede from the position. They are unwilling to do so, and in the interests of the Travancore Public Works Department I would not advocate it.

6. Under the circumstances of Mr. Barton's engagement with the Travancore Government being determined, he would, I presume, become entitled to employment in the Madras Public Works Department; in that case retirement would be a direct saving to the State.

7. Mr. Barton is believed to be at present on his way out, he having intimated his intention in any case to return.

8. This letter may however admit of the question of the acceptance or otherwise of his application to retire under the resolution being disposed of without waiting for his reply to the reference which may not be received for some time.

COMMUNICATED to the Public Works Department.

2. The Government see no reason to interfere with the decision of the Travancore Government.

(True Extract.)

(Signed) E. GIBSON,
Ag. Under Secy. to Govt.

No. A.

TRANSFERRED to the Political Department for disposal.

(Signed) J. PENNYCUICK, Major, R.E.,
Under Secy. to Govt., P.W.D.

30th March 1880.

No. 101-A. Endorsement of the Chief Secretary to Government, Political Department, dated Fort St. George, 30th March 1880, No. 729.

From A. MACGREGOR, Esq., Resident in Travancore and Cochin, to the Chief Secretary to Government, dated Peermade, 17th March 1880, No. 27.

I HAVE the honor to acknowledge the receipt of G.O., Political Department, dated 3rd March 1880, No. 91.

2. Mr. Barton, who has rejoined his appointment, writes to me in reference to G.O., Public Works Department, 6th December 1879, No. 3,126, and requests me to resubmit his application to be allowed to retire from the British service, and I accordingly forward copy of his letter of the 27th September 1879, which was returned with the Government Order alluded to.

3. Mr. Barton now requests that the British Government will comply with his request to be allowed to retire on the 10th May next with an equitable pension, or that he may be retransferred to the effective list of the British Public Works Department.

4. I presume that the Public Works Department will supply the Government of India with the necessary information as to the financial savings that would result from Mr. Barton's retirement.

5. He would be considered entitled, I conceive, to an appointment of the class held by those of the same standing in the Madras Public Works Establishment, and as the period of service for which pension is claimed is comparatively short and the pension therefore small it would seem that the excess of saving over cost of special concession would be proportionately great.

From W. BARTON, Esq., Chief Engineer on leave, to the Resident in Travancore and Cochin, dated London, 27th September 1879.

I HAVE the honor to acknowledge receipt of your letter, No. 457, of 6th May, and enclosures, and, in reply to the inquiry of the Government of India, to state that I request to be allowed to retire from the British service on completion of twenty-five years' service.

2. Since my memorial was sent in and your letter received, I have obtained from the India Office copy of the Resolution of Government of India, No. 2,079, dated 31st July 1879, inviting officers of the Department of Public Works to retire.

3. It is difficult to apply these rules strictly to myself, as there are circumstances fully explained in my memorial which require special consideration. I am, however, in hopes that Government, bearing in mind my long and good services both under the Bombay and the

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Madras Governments, will deal liberally with me on retirement and grant me, either the higher pension asked for in my memorial, Rs. 2,688 per annum, or, according to the terms of the new order, a maximum pension of Rs. 2,000 for my eight and a half years' service in Bombay, and a bonus of twelve months' pay at present rate Rs. 1,400 × 12 = Rs. 16,800; and that I may be permitted to avail myself of this pension from the 10th May next, on which date I shall have completed my twenty-five years of service.

4. The order referred to requires that this application should be made so as to reach Government before the 30th November, and states also that retirement will be given "with regard to the order in which applications are received." I will beg therefore that this may be forwarded with as little delay as possible.

FORWARDED to the Public Works Department for disposal.

(Signed) R. DAVIDSON,
Chief Secretary.

No. 973.

RETRANSFERRED to the Political Department, with reference to No. A, dated 30th instant, and the remarks by the Honorable Mr. Hudleston therewith forwarded.

(Signed) R. H. SANKEY, Colonel, R.E.,
Secy. to Govt., P.W.D.

31st March 1880.

Order thereon, 6th April 1880, No. 155.

MR. W. BARTON, the Chief Engineer to the Travancore Government, cannot claim to retire on the terms of the Financial Resolution, dated 31st July 1879, No. 2,079. He must complete his service in Travancore to earn his full pension from that Sirkar.

(True Extract.)

(Signed) E. GIBSON,
Ag. Under Secy. to Govt.

No. 10-B. From W. BARTON, Esq., to the Secretary to Government, Public Works Department, dated Trivandrum, 6th April 1880.

I BELIEVE the subject of my affairs in connexion with the British Government is, or has been recently, before you.

2. On the 10th May my term of service in Travancore expires, and I am naturally anxious to know what decision has been come to with regard to my retirement or transfer, and I shall therefore feel greatly obliged if you will kindly give me any information which will enable me to make up my plans.

Order thereon, 13th April 1880, No. 947 W.

MR. BARTON will be informed that the Madras Government will be unable to retain his services on his quitting his employment under the Travancore Sirkar.

2. As soon as that event has been officially intimated with particulars to this Government, Mr. Barton's case will be dealt with under the rules applicable to it.

(True Extract.)

(Signed) J. PENNYCUICK, Major, R.E.,
Under Secy. to Govt., P.W.D.

No. 101-C. Telegram from the Secretary to Government, Public Works Department, Madras, to W. BARTON, Esq., Travancore, dated 30th April 1880.

"YOU can proceed to Europe on tendering resignation under ordinary rules leaving claims for consideration of Government."

No. 101-D. Telegram from the Secretary to Government, Public Works Department, Madras, to W. BARTON, Esq., Travancore, dated 1st May 1880.

"YOUR services not being required in this department, your pensionary claims under ordinary rules are guaranteed."

No. 101-E. Telegram from the Secretary to Government, Public Works Department, Madras, to the Resident of Travancore, Alleppey, dated 14th May 1880.

INFORM Barton can go now tendering resignation and leaving claims to Government or report himself Madras pending reduction.

No. 101-F. Endorsement of the Chief Secretary to Government in the Political Department, dated Ootacamund, 4th May 1880, No. 989.

From A. MACGREGOR, Esq., Resident in Travancore and Cochin, to the Chief Secretary to Government, dated Peermade, 28th April 1880, No. 40.

IN continuation of the subject of my letter of the 22nd April, No. 35, I have the honor to refer to G.O., 11th February 1863, No. 48, in which an order of the Government of India is communicated to the effect that Mr. Barton will be allowed to count for pension the period during which he may be employed under the Travancore Government, the latter being possibly liable for a proportion. The Travancore Government subsequently agreed with Mr. Barton for a fixed amount, but the liability of the British Government for their proportion is clearly not hereby affected.

2. To show the understanding that appears to have obtained at the time, I would beg to call attention to Mr. Newill's letter of 24th September 1864, No. 64, printed with G.O., 24th January 1865, No. 31, where, in paragraph 4 with reference to the pension of Sadasiva Pillay, First Judge of the Sadr, he writes,—

"I beg further to inform the Government that I consider that this principle has been affirmed in the arrangement made with the Bombay Government, by which this State is required to contribute towards the present retiring pension of the Civil Engineer of Travancore, transferred from that Presidency, only in proportion to the time of his service in this State.

"Under an aspect of this case, however, it may perhaps be considered that, in the event of the Civil Engineer reverting to the Bombay Government before completing the period entitling him to pension, the Travancore State will merely relieve the British Government of the proportionate amount of pension for the time served in Travancore; but, on the other hand, should the Civil Engineer complete his period of service in this State, the case would be analogous to the one now in question."

3. As pointed out by the Madras Government in their Order, of 11th December 1871, No. 388, according to Section 18 of the Resolution of the Government of India, No. 4,359, 14th October 1871, the positions of officers who have accepted service under Native States prior to the promulgation of that resolution are not affected thereby.

TRANSFERRED to the Public Works Department in continuation of endorsement, No. 953, dated 29th April 1880.

(Signed) R. DAVIDSON,
Chief Secretary.

No. 101-G. From A. MACGREGOR, Esq., Resident in Travancore and Cochin, to the Secretary to Government, Public Works Department, dated Peermade, 10th May 1880, No. 45.

I HAVE the honor to forward copy of a letter* from Mr. Barton requesting to be allowed to retire from the British service from the 10th May. The papers referred to by Mr. Barton are, I believe, all before Government.

* Dated 5th instant.

From W. BARTON, Esq., Chief Engineer of the Travancore Government, to the Resident in Travancore and Cochin, dated Trivandrum, 5th May 1880.

IN continuation of my letter of the 1st instant, I have now the honor to forward copy of a further telegram which I have received from the Secretary to Government, Madras Public Works Department, and on the assurance therein conveyed I request permission to be allowed to retire from the British service from the 10th May current, on which date I shall have completed twenty-five years' service.

2. With reference to the consideration of my claims to pension and gratuity (*vide* Order of Madras Government, dated 13th April, No. 947 W.), I understand from your letter of the 23rd April that all particulars have been forwarded by you to Government. I have, however, not yet been favored with a copy of that information, though I requested it in my letter of the 18th April.

3. I think it desirable therefore to request that, if not already sent, a copy of my memorial to the Viceroy, dated 22nd February 1877 (forwarded through your office), may be laid before Government, together with such papers as you may have sent. I am in hopes that, considering that my retirement has been made compulsory, it may be upon some such calculations as I submitted in my memorial my claims may be based rather than on those mentioned in paragraph 12 of your letter, No. 35, to the Chief Secretary to the Government of Madras.

4. I also beg that it may be noted my service commenced on the 10th May 1855, the date of my covenant with the Honorable East India Company. There is another error in the record of my services published in the Madras Distribution List of the Public Works Department (October 1879). My absence to Europe in 1867-68 was on sick leave, and I claim also that that period should be considered to have been *on duty* under Section 52, paragraphs 4 and 5; the whole of that time I was employed in Travancore Sirkar service, this point will only affect calculation for length of effective service.

5. I confess to being considerably confused as to the application of the rules to my case, and hence I propose with the above notes to leave it for the disposal of the British Government; it will, I presume, be open to me to raise any question when that decision is communicated to me.

6. I put in a plea for liberal treatment in considering my claims, on the grounds of specially good and meritorious service both in Bombay and in Travancore; the former can be vouched for by record; the latter has been certified to year by year by the Travancore Government and by the Resident's annual reports to the Madras Government on the administration of Travancore.

7. I also beg to point out that by the declared inability of the Madras Government to employ me in accordance with the order of Government of India quoted in paragraph 7 of your letter, No. 35, of the 23rd April, I am deprived of the claim to a very high appointment and of the possibility of earning the highest rate of pension provided under my covenant.

Terms of Agreement between W. BARTON, Esq., M. Inst. C.E., Chief Engineer, Travancore, and Government of His Highness the Maharajah of Travancore.

UNLESS incapacitated for further service by ill health, duly certified to by competent medical authority, or recalled by the British Government, Mr. Barton agrees to continue in the service of His Highness the Maharajah on the following terms:—

1. His Highness the Maharajah agrees to pay to Mr. Barton a monthly salary of British Rs. 1,200 per mensem, and to increase that salary to Rs. 1,400 per mensem from the 10th May 1875, when he will have completed twenty years' service, reckoning from the 10th May 1855, on which date he entered the service of the British Government.

2. In addition to this salary Mr. Barton will also be entitled to receive travelling allowances according to the sanctioned rules of the Travancore Department of Public Works.

3. Mr. Barton shall, as hitherto, have a free house at head quarters.

4. Mr. Barton engages not to cultivate or join in the cultivation of land in Travancore for purposes of gain without the knowledge and consent of the Government; also not to enter into trade or to receive any commission on goods purchased, or contracts made, or any moneys other than the salary and allowances payable by His Highness the Maharajah.

5. Mr. Barton and his family shall be entitled to the gratuitous medical attendance of the medical officers in the service of the State.

6. Mr. Barton shall also be entitled to such privilege leave and furlough as he would have been entitled to had he continued to serve under the direct orders of the British Government and after the same periods of service.

7. Mr Barton's absentee allowance shall, similarly, be regulated in accordance with those grantable by the British Government to Engineering Officers of his position serving under their direct orders.

8. Mr. Barton shall be entitled to the grant of a retiring pension, without medical certificate, of a sum of £300 per annum after twenty years' service, and £500 per annum after twenty-five years' service, counting from the date of his admission into the Bombay British service, and irrespective of any pension which he may receive from the British Government.

9. This agreement shall be terminable at the option of either of the contracting parties on giving six months' notice. In either case Mr. Barton shall be entitled to a free passage to Bombay or to any part of British India where he may have to rejoin the British service. In such case he would revert to the British Service Pension Rules, Travancore bearing the proportion of pension that may be determined upon by the two Governments as due on the period of service passed in Travancore counting for such pension.

10. This agreement shall be carried out, on the part of His Highness the Maharajah, in a spirit of justice and liberality; and Mr. Barton, on his part, agrees to serve His Highness zealously and faithfully, holding himself liable to the same obedience to the orders of the State, and to the same penalties for misconduct as the officers serving under the direct orders of the Government of India.

11. In all cases of dispute the British Resident shall be the arbitrator.

PUBLIC WORKS DEPARTMENT.

No. $\frac{A}{B}$, *dated July* 1880.

STATEMENT of the Verified Services of Mr. Walthen Barton, late Chief Engineer, Travancore Government.

Date of birth, not known; stated in the census report of 1871 as 34 years of age.—*Vide* paragraph 2 of Resident's (Travancore and Cochin) letter, No. 750, dated 31st July 1879 (copy attached).

Establishment and Appointment.	Pay.	Acting Allowance.	Date of beginning.	Date of ending.	Period reckoned as Service.	Period not reckoned as Service.	Remarks by Examiner, Public Works Accounts.
	RS.	RS.			Y. M. D.	Y. M. D.	
			9th June 1855.	14th Sept. 1855.	..	0 3 6	The Examiner of Public Works' Accounts, Bombay, reports that Mr. W. Barton was appointed a Civil Engineer by the "Court of Directors" from 9th June 1855, but states that no information can be furnished of the particular office from which he received his pay during this period.—*Vide* statement of services attached. In the Articles of Agreement with the Travancore Sirkar (copy herewith), it is stated that Mr. Barton entered the service of the British Government from 10*th May* 1855, while from the statement of his services received from the Examiner of Accounts, Bombay, it is observed that he was appointed a Civil Engineer by the Court of Directors from 9th June 1855. The covenant of Mr. Barton, dated 11th May 1855, with the East India Company is herewith forwarded. In the absence of any precise information in his covenant with the East India Company as to the date from which his service for pension should reckon, the date of his landing in India (15th September 1855) has been taken as the date from which his service for pension should commence.
			15th Sept. 1855.	31st Oct. 1855.	0 1 16	..	

Statement of the Verified Services of Mr. Walthen Barton, late Chief Engineer, Travancore Government—*cont.*

Establishment and Appointment.	Pay.	Acting Allowance.	Date of beginning.	Date of ending.	Period reckoned as Service.	Period not reckoned as Service.	Remarks by Examiner, Public Works Accounts.
	RS.	RS.			Y. M. D.	Y. M. D.	
Sub-Assistant Executive Engineer, Surat and Broach	250	..	1st Nov. 1855.	6th April 1857.	1 5 6	..	Verified from the records of the office of the Examiner of Accounts, Bombay.
Assistant Executive Engineer.	350	..	7th April 1857.	25th Nov. 1857.	0 7 19	..	
Do. Railway Department.	..	..	26th Nov. 1857.	31st Oct. 1858.	0 11 5	..	Not verified from the records of the Examiner of Account's Office, Bombay, who, however, states that Mr. Barton was employed on the Ahmedabad and Gogo Railway Survey, but that no information is available from what office he drew his pay for this period and by what officer it was audited. From the fact of his having re-joined his appointment on the normal strength of the Bombay Public Works Department Establishment, it may be presumed that he was either employed on the permanent establishment of Government during the period, or secured a lien on his substantive appointment in the Bombay Public Works Department, and the period is consequently classed as qualifying.
Assistant Engineer, 1st Class, Surat and Broach.	350	..	1st Nov. 1858.	31st July 1859.	0 9 0	..	Verified from the records of the Examiner of Accounts, Bombay.
Acting Executive Engineer, Surat and Broach.	350	100	1st Aug. 1859.	30th Sept. 1859.	0 2 0	..	
Assistant Engineer, 1st Class, Surat and Broach.	350	..	1st Oct. 1859.	30th Nov. 1859.	0 2 0	..	
Do. Dharwar ..	350	..	1st Dec. 1859.	31st Oct. 1860.	0 11 0	..	
Special Assistant Engineer, do.	500	..	1st Nov. 1860.	26th May 1861.	0 6 26	..	
Six months' leave on private affairs to Europe.	250	..	27th May 1861.	26th Nov. 1861.	..	0 6 0	
On subsidiary leave.	..	..	27th Nov. 1861.	11th Dec. 1861.	0 0 15	..	
Special Assistant Engineer, Dharwar.	500	..	12th Dec. 1861.	31st Mar. 1862.	0 3 19	..	Verified from the records of the Office of Examiner, Bombay.
Do. North Canara.	500	..	1st April 1862.	31st May 1862.	0 2 0	..	
Do. Ahmedabad and Kairo.	500	..	1st June 1862.	19th June 1862.	0 0 19	..	
Assistant Engineer, 1st Class, do.	350	..	20th June 1862.	28th July 1862.	0 1 9	..	
Acting Executive Engineer, 3rd Class, do.	350	125	29th July 1862.	19th Dec. 1862.	0 4 21	..	
Executive Engineer, 3rd Class, do.	600	..	20th Dec. 1862.	10th May 1863.	0 4 21	..	
..	..	..	11th May 1863.	20th May 1863.	..	0 0 10	Drew no pay; probably in transit to join his appointment in Travancore.
Civil Engineer, Travancore State.	800	..	21st May 1863.	26th Oct. 1865.	..	2 5 6	Periods classed as non-qualifying, as under the terms of Mr. Barton's contract of service with the Travancore Sirkar he is held to be entitled to a pension of £500 per annum after
Do. ..	1,000	..	27th Oct. 1865.	26th Mar. 1867.	..	1 5 0	
On furlough ..	..	..	27th Mar. 1867.	29th Dec. 1868.	..	1 9 3	

Statement of the Verified Services of Mr. Walthen Barton, late Chief Engineer, Travancore Government—*cont.*

Establishment and Appointment.	Pay.	Acting Allowance.	Date of beginning.	Date of ending.	Period reckoned as Service.	Period not reckoned as Service.	Remarks by Examiner, Public Works Accounts.
	RS.	RS.			Y. M. D.	Y. M. D.	
Civil Engineer, Travancore.	1,000	..	30th Dec. 1868.	4th Feb. 1872.	..	3 1 5	twenty-five years' service counting from the date of his admission into the Bombay British service (10th May 1855), and irrespective of any pension which he may receive from the British Government.—*Vide* also Appendix D to the Civil Pension Code.
Do. ..	1,200	..	5th Feb. 1872.	26th April 1874.	..	2 2 22	
On furlough ..	..	..	27th April 1874.*	4th Nov. 1875.*	..	1 6 8	
Civil Engineer, Travancore.	1,400	..	5th Nov. 1875.	24th Mar. 1879.	..	3 4 20	
On sick leave to Europe.	..	..	25th Mar. 1879.*	24th Dec. 1879.*	..	0 9 0	
Civil Engineer, Travancore.	1,400	..	25th Dec. 1879.	10th May. 1880.	..	0 4 16	
Total service under British Government and under the Travancore State.	..	..	..	..	7 1 26	17 9 6	

At the request of the Resident of Travancore, the Madras Government applied for the services of Mr. Barton from the Bombay Public Works Department, and he signified his willingness to take up the appointment on the condition that the period of his employment in Travancore was allowed to count for pension. The Government of India, in according sanction to this proposal, directed that the Travancore Government may be informed that if they accept Mr. Barton's services they may ultimately become liable for a proportion of his pension.—*Vide* Madras G.Os., Nos. 463 and 48, dated 21st November 1862 and 11th February 1863, respectively.

In the agreement that Mr. Barton entered into with the Travancore Sirkar, it is stated that Mr. Barton shall be entitled to the grant of a retiring pension, without medical certificate, of a sum of £300 per annum after twenty years' service and £500 per annum after twenty-five years' service, counting from the date of his admission into the Bombay British service, and irrespective of any pension which he may receive from the British Government.

In the enclosed copies of correspondence that ended in the issue of Government of India letter, No. 18 E.G., dated 6th January 1879, recorded in G.O., No. 246 W., dated 20th January 1879, it was decided that, should a contingency arise, Mr. Barton should be provided for on the normal strength of the Madras Public Works Department. The Travancore Sirkar having given six months' notice as stipulated in his covenant, Mr. Barton had to be provided for on the Madras establishment, and this could not be done owing to the recent reduction of establishments ordered by the Government of India.

Mr. Barton requests that he may be allowed to retire under the terms of the Resolution of the Government of India, Finance and Commerce, No. 2,079, dated 31st July 1879, considering that his retirement from the Native State was not voluntary, and that the Madras Government are unable to provide for him on its establishment owing to the sanctioned scale of Executive Engineers being already full.

Certificate and Report of the Examiner, Public Works Accounts.

CERTIFIED that, subject to the remarks above recorded, qualifying service in superior grades under British Government would amount to seven years one month and twenty-six days, and that should the Resolution of the Government of India, Financial Department, No. 2,079, dated 31st July 1879, be held applicable to Mr. Barton's case, he will be entitled to a compensation pension of Rs. 57-7-11 per mensem equal to $\frac{7}{45}$ of his average emoluments, and a bonus of Rs. 4,200 equal to seven months' pay of substantive rank at the time he left the British Government for Travancore. Should, on the other hand, it be decided that Mr. Barton retired under the ordinary rules of the Civil Pension Code, he will be entitled to a gratuity of Rs. 4,200 equal to seven months' emoluments under Section 68 (a) of the Civil Pension Code. The pension and bonus or gratuity above referred to will, if sanctioned, be admissible to the applicant, in addition to any pension that he may receive under the terms of his agreement from the Travancore Sirkar.

(Signed) D. H. TRAIL, Major, R.E.,
Offg. Examiner, Public Works Accounts.

To the Secretary to Government, Public Works Department.

* Includes preparatory leave for one month.

Statement of the Verified Services of Mr. Walthen Barton, late Chief Engineer, Travancore Government.

Establishment and Appointment.	Pay.	Acting Allowance.	Date of beginning	Date of ending.	Period reckoned as Service.	Period not reckoned as Service.	Remarks by Examiner, Public Works Accounts.
	RS.	RS.			Y. M. D.	Y. M. D.	
....	..	..	9th June 1855.	31st Oct. 1855.	..	..	Appointed by the Court of Directors from 9th June 1855, but no information can be found from what office Mr. Barton had received his pay for this period.
Sub-Assistant Executive Engineer, Surat and Broach.	250	..	1st Nov. 1855.	6th April 1857.	1 5 6	..	
Assistant Executive Engineer, Surat and Broach.	350	..	7th April 1857.	25th Nov. 1857.	0 7 9	..	

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Statement of the Verified Services of Mr. Walthen Barton, late Chief Engineer, Travancore Government—*cont.*

Establishment and Appointment.	Pay.	Acting Allowance.	Date of beginning.	Date of ending.	Period reckoned as Service.	Period not reckoned as Service.	Remarks by Examiner, Public Works Accounts
	RS.	RS.			Y. M. D.	Y. M. D.	
Assistant Executive Engineer, Railway Department.	..	..	26th Nov. 1857.	31st Oct. 1858.	..	..	Mr. Barton was employed on the Ahmedabad and Gogo Railway Survey, but no information is available from what office he drew his pay for this period and by what office it was audited.
Assistant Engineer, 1st Class, Surat and Broach.	350	..	1st Nov. 1858.	31st July 1859.	0 9 0	..	
Acting Executive Engineer, Surat and Broach.	350	100	1st Aug. 1859.	30th Sept. 1859.	0 2 0	..	
Assistant Engineer, 1st Class, Surat and Broach.	350	..	1st Oct. 1859.	30th Nov. 1859.	0 2 0	..	
Do. Dharwar ..	350	..	1st Dec. 1859.	31st Oct. 1860.	0 11 0	..	
Special Assistant Engineer, Dharwar.	500	..	1st Nov. 1860.	26th May 1861.	0 6 26	..	
Six months' leave on private affairs to Europe.	250	..	27th May 1861.	26th Nov. 1861.	..	0 6 0	
Subsidiary leave ..	250	..	27th Nov. 1861.	11th Dec. 1861.	0 0 15	..	
Special Assistant Engineer, Dharwar.	500	..	12th Dec. 1861.	31st Mar. 1862.	0 3 20	..	
Do. North Canara.	500	..	1st April 1862.	31st May 1862.	0 2 0	..	
Do. Ahmedabad and Kairo.	500	..	1st June 1862.	19th June 1862.	0 0 19	..	
Assistant Engineer, 1st Class, Ahmedabad and Kairo.	350	..	20th June 1862.	28th July 1862.	0 1 9	..	
Assistant Engineer, 1st Class, and Acting Executive Engineer, 3rd Class, Ahmedabad and Kairo.	†475	..	29th July 1862.	19th Dec. 1862.	0 4 22	..	† Half salary as first-class Assistant Engineer and half salary as Executive Engineer, 3rd class.
Executive Engineer, 3rd Class, do.	600	..	20th Dec. 1862.	10th May 1863.	0 4 21	..	Transferred to Travancore on the 11th May 1863.

BOMBAY,
12th June 1880.

(Signed) P. LAMBERT, Major, R.E.,
Examiner, Public Works Accounts.

No. 102. ORDER THEREON, 18th September 1880, No. 2,199 W.

ORDERED that the Government of India be addressed.

(Here enter No. 2,200 W., dated 18th August 1880.)

(True Extract.)

Colonel, R.E.,
Joint Secy. to Govt., P.W.D.

Exd. E. C. Shunker.
Spare Copies

GENERAL.
ESTABLISHMENT.

Govt. of (1880) Madras

PUBLIC WORKS.

To

Dated September, 18th.

Issued

Encl. *Encl.*

G. O., 18th September 1880, No. 2,199 W.

SEPTEMBER.
Nos. 101-102.

Mr. W. Barton, late Chief Engineer, Travancore.—Ordered that the Government of India be addressed regarding the pension to be allowed to —.

2199
6

PUBLIC WORKS DEPARTMENT.

General.
Establishment.

No. 103. No. 2,200 W.

FROM

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

To

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

SIR,—I am directed to forward a statement of the verified services of Mr. W. Barton, late Chief Engineer, Travancore, and to request the orders of the Government of India in regard to the pension to be allowed to him.

2. The Government of India are, it is believed, fully acquainted with the circumstances of Mr. Barton's connection with the Madras and Travancore Governments. He accepted service under the Maharajah of Travancore prior to the issue of the rules contained in Government of India Resolution communicated with Financial Department Proceedings, No. 4,359, of the 14th October 1871. His case was referred to the Government of India by Mr. Chief Secretary Arbuthnot's letter, No. 464, of the 21st November 1862; and in the Honorable Mr. Drummond's letter, dated 30th January 1863, No. 350 G., it was ruled that Mr. Barton would be allowed to count for pension the period during which he might be employed under the Travancore State as Chief Engineer, the Travancore Government being, however, informed that they might ultimately become liable for a portion of his pension.

3. In Major-General Crommelin's letter, No. 996 E.G., dated 17th July 1878, it was ruled that, in case Mr. Barton should at any time leave the Travancore Government, he was to be taken back as a supernumerary in a grade considered suitable by this Government, and in Mr. Sampson's letter of the 6th January 1879, No. 18 E.G., this decision was finally reaffirmed.

4. Government of India Resolution, No. 2,620—2,642 E.G., of the 21st November 1879, having been communicated to Mr. Barton, he decided to return to India. The Travancore Government did not contemplate the refusal of the Madras Government to allow Mr. Barton to retire, and as he became entitled to full pension under the existing agreement with Travancore in May 1880, they decided to terminate his engagement with them.

5. Under the Government of India ruling previously mentioned, Mr. Barton would have been brought on the Madras Public Works Establishment, had it not been for the extensive reductions.

6. In March last Mr. Barton renewed his application for retirement from the date of the severance of his connection with the Travancore State, "with an equitable pension;" failing which he desired to be retransferred to the Madras Public Works Department.

7. Having been informed that the latter course could not be adopted, Mr. Barton ultimately tendered his resignation, leaving his claims to be settled by Government.

8. The terms of Mr. Barton's agreement with the Travancore Government, so far as they affected his pension, allowed him a retiring pension of £300 per annum

after twenty years' service, and £500 after twenty-five years' service, counting from the date of his admission into the Bombay British service, and irrespective of any pension that he might receive from the British Government.

9. It has been argued that Mr. Barton is only entitled to claim from the British Government one month's pay as gratuity for each year's service rendered to them before he entered the service of the Travancore State; his service and consequent pension being after that date provided for by his agreement with the Travancore Government. His Grace the Governor in Council is, however, unable to concur in this view, for it was distinctly promised in Mr. Drummond's letter to the Chief Secretary to the Madras Government, No. 350 G., of the 30th January 1863, that Mr. Barton's Travancore service was to count for pension; and it seems to this Government that this ruling should be adhered to, and that it is for the Government of India to decide what effect is to be given to the fact that Mr. Barton has obtained a pension from the Travancore State.

10. The enclosed reports prepared by the Examiner, Public Works Accounts, show the pension and bonus admissible under the rules, and under Government of India Resolution of the 31st July 1879, No. 2,079, assuming that the whole of Mr. Barton's service (counting from date of his covenant with the East India Company), both in Bombay and Madras, is reckoned as pensionable.

I have the honor to be,
Sir,
Your most obedient servant,
(Signed) R. H. SANKEY, Colonel, R.E.,
Secretary to Govt., P.W.D.

FORT ST. GEORGE,
18th September 1880.

Exd. E. C. Shunker.
Spare Copies

GENERAL.
ESTABLISHMENT.

Govt. of (1880) Madras.
PUBLIC WORKS.

To

The SECRETARY to the
GOVERNMENT of INDIA.

Dated September, 18th.

Issued

Recd. *Encl.*

G. O., 18th September 1880, No. 2,200 W.

SEPTEMBER.
No. 103.

Requesting orders regarding the pension to be allowed to Mr. W. Barton, late Chief Engineer, Travancore.

2199/8

Proceedings of the Madras Government, Political Department,
9th September 1862.

No. 20. Read the following letter from WILLIAM FISHER, Esq., Resident of Travancore and Cochin; to the Honorable T. PYCROFT, Chief Secretary to Government, Fort Saint George, dated Trevandrum, 25th August 1862, No. 57.

Major Greenaway of the Madras Staff Corps, having resigned his appointment as Civil Engineer in Travancore on the 31st of May last, I have since taken every means in my power to obtain the services of a suitable Officer in his room.

2. Hitherto however, I have entirely failed, and there is no prospect of any person of sufficient standing and experience as an Engineer, being willing to accept the vacant post.

3. Under these circumstances, Government would not object perhaps, to apply to the Bombay Government for the services of an Officer, to be placed at their disposal for employment in Travancore, on the terms on which Madras Officers have hitherto been allowed to take service in this State.

4. Should there be no objection to such a course, I have the honor to bring to the notice of Government, the name of Mr. Walthew Barton a Covenanted Engineer in the Bombay Presidency, who I have every reason to believe, would accept the vacant appointment, provided the period of his employment in Travancore was allowed to count for service for pension, and he was not subjected to any loss of privilege he may be entitled to.

5. I should state perhaps that I have sought the aid of Colonels Horsley and Birdwood, and that both these gentlemen, whilst willing to render me every assistance, have expressed their inability to aid me effectually.

6. The efficient control of the Department Public Works in Travancore, requires that a careful selection be made in filling up the office of Civil Engineer, whilst the salary, the state of the finances will warrant, is not such as to induce any Officer of standing and experience in the Madras service, to give up the prospects held out to him in the Department Public Works.

7. Mr. Barton is a Civil Engineer by profession, and whilst I was Collector of North Canara, was employed under the Bombay Government, in opening out a direct line of road between the towns of Dharwar and Goa, viâ the Tini Ghâut in that District

8. Lieutenant Colonel Walker, at that time District Engineer of North Canara, had a high opinion of Mr. Barton's professional acquirements, and he possesses those qualifications of temper and tact in dealing with Natives, without which even professional skill is often comparatively barren in results.

9. Much time has already been lost in vain endeavors to obtain the services of an efficient Engineer, and as the working season is about to commence, I trust that this application may meet with the early and favorable consideration of His Excellency the Governor in Council.

No. 21. To the Chief Secretary to the Government of Bombay, dated Fort Saint George, 9th September 1862, No. 360.

Dated 25th August 1862, No. 57.

I am directed by the Governor in Council to transmit a copy of a letter from the Resident of Travancore and Cochin, applying for the services of Mr. Walthew Barton, a Covenanted Engineer on the Bombay Establishment, for employment as Civil Engineer in Travancore, and to enquire whether Mr. Barton's services can be spared, and if so, whether he would accept the appointment.

2. A reference will be made to the Government of India to know whether the period of Mr. Barton's employment as Civil Engineer in Travancore would, under the circumstances, be allowed to count towards pension. In the meantime, I am desired to ascertain what other privileges Mr. Barton now possesses in the service of the Bombay Government, against the loss of which he would wish to be secured.

The favor of an early answer is requested, and that it may be sent by Telegraph.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. F. Cartledge.

2199/9

Proceedings of the Madras Government, Political Department, *21st November* 1862.

No. 35. Read the following letter from Lieutenant Colonel HARRY RIVERS, Secretary to Government, Bombay; to the Chief Secretary to the Government of Fort Saint George, dated Bombay Castle, 3rd November 1862, No. 5,886.

I am directed to acknowledge the receipt of your letter, No. 360, dated 9th September last. and to inform you that the services of Mr. W. Barton, Assistant Engineer, in the Public Works Department of this Presidency, can be placed at the disposal of the Government of Madras, for employment in Travancore.

2nd. Mr. Barton accepts the appointment on condition that his service at Travancore counts for his pension.

No. 36. ORDER THEREON, 21st November 1862, No. 463.

Ordered to be communicated to the Resident of Travancore and Cochin in reference to his letter of the 25th August last, No. 57. The question as to Mr. Barton being permitted to count the period of his service in Travancore towards pension will be submitted for the orders of the Government of India.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

No. 37. To the Secretary to the Government of India, Financial Deparment, dated Fort Saint George, 21st November 1862, No. 464.

Dated 25th August 1862, No. 57.

I am directed by the Governor in Council to forward a copy of a letter from the Resident of Travancore and Cochin, representing that he has hitherto failed in obtaining the services of an Officer of sufficient standing and experience as an Engineer for the vacant post of Civil Engineer in Travancore, and requesting that application may be made to the Government of Bombay for the services of Mr. Walthew Barton, a Covenanted Engineer, who he has reason to believe would accept the appointment, provided the period of his employment in Travancore could be allowed to count towards pension.

2. I am accordingly desired to submit this latter question for the orders of the Government of India, and to ascertain whether under the circumstances Mr. Barton could not be permitted to reckon his service in Travancore towards pension.

Dated 3rd November 1862, No. 5,886.

3. It will be seen from the accompanying copy of a letter from the Government of Bombay that Mr. Barton accepts the appointment on the above condition.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd. T. McMootry.

2199/10

Proceedings of the Madras Government, Political Department, 11th February 1863.

No. 14. Read the following letter from the Honorable EDMUND DRUMMOND, Secretary to the Government of India; to the Chief Secretary to Government, Fort Saint George, dated Fort William, 30th January 1863, No. 3593.

Financial Department.

In reply to your letter, No. 454, dated 21st November last, I am directed to inform you that Mr. W. Barton will be allowed to count for pension the period during which he may be employed under the Travancore State as Civil Engineer. But the Travancore State should be informed that if they accept Mr. Barton's services they may ultimately become liable for a proportion of his pension.

To the Civil Paymaster, Madras, for information.

No. 15. ORDER THEREON, 11th February 1863, No. 48.

Ordered to be communicated to the Resident of Travancore in reference to his letter of the 25th August last, No. 57.

(Signed) A. J. ARBUTHNOT,
Chief Secretary.

Exd: T. McMootry.

Proceedings of the Madras Government, Political Department,
24th January 1865.

No. 42. Read the following letter from H. NEWILL, Esq., Officiating Resident in Travancore and Cochin; to the Honorable A. J. ARBUTHNOT, Chief Secretary to Government, Fort Saint George, dated Trevandrum, 24th September 1864, No. 64.

The Government having in their Proceedings dated 30th July 1864, No. 1158, sanctioned the transfer of Sadasiva Pillai, Principal Sudder Ameen of Madura, to the seat of 1st Judge in the Sudder Court of Travancore, I have now the honor to address you on the subject of his pension.

2. Nothing short of liberal terms of retiring pension would induce any competent person to leave the British service for this responsible situation, and His Highness the Rajah, in making this arrangement, has necessarily guaranteed this provision. Considering, however, that Sadasiva Pillai has already served by far the greater portion of the period entitling him to pension according to the rules for the British service, it is obvious that if he retires in a few years from the Travancore service, and His Highness thus grants him a pension similar to what he would have received in the Government service, His Highness will be pensioning him not only for his service here, but for the far longer period of service under the Madras Government.

3. I trust, therefore, the Government will be pleased to take into favorable consideration the request of His Highness' Government, that a proportion of the retiring pension in question should be borne by the British Government.

4. I beg further to inform the Government, that I consider that this principle has been affirmed in the arrangement* made with the Bombay Government, by which this State is required to contribute towards the present retiring pension of the Civil Engineer of Travancore transferred from that Presidency, only in proportion to the time of his service in this State: Under one aspect of this case, however, it may perhaps be considered that, in the event of the Civil Engineer reverting to the Bombay establishment before completing the period entitling him to pension, the Travancore State will merely relieve the British Government of the proportionate amount of pension for the time served in Travancore; but on the other hand should the Civil Engineer complete his period of service in this State, the case would be analogous to the one now in question.

5. Unless there is this reciprocity between the British Government and this State, which in other matters it has been the earnest aim of Government to promote, there may occasionally be serious impediment to this State taking important steps for reforms and improvements in its several Departments, and it may be driven to the alternatives of having to guarantee a disproportionately large pension for services, or of confining the selection of such services to cases in which pension has already been accorded by the British Government.

6. His Highness the Rajah is fully alive to the importance of providing the means of training individuals among his own subjects in the several branches of knowledge required for the enlightened and efficient administration of his country, and in regard to the Judicial Department with which this reference is more particularly connected, and in which the want of such training has been the most felt, I may add that His Highness has recently established a Law Class in connection with the High School under a competent teacher, which is likely to produce within a short period the means of enrolling Pleaders for the several Law Courts, and other more important results hereafter in respect to the Bench as well as the Bar. There may, however, occasionally be cases in which, for some time to come at least, the aid of Government may be required in the selection of individuals for posts requiring special qualifications.

7. It may not be irrelevant to state here, that His Highness the Rajah has recently sanctioned a scale of retiring pensions for most of the Departments of this State.

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* Vide Proceedings Madras Government, No. 48, dated 11th February 1863.

5/5/80

Proceedings of the Madras Government, Political Department,
25th January 1865.

No. 43. ORDER THEREON, 24th January 1865, No. 31.

The Governor in Council concurs generally in the views submitted in the foregoing letter, as to the expediency of the Madras Government defraying a portion of such pension as may be awarded to Sadasiva Pillai on his retirement from the service of His Highness the Rajah of Travancore, in consideration of his services for a period of 19 years under the British Government; but it is impossible for the Madras Government to decide what portion of such pension should be defrayed by it, until the time comes for Sadasiva Pillai's retirement.

(True Extract.)

Chief Secretary.

To the Officiating Resident in Travancore and Cochin.

Exd, J. Tulloch.

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Proceedings of the Madras Government, Financial Department,
21st November 1871.

No. 42. Read the following Proceedings of the Government of India in the Financial Department, dated Simla, 14th October 1871, No. 4359 (Accounts):—

Read the under-mentioned papers:—

Letter from the Accountant-General, Bombay, No. 867-A, dated 5th June 1869.
,, to the ,, ,, ,, 1476, ,, 25th June ,,
,, from the ,, ,, ,, 1339-A, ,, 12th July ,,
,, to the Comptroller-General, No. 3091, dated 3rd September 1869.
,, from the Comptroller-General, No. 983, dated 30th September 1869.
Financial Department's Circular, No. 4209, dated 25th October 1869.
Letter from the Government of Fort St. George, No. 29, dated 10th January 1870.
,, from the Government of Bombay, No. 175, dated 3rd February 1870.
,, from the Government of Bombay, No. 1859, dated 22nd November 1870, and enclosure.
,, from the Government of the North-Western Provinces, No. 32-A, dated 12th January 1870, and enclosures.
Letter from the Government of the North-Western Provinces, No. 371-A, dated 9th May 1870, and enclosure.
Letter from the Government of the Punjab, No. 820, dated 20th December 1869, and enclosure.
Letter from the Government of Bengal, No. 1387, dated 6th April 1870.
,, from the Chief Commissioner of Oudh, No. 1318, dated 25th March 1870, and enclosure.
Letter from the Chief Commissioner of the Central Provinces, Nos. 3422—378, dated 23rd November 1869.
Letter from the Chief Commissioner of British Burmah, Nos. 54-5, dated 21st January 1870.
,, from the Chief Commissioner of Mysore, Nos. 4394—205, dated 26th November 1869.
,, from the Resident at Hyderabad, No. 115, dated 10th November 1869.
Office Memorandum from the Home Department, No. 5732, dated 29th December 1869.
,, from the Public Works Department, No. 102 E. G., dated 18th January 1870.
,, from the Military Department, No. 569, dated 16th November 1870.
,, from the Foreign Department, No. 376-F., dated 16th September 1870, and enclosures.

RESOLUTION.—The position of the Government of India, and the difficulty experienced by Native States and public bodies in obtaining competent officers without its assistance, frequently render it necessary for the Government, for political and for public reasons, to transfer its officers to service paid for from sources other than its own revenues. Such transfers would, as a general rule, be impossible if the condition were insisted on that the officer transferred should give up his privileges as an officer in the service of the Government of India; and in the papers above read, the question is discussed what financial arrangements are proper to be made in the case of officers of Government lent to, or transferred to service paid by, Native States, Municipalities, and other bodies financially independent of the Government of India, such as Courts of Wards, Port Trusts, &c., and permitted at the same time to retain their privileges as servants of the Government of India.

2. The remuneration of officers of Government may be thus classified:—

Immediate.—Their pay and allowances while on duty,
Contingent.—Their absentee allowances,
Deferred.—Their pensionary allowances;

and such officers, when lent to Native States, &c., though they obtain their "immediate" remuneration from the State or Fund at the charge of which they are employed, look, for the most part, to the Government of India for their "contingent" and "deferred" remuneration.

3. It may sometimes be expedient, for special reasons, that the Government of India should bear such charges; but, as a rule, it is not so; and it is necessary to prescribe the conditions which should be imposed, so that such charges may be avoided, unless the Government, for special reasons, accepts them.

4. The Government of India have accordingly resolved to require, on account of every officer lent or transferred to a Native State, or a Municipality or other financially independent body, who is permitted to retain his position in relation to the service of Government, and his claims to absentee and pensionary allowances under the rules of the service to which he belongs, and with regard to whom the exemption contemplated in paragraph 3 is not declared, a contribution proportional to the salary which he receives, and regulated on the following principles.

5. In the first place, it is to the officers themselves, and not to their employers, that the Government will look for the contribution required; any other course would be productive of difficulty and inconvenience.

6. In the second place, a calculation founded upon such data as are available shows that the cost to Government of the charges above classed as contingent and deferred (excluding, however, privilege leave allowances) is about one-quarter of the amount actually disbursed in the form of "immediate" remuneration.

7. The Government of India will, therefore, require from officers, whose services are lent or transferred as contemplated in paragraph 4, a contribution of one-fifth of their pay and acting allowance; that is, they will receive from their employers pay and acting allowance fixed, in accordance with the rules of the Government service, with relation to the appointments which they hold, or in which they officiate; and, retaining four-fifths, will transfer one-fifth to Government. In return for this contribution, the Government will undertake to pay their absentee allowances (except in the case of privilege leave), and their pensionary allowances, in the same manner, and to the same extent, as if they were in the service of Government, save only that the calculation of such allowances will be based only upon the four-fifths which they retain, instead of upon the full amount which they receive of pay and acting allowance.

8. A Native Officer will be permitted, if he prefers it, to resign all claim to allowances during leave (except privilege leave), and in such case the contribution required of him will be only 12 per cent. The contribution required in respect of inferior servants is one anna in the rupee.

9. And with the special permission of the Government of India in the Financial Department, all officers may make the contribution provided for in paragraph 7 in respect of a less sum (not being less than two-thirds) of their actual allowances, in which case their absentee and pensionary allowances will be calculated as if their actual salary were four-fifths of the amount in respect of which they make their contribution.

10. As to privilege leave to all officers in the position referred to in this resolution, the Government of India cannot make arrangements. Privilege leave

is at all times, especially, subject to the discretion of the Government or body which employs the officer; and though an officer lent to Native States, &c., will retain his general claim to privilege leave, in the manner provided by the rules of the Government service, he must be left to arrange the times of taking it, and the amount to be taken, with this employer, in the same way as in the Government service he has to arrange them with the Government. An officer must continue during privilege leave to pay the contribution required by paragraphs 7 and 8.

11. As regards officers transferred to Local Funds, the resolution of this Department, No. 2197, dated 24th April 1868, empowered the Local Governments, in certain cases, to admit pensions chargeable to such funds; and they have power also to grant absentee allowances from them. In the case of an officer permanently transferred to service paid from a fund to which these conditions are declared by the Local Government to be applicable, no contribution will be required, as his claims to pension and absentee allowance for that part of his service which is under the Local Fund will be provided for by it; but, in all cases of mere temporary transfer to such funds, the required contribution must be paid. So in all cases of transfer, whether temporary or permanent, to a Local Fund under which service does not reckon for pension, the required contribution must be paid.

12. An officer whose services are lent or transferred is not permitted to withhold the contribution by entering into an understanding that the time of his service so lent or transferred will not count for pension or for leave. He must either entirely resign the service of Government, or, unless he is specially exempted, make the contribution required by these rules.

13. In the case of Covenanted Civil Servants the contribution of one-fifth required by this resolution, includes the four per cent. deduction to the Annuity Funds which will not be separately levied. The amount of the contribution to be credited to the Annuity Fund is 3⅓ per cent. of the full nominal pay and acting allowance, being one-twenty-fourth part of the amount retained by the officer after deduction.* This proportion, being one-sixth of the entire contribution, will be credited to the Annuity Funds, so long as they are maintained.

14. If the salary of the officers is disbursed at a Government Treasury, the required contribution will be deducted at time of payment; otherwise the officers themselves must pay the amount directly to the Government of India in such manner as may be arranged.

15. Nothing in this resolution is to be held to apply to officers accepting service under Native States, &c., for their own purposes; it applies solely to officers transferred from the service of Government under the general or special sanction of the Government of India, and for political or public reasons; nor shall anything in this resolution be held to authorize the formation of funds by the accumulation of the contributions or deductions required.

16. The above rules will apply to all officers in the service of Government transferred after the date of this resolution, under the sanction, general or special, of the Government of India, to service under Native States, Local Funds, Municipalities, or other bodies financially independent of the Government of India unless they resign all claim to absentee or pensionary allowance from the Government of India. They will not apply, however, to service in the Hyderabad Assigned

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* i. e., the same as 4 per cent. retained out of 100.

Districts or Mysore, the revenues of which States are under the financial control of Government, and can be used to meet charges for absentee and pensionary allowances, when they arise. Also they will not apply to the following cases where other arrangements have been made—(1) teachers transferred to service in the Chumba State, or in the Kolapur School; (2) Government servants transferred to the Municipality of Malcolm Peith.

17. The rules will not apply to officers lent or transferred to the British or to any Colonial Government. Such cases are rare, and will be left for special arrangement as they arise, due regard being had to the principles laid down in this resolution. The Government of India will not, unless there are special reasons to the contrary, accept, without reimbursement, any charge for absentee allowances or for pension for service rendered by its officers to other Governments.

18. Nothing in this resolution shall be held to affect the position of officers who have, before the date of its promulgation, accepted service under Native States, Municipalities, or other bodies financially independent of Government. Unless they belong to the Army, or to the Covenanted Civil Service, or unless their case is met by some special rule, such officers have ordinarily no claim for pension from the Government of India, their pay not being a charge against the general revenues. This resolution is intended to provide for future transfers, and not to create any claims on the part of officers already transferred under other conditions.

ORDER.—Ordered that the foregoing resolution be communicated to—

The several Departments of the Government of India; the several Local Governments and Administrations; the Director-General of the Post Office of India; the Mint Master of Calcutta; the Comptroller-General; the several Accountants-General; and the several Deputy Accountants-General in independent charge.

(Signed) J. WESTLAND,
Under Secy. to the Govt. of India.

No. 43. ORDER THEREON, 21st November 1871, No. 675.

Ordered that the foregoing resolution be communicated to the several Departments of the Secretariat.

(True Extract.)

R. S. ELLIS,
Chief Secretary.

To the Revenue Department.
„ Military do.
„ Public Works do.

Exd. J. Wright.

2199/1#

2199/15

Proceedings of the Madras Government, Political Department,

11*th December* 1871.

No. 10. Read the following letter from the Resident in Travancore and Cochin, to the Chief Secretary to Government, Fort St. George, dated Trevandrum, 15th November 1871, No. 87:—

I have the honour to enclose, for the orders of Government, a letter, No. 186, of the 14th instant, from the Officer Commanding the Nair Brigade, requesting to be informed how the Resolution of the Supreme Government, No. 4359, dated 14th October 1871, affects the Officers of the Brigade.

From the Officer Commanding Nair Brigade, to the Resident in Travancore and Cochin, dated Trevandrum, 14th November 1871, No. 166.

With reference to Resolution of the Supreme Government, No. 4359, dated 14th October 1871, regarding the position of Officers serving in Native States, I have the honour to request that you will be good enough to inform me in what degree such Resolution affects the Officers of the Nair Brigade.

2. In a late correspondence I pointed out how very much less pay these Officers received from the Travancore Government, than they would if holding similar positions in their own service, so that, unless their pay were assimilated to that obtaining in the Indian Army, as directed in paragraph 7, the reduction of one-fifth from their reduced pay and allowances would be a great hardship.

No. 11. ORDER THEREON, 11th December 1871, No. 388.

The attention of the Resident will be drawn to paragraph 18 of the Resolution of the Government of India cited by him, in which it is intimated that the position of Officers, who have accepted services under Native States prior to the promulgation of the Resolution, will not be affected by the rules prescribed therein.

(True Extract.)

Chief Secretary.

To the Resident in Travancore and Cochin, with copy of Resolution,
dated 21st November 1871, Nos. 12 and 13.

Exd. J. Wright.

P. W. DEPARTMENT.

READ the following:

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Proceedings in the Political Department No. 71, dated 3rd March 1880.

FOR ORDERS whether Mr. Barton's resignation may now be accepted under the terms of the Government of India Resolution of 31st July last.

Mr Barton has virtually no claims to be brought on the [illegible] list after [illegible] his name was brought on the list on this understanding

R. H. Sankey Colonel R.E.
Secy: to Govt. P. W. D.

Mr Barton's resignⁿ. sh.ᵈ I think be accepted but it needs to be carefully worked out first what the effect will be as regards Pension payable

[illegible] 4/3

to him by Govt. wh.
will be chargeable
to Dept. whether he
be viewed as on
Bombay or Madras
Estabt. The origl. conditions
on wh. his services were
lent to Travancore shd.
be looked up.

I rather think
his Govt. pension was
to remain chargeable
to British Govt.

L.P.

I assume that his
services are not needed.
here or in Bombay

2199/17

[illegible]

FOR ORDERS.

Special

Ld 7/3/80

L Poll 177/80

C

By para 4 of the Residents letter of 21st Feby Mr Barton's resignation has been accepted from May when he gets £500 per annum from the Travancore State + whatever he can obtain from India

If he retires before end of current quarter however he only gets £300 per annum from Travancore + certain additions under the July Resolution [para 5 Clause II (3)] of the [illegible]

Can you tell me what these latter would amount to in Mr Barton's case as on the balance of advantages his final Election must undoubtedly depend

So far as one can judge his advantage will be to hold on till May

L Poll 177/80

C 19.3.80

and take his chance and unless we have his resignation in our hands in sufficiently absolute terms I do not see how he can be permitted so to do

16.3.80

TO W.

MR. BARTON LANDED IN BOMBAY IN SEPTEMBER 1855 AND JOINED HIS FIRST APPOINTMENT IN THE BOMBAY P.W.D. IN NOVEMBER 1855. IN 1861 HE HAD LEAVE ON PRIVATE AFFAIRS TO EUROPE FOR 5 MONTHS & 17 DAYS; AND WAS RELIEVED OF HIS DUTIES IN THE P.W.D. TO JOIN THE APPOINTMENT IN TRAVANCORE ON THE 11TH. MAY 1863. AT THIS TIME HE HELD THE POSITION OF AN EXECUTIVE ENGINEER 3RD. GRADE ON RS.600 PER MENSEM.

IF HIS SERVICE FOR PENSION COMMENCED FROM DATE OF LANDING AT BOMBAY, HE RENDERED 7 YEARS COMPLETE SERVICE ⟨AFTER DEDUCTING FROM THE CALCULATION THE PERIOD OF LEAVE TO EUROPE⟩ BEFORE HE TOOK UP THE

COURSE ⟨PRO MADRAS GOVT. P.W.D. NO. 3262.W. DATED 15TH. AUGUST 1873 & DO DO NO. 3263.W. OF THE SAME DATE⟩

THIS CONTINGENCY HAS NOT ARISEN AS IT APPEARS FROM THE RESIDENT OF TRAVANCORE'S LETTER NO. 55 DATED 23RD. OCTOBER 1879 TO THE MADRAS GOVERNMENT THAT MR. BARTON WISHES TO RETIRE UNDER THE GOVT. OF INDIA CIR. NO. 2079 DATED 31ST. JULY 1879.

IN THAT LETTER IT IS STATED THAT UNDER THE EXISTING AGREEMENT WITH TRAVANCORE MR. BARTON BECOMES ENTITLED TO FULL PENSION IN MAY NEXT, ETC.

4. FROM THE ABOVE IT APPEARS THAT MR. BARTON IS ONLY ENTITLED TO CLAIM FROM THE BRITISH GOVERNMENT ONE MONTH'S PAY AS GRATUITY FOR EACH YEAR'S SERVICE RENDERED TO THEM BEFORE HE ENTERED THE SERVICE OF THE TRAVANCORE STATE. AFTER THAT DATE HIS SERVICE & CONSEQUENT PENSION IS PROVIDED FOR BY HIS AGREEMENT WITH THE TRAVANCORE STATE. IF GOVERNMENT ADMIT MR. BARTON AS BEING ENTITLED TO RETIRE UNDER THE RESOLUTION OF 31ST. JULY, AS HE WISHES, HE WILL BECOME ENTITLED TO AN ADDITIONAL PENSION

2199/21

UNDER PARA 5 CLAUSE II (2) PROVIDED THAT IN ADDITION TO THE ORDERS ALREADY ISSUED, GOVERNMENT OF INDIA EXTEND THE LIMIT FOR THE CONCESSIONS TO MAY NEXT THE DATE OF MR. BARTON'S PROPOSED RETIREMENT.

THE PRESENT LIMIT IS THE 1ST. APRIL 1880 AND THAT HAS ONLY BEEN SPECIALLY GRANTED IN CONSIDERATION OF THE FURTHER REDUCTIONS TO BE EFFECTED IN THE MADRAS P.W.D.

Dm 15/3

OFFG. C.

15/3

16/3

1546

No. 166

GOVT. OF MADRAS. } 1880. 2199/21 { P.W. DEPT.

SECRETARY.

Fort St. George, 8th March 1880.

OFFICE NOTE

To C

For note with reference to the Hon: Mr. Huddleston's remarks.

2. G.O. of 16th Novr. 1872, No. 412, contains the agreement between Mr Barton and the Travancore Government.

3. An early answer is requested.

8/3

No. 1291 of 15.3.80

OF 187

TO W.

MR. BARTON WAS APPOINTED

C. 19.3.80.

TO THE P.W.D. IN THE BOMBAY PRESIDENCY AS A COVENANTED C.S. IN 1856 AND HIS SERVICES PLACED AT THE DISPOSAL OF THE GOVERNMENT OF MADRAS FOR EMPLOYMENT IN TRAVANCORE IN NOVEMBER 1862. (PRO : MADRAS GOVT. POL.DEPT.21ST.NOVEMBER 1862)

2. THE TERMS OF MR.BARTON'S AGREEMENT WITH THE TRAVANCORE GOVERNMENT, SO FAR AS AFFECTING HIS PENSION, WERE £.300 PER ANNUM, AFTER 20 YEARS SERVICE COUNTING FROM THE DATE OF HIS ENTRY INTO THE BRITISH GOVERNMENT SERVICE AND £500 AFTER 25 YEARS TO BE PAID BY THE TRAVANCORE STATE IRRESPECTIVE OF ANY ANNUITY WHICH HE MAY OBTAIN FROM THE BRITISH GOVERNMENT FOR THE PERIOD HE SERVED BEFORE JOINING THE TRAVANCORE SERVICE (PRO : MADRAS GOVT. POL.DEPT.10TH.NOVEMBER 1872)

3. THE GOVT.OF INDIA DECIDED THAT SHOULD THE CONTINGENCY ARISE OF MR. BARTON LEAVING THE TRAVANCORE STATE, HE SHOULD BE TAKEN BACK AS A SUPERNUMERARY IN A GRADE CONSIDERED SUITABLE BY THE MADRAS GOVERNMENT & ABSORBED IN THE USUAL

TRAVANCORE APPOINTMENT. BUT IF HIS PENSIONABLE SERVICE COMMENCED ONLY FROM DATE ON WHICH HE ACTUALLY JOINED HIS FIRST APPOINTMENT, HE HAD ONLY 6 YEARS AT HIS CREDIT ON 11TH.MAY 1863.

ALLOWING HIM THE BENEFIT OF THE 7 YEARS AND CALCULATING HIS PENSION AT THE GRADUATED SCALE WITH REFERENCE TO GOVT.OF INDIA RESOLUTION OF 31ST.JULY 1879, ON THE PAY (RS. 600) HE DREW AT THE TIME OF GOING TO TRAVANCORE, INSTEAD OF ON THE AVERAGE EMOLUMENTS OF THE PAST FIVE YEARS, WHICH OF COURSE WILL BE LESS HE WILL, IF HE RETIRES NOW, I.E. BEFORE THE CLOSE OF THE CURRENT MONTH, BE ENTITLED TO,

FROM TRAVANCORE GOVT.....£300 PER ANNUM
FROM BRITISH DO
PENSION $\frac{7}{45}\times\frac{600}{1}\times\frac{12}{1}=\frac{3360}{3}$ = RS.1120 DO
A BONUS OF...............RS.4200
7 X 600 4200.

AND IF HE REMAINS ON TILL MAY 1880 HE WILL SECURE

FROM TRAVANCORE GOVT.....£500 DO
FROM BRITISH GOVT,UNDER
ORDINARY RULES A BONUS
OF RS.4200.

IN BOTH CASES HIS BONUS WILL BE REDUCED BY RS.600, IF SERVICE COUNTS ONLY FROM DATE OF JOINING FIRST APPOINTMENT. IF RS.600 WAS NOT HIS

2199/78

'AVERAGE EMOLUMENTS' THERE WOULD BE A STILL FURTHER REDUCTION; THE EXACT AMOUNT OF WHICH CANNOT BE STATED AS THIS OFFICE IS NOT IN POSSESSION OF THE REGISTER OF HIS SALARY.

Dm 18/3
OFFG. C.

18.3

GB 19/3

P.W. Dept.

2199/22

Office Note from the Examiner [illegible] P.W. Acct. of [illegible], No. 1324.

[illegible] [illegible] Mr. B's [illegible]

[illegible] under the G.I. letter of 30 June 63. / M.P. 4 Feb. 63. [illegible] the allowance [illegible] for [illegible] the time he [illegible] [illegible] [illegible] as might be [illegible] a proportion of the [illegible] charge. I think it should be calculated at [illegible] that Mr. B's pension should be for the whole period to close of current month on terms of G.I. Resolution of 31 July 74.

(a) on the assumption that his pay [illegible] that it

Recirculated with reference to the observations by the [illegible] in the notes of the P.W. Dept.

[illegible]
[illegible] P.W.

has [illegible] left Bombay.

(b) on the pay rec'd. by him from T. Sirkar for the last 5 years w'd. sum to Rs. 1200 to 10 May 75 & Rs. 1400 from that date to 31 March 80 (the 'leave allowances' w'd. [illegible] reduce the average somewhat)

A Of this pension T. Sirkar w'd. pay £300 or £500 according as his resig. occurs before or after 31 March 80.

The difference is so material that unless it w'd. throw a large add'l. charge on Dep't. I think we sh'd. ask leave to accept his resig. from 10 May 80.

I don't think we can [illegible] that our liability to his pension by the terms of S. of S's agreement with the T. Sirkar in Rs. 16 Nov. 72. Pol. & the letter of

Hon. Sir [illegible]
[illegible]

Spec[illegible]

para 8 of the agreement [illegible] him out the [illegible] letter of 23 Oct 72. as to our pension liability being limited to the period before Mr. B. emp [illegible] D [illegible] [illegible] [illegible] [illegible] [illegible] S. [illegible] in 13.

I think Mr. R. [illegible] has changed [illegible] by us. & the [illegible] T. [illegible] calculated [illegible] agreement by his agreement (b) calculated to that the pension [illegible] & perhaps w'd. [illegible] his [illegible] (a)

Assume in fact that he has been in our [illegible] at the T. [illegible] [illegible] from 31 March 75 to 31 March 80 [illegible] the pension he w'd. [illegible] he under G. R. 31 July 78 [illegible] on 10 May 80 under [illegible] rules (if [illegible] T. Sirkar [illegible] applicable) [illegible]

£300 i.e. [illegible] £500 [illegible]

Rs 7200 i.e. 12 × 600
= 7200/-

Retiring under ordinary rules of the C.P.C. on the 10th May 1880, on which date he will have completed a service of ~~[illegible]~~ 22 years 2 months & 5 days, omitting the time
(yr. m. d. / 4. 5. 21 – yr. m. d. / 2. 0. 0)
of yr. m. d. / 2. 5. 21 of his furlo' which does not count for pension, he will be entitled to one-third pension of his average emoluments (# 1381-1-2 ~~1360~~) subject to the maximum limit of Rs 2000/- per annum or the

From 11-5-75 to 31-10-75 @ 1200 = 6812-14-[illegible]
From 1-11-75 to 10-5-80 @ 1400 = 76051-9-[illegible]
60) 82864-8-[illegible]
1381-1-2

approved

get only Rs 4,400/-
per annum or Rs 366 2/3
per mensem, and
to a bonus of
Rs 16,800 equal
to 12 months' present pay
~~of deduction~~ i.e.
1400 × 12 = 16800.
The bonus does make
no diff. in the
amount of Pension
vide Sec. 79. rule 2
C.P.C.

Assuming that his
Rs. pay ~~[illegible]~~
[Rs 600] remained
what it was when
he left Bombay for
Baroda, he will
on 31-3-80 be
entitled to a
pension of 27/60 of 600
or Rs 270/- p.m. &
to a bonus of Rs

2199/25

uncharged an aggregate
service of more than
20 years. With this
addition he will on
31-3-80 have
a pensionable service
of 22 years & 25 days
for which he will be
entitled under the
Resolution quoted above
to a pension equal
to ~~27~~ 27/60 of his
average emoluments ([illegible])
avg. Rs.# 1376 2/3 p.m.
or Rs 619 1/2 per
mensem. But as
this amount exceeds
the maximum admissible
for 22 years service with
an income of more
than Rs. 12,000 ~~[illegible]~~
per year, he can

# from 1.4.75 to
31.10.75 @ 1200 p.m.
= 8400
From 1.11.75 to 31.3.80
@ 1400 p.m. = 74200
6~~0~~) 82600
1376 2/3

approved

2194
(23)
25

2

From the date (15.9.55) on which Mr. B. arrived in India to the 31st March/80, he will have completed a service of 24 years 6 months & 16 days. During this service he was at different times absent on furlo' for about 4 years 5 months & 21 days.

y. m. d
~~Total Service = 24. 6. 16~~

Deducting this period from his total service, he will have an qualifying service y. m. d of 20 – 0 – 25, but to this amount he added 2 years allowed by Para 5. Sec. 11 Chap 1 of the Resoln of 31 – 7 – 29 he having

approved

Rs 250/- per mensem.
vide Sec. 68 (2) of
C. P. C. and
no bonus.

It is to be noted that the
above figures are based
on the information
obtained from the
History of Mr Bartor's Services
in the Classified [illegible]
It would appear from
the correspondence
that the £ 300 + £ [illegible]
to be [illegible] from the
Travancore Govt. is
to be in exception of
any sums due from
the British Govt. hence
it is doubtful if the
conclusion of the [illegible]
in the para marked A
is correct. DM
24/5

£ 30.16. the balance £ 5.0

C. 17.2.80.

INDIAN TELEGRAPH

Traffic Code Form C.

2199/26 Serial No. 689

Class	S
To Station	Ootacamund
From Station	Peermade thro Alleppey.
Words	24
Day	28
Hour	15
Minute	44
To (Person)	Madras Public Works.
From (Person)	Resident Travancore

Is there any
Objection your department
Mr Bartor proceeding
Europe on relief
please wire him
direct to Trivandrum

Recd. from L. N.
At Hrs. Mts. By
Sent to L. N.
At Hrs.

OTACAMOND 28-4-80

Telegraph Master.

Resident's Office, on Circuit,
Peermade, 22^d April 1880.

No. 35

2199
217

From,

A. MacGregor, Esq^{re}
Resident in Travancore & Cochin

To,

R. Davidson Esq^{re}
Chief Secretary to Government
Fort St. George

Sir,

I have the honor to acknowledge the order of Government dated April 1880, No. 155, stating that Mr. Barton cannot claim to retire on the terms of the Financial resolution dated 31st July 1879, No. 2079, and that he must complete his service in Travancore to earn his full pension from that Sirkar.

2. The Government when passing this order do not appear to have had before them my letter of the 17th March, and as regards the latter part of the order there seems to be some misapprehension as to the terms of Mr. Barton's Contract of service with the Travancore Government. Under this he is entitled to a maximum pension after 17 years service, and no further service would entitle him to any higher pension.

3. The terms of agreement which were

approved

approved by Government were that either party should have power to terminate the engagement by giving 6 Months notice.

4. The Travancore Government having given this notice Mr. Barton's Connection with Travancore ceases from the 10th May.

5. The Madras Government having in their order of 3d March 1880, No. 91, stated they saw no reason to interfere with the decision of the Travancore Government they have accordingly made the necessary arrangements for the Department being undertaken by Mr. Jacob, who has on more than one occasion acted for a year at a time as Chief Engineer and in whom they have full Confidence.

6. In my letter of the 17th March I stated that I conceived that Mr Barton would be Considered as entitled to an appointment in the Madras Public Works Department of the class held by those of the same standing.

7. I observe that in the letter from the Under Secretary to the Government of India Public Works Department dated Simla 8th May 1878, No. 635 E.G. it is stated that the Governor General in Council is of opinion that it is for the Madras Government

to

to provide for Mr. Barton

Establishment if necessity should arise.

8. I have therefore the honor to request that as his resignation is refused Mr Barton may be nominated to a post in the Madras Public Works Establishment from the 10th May.

2199/29

9. As regards the claim to pension I do not venture to express any opinion as to the admissibility of the claim under the order of 31st July 1879; but as it seems to be thought that Mr Barton has no pensionary claim at all on the British Govt. I feel bound to point out that under the system which has hitherto obtained in regard to Officers of the British Govt. lent to a Native State the obligation of the British Government to contribute a quota of pension proportioned to the service of the Officer under the British Govt. has invariably been admitted.

10. As will be seen from his letter printed with G. O. P.W.D. 31st March 1879, No. 975, Mr. Barton only agreed to leave the Bombay Presidency on the requisition of the Madras Government on the Official assurance that he would not forfeit prospects and privileges and it would therefore be clearly inequitable to deprive him of

the

the advantage of 8 years pension service in Bombay.

11. The late 1st Judge of the Travancore Sudr Court, Sadasiva Pillay, is a case in point, he having on retirement been allowed a pension contributed by the two Governments in proportion to the services rendered. The only difference in the present case is that the amount of Mr Barton's pension from Travancore being a fixed sum the British contribution should be calculated independently according to equitable considerations.

12. This system has as regards all new cases been superseded by the provisions of C. VII. of the New Civil Pension Code which is however merely another method of arriving at the same equitable distribution of pensionary liability by a strictly defined rule.

13. I beg that this matter may, if possible, be disposed of at an early date and the result Telegraphed as it is necessary I should inform Mr Barton where he is to proceed to on being relieved.

I have the honor to be,
Sir,
Your most Obedient Servant,
A MacGregor
Resident.

From, Pol. Dept. 1880
The Resident in Travancore & Cochin
To, The Chief Secretary to Government
Fort St. George
Dated 28th April 1880
Recd. 27 April/80
27 APL 80

No. 35.
Enclosures. None.

No. 223

Acknowledging G.O. No. 165 dated April/80 stating that Mr Barton cannot claim to retire on the terms of the financial resolution 31st July/79 No. 2079, for Pol. Endorsement.

No. 953.

Transferred to the Public Works Department.

R. Sandison
Chief Secretary

Ootacamund
29th April 1880.
To the Public Works Department.

P. W. Department.

2199/30

Read the following :—

Telegram from Resident, Travancore, dated 28th April 1880

Endorsement in Political Dept. No 953 dated 29th April 1880.

~~FOR ORDERS.~~

Early orders on the above are solicited from the Hon'ble Member.

2. The back correspondence is not available for reference, but as the Hon. Member is well acquainted with the circumstances of the case this is of less consequence.

3. The decision which Govt. in the Pol. Dept.

I do. Reply to the letter that Mr. Barton's pensionary claims on the British Govt. will be disposed of when the necessity arises after the termination of his employt. by the T. Sirkar. Endorse this & the Govt. indorsed the Resid^t. letter.

If Mr. B. is to be

had come to was to let Mr. Barton's connection with the Travancore Government terminate in May in ordinary course, and then to refer the case for the orders of the Govt of India.

R. H. [illegible]

Col. M.E.

Secy: to Govt. P.W.D.

29th April /80

[illegible] 29/4

197/18

[illegible] 28/7

FOR ORDERS.

Special

Returns from Mr. service actually shows the terms of the ~~offered~~ allowed to him sh.d be determined at once & I think the Govt. of India may be moved. I think myself that he has claims to pension - but whether the pension terms can be allowed

L.B. 28/4

[illegible] his returning to Engl. it must depend on whether he is retired or not. Can he have any leave under Govt rules? He has only just returned from home

---

51

allow Mr. Barton to retire under his agreement & the ordinary rules.

From the facts reported by the Resident Mr. Barton appears to be entitled to the full pension stipulated for from the Travancore Govt. & it only remains to decide if he is to be retired from the service of the British Govt. & if so on what terms.

The papers relating to this case are not at Ooty but so far as it can be remembered Mr. Barton's service at Bombay amounted to about 7 years & for that service under the ordinary rules of the C P C he would be entitled to a gratuity of one month's emoluments for each completed year of service. This gratuity under the terms of his agreement in addition to his pension from the Travancore Govt.

~~I do not~~ If any further Concessions are to be granted I think a reference to the Govt. of India will be necessary.

The Govt. have a perfect right to dispense with Mr. Bartons services on reduction of the Department.

It is not known under what rules Mr. Barton can be granted leave under existing circumstances.

Dm
30/4

C. A. W.

Submit again please when Mr Barton replies to the telegram sent him today saying he ought to come at once or submitting his resignation under ordinary rules

30/4/00

C.

For very early remarks.

The back correspondence cannot be referred to, but it is understood that Mr Barton — whose total service from the Classified list appears to exceed 24 years — is entitled to ordinary pension, under the rules contained in ~~f~~ Chapter VII of the Civil Pension Code.

2. No leave can apparently be granted him, seeing that it is not the intention of Govt. to bring him on to the P.W. Establishment,

and that he has
just returned from
leave — not shown in
the classified list —

N.B.
27/4

27/4/80
No 7. O.T.

W/ From paras 8 & 9 of the
Resident's letter No 36 d/
22d April 1880 — the intention
of the Madras Govt. appears
to have been misunderstood —
The orders of the Mr Govt. in
their proceedings of the 6th
April decide that Mr.
Barton cannot claim
to retire on the terms of
the Fin. Dept. Resolution
No 2079 of the 31st July 1879
& that he must complete
his service in Travancore
to earn higher pension
from that Sirkar —
there is no refusal to

Travancore 24 April 1880.

Dear Sir

On receipt of Order of Madras Government No 947 Rev dated 13 April 1880 communicated to me by the Under Secretary to Government D.P.W. I forwarded a copy to the British Resident in Travancore with a request that he would kindly furnish the particulars called for in Para 2 as soon as possible.

I have not yet received the

Residents) ready but I am
preparing, to hand over charge of
my appointment here early
next month (probably the 7th or 10th)
and I now venture to ask if
you will do me the favor to obtain
the permission of the Madras
Government to my proceeding
direct to Europe on giving over
charge — without prejudice to
the due consideration of my case
and claims when laid before
Government.

I need hardly point

out how inconvenient it will
be if I have to remain in India
without pay or appointment.

I should deem it a great favor
if this permission could be
telegraphed to me.

I am Dear Sir
Yours faithfully.
W. [illegible].

To Col. R. H. Sankey R.E. C.B.
Chief Engineer & Sec. to Govt. P.W.D.
Madras

Mr Baton

R. 29/4/80

2199
35

You are at
liberty to proceed
to dispose in
tendering your
resignation under
the ordinary rules
leaving your claims
to consideration
of Government.

2199/36

From
W. Barton Esquire
Chief Engineer Travancore.
To,
A. MacGregor Esquire
Resident in Travancore.
Trevandrum 1st May 1880.

Sir,

I have the honor to enclose copy of a telegram which I received last night from the Chief Engineer Madras. D. P. W. and my reply thereto.

I should feel obliged if you would represent to the Madras Government that there are circumstances connected with my case which it is quite possible the ordinary rules of the Service would not reach at all.

I think it only requires a perusal of your letter No 35 of the 22d April to demonstrate this very clearly.

I believe the Madras Government has been informed that it is by no wish of mine nor for any fault, my agreement to serve in Travancore is about to terminate.

My

My position is simply this, therefore, I find myself about to lose my appointment in Travancore and the Government of Madras is "unable to retain my services." Under these circumstances it appears to me that to "tender my resignation under ordinary rules" might perhaps be regarded as a willing forfeiture of claims, which have been partially admitted and hence I respectfully ask for further information before acting on the Chief Engineer's telegram.

I have &c

(Signed) W. Barton
Chief Engineer.

(True copy)

Resident.

See a letter from the Resident in Travancore & Cochin, to the Secretary to Govt. P.W.D. Fort St. George. dated 6 May 1880. No. 43.

From W. Barton Esqr Chief Engineer Travancore

To The Resident in Travancore & Cochin

d/ 1st May 1880.

On the subject of his retirement.

No. 43.

RESIDENT'S OFFICE,
On Circuit, Peermade,
6th May 1880.

2199/38

From
A. MacGregor, Esqr.
RESIDENT in Travancore and Cochin,

To
Colonel R. H. Sankey R.E.
~~CHIEF~~ SECRETARY TO GOVERNMENT, P.W.D.
FORT ST. GEORGE.

SIR,

In continuation of the subject of my letter of the 27th Ulto: No. 39, I have the honor to forward a letter from Mr Barton.*

Under the circumstances, I trust that Mr Barton will be permitted to proceed to Europe without prejudice to his claim to retire under the Rules of 31st July, and that in any case the order on this may be telegraphed to him at Trevandrum.

* d/ 1st Inst.

I have the honor to be,
Sir,
Your most obedt. Servant,
A MacGregor
Resident.

18

Political Department

From
The Resident in Travancore and Cochin,

To
The ~~Chief~~ Secretary to Govt.
P. M. D.
Fort St. George.

Dated 6. May 1880.
Received

No. 43.
Enclosure. one.

Forwarding copy of a further letter from Mr. Barton about his retirement.

Telegraph address
Allapey

Peermaad. Perenkolam
May 6.

2199/40

Dear Col. Sankey.

I trust you will not think that I am taking a liberty in writing to you regarding Mr. Barton's case. Though to some extent a Departmental case yet until he is placed in the same position as he was before joining the [illegible] service of Travancore the case is partly of a political character. As the Brit. Govt. guaranteed that he should not be a loser through his service being placed at the disposal of the Maharajah I should feel personally sorry if his leaving the Travancore service landed him in a position of disadvantage.

His contract of service is printed in G.O. 16th Novr. 1872. Mad. Govt. Pol. Dept. & therein formally approved. His return to the Brit:

service is throughout provided for
& would have been, under it, admissible even
had he on his part optionally terminated
his agreement. As it is however it is
the Mad. Govt. who have terminated it. &
their notice to him to that Effect was
dated 30th Oct./79. & there could not
therefore be any reason to think that
there was any intention to defeat the
order of the Govt. of India, restricting
retirements under the resolution of the
31st July/79 to officers paid from general
Revenues, as that order was only published
at Simla on the 21st November/79.

It seems to me therefore that Mr. Baxter
comes to the Public Works Dept., according
to the distinct terms of his written

Engagement, exactly in the same position
as if he had not been temporarily employed
in a Native State. The difficulty of
employing him is I suppose twofold viz.
that his supercession of juniors would be
regarded as a hardship & that the reduction
in the Department make it impossible
to provide even for those already on the
effective list. His willingness to retire
on the favourable terms which have
been specially offered for the purpose
of clearing the list in view of the reduction
seems to give a ready way out of the
difficulty.

The difficulty as regards supercession is
evidently occasioned by the point having been
overlooked when the Madras Govt. obtained

his services from the Bombay but it would be hard if Mr. Barton were made to suffer for this. His right to a position in the Dept. however is virtually conceded by the G.Os. P.W.D. of 31st Mar. 1879 & 30th Jul. 1879. whilst the ~~equity~~ obligation of his employment in the Madras P.W.D. decided by the Govt. of India is not contested in G.O. 14 June 187 though the practicability of giving effect to it is doubted.

Everything therefore seems to point to the admissibility of applying the principle of a favourable rate of retirement, especially as the [illegible] the amount of pension would be trifling as compared with the pay of an additional officer of that grade.

It would have been hard on you, when you left Mysore, if the Madras Govt. had refused to employ you, or to admit you to pension on the terms applicable to your brother officers.

Believe me yours very truly Alfred MacGregor

The case is a peculiar one & will need ref. to G.I. but there is no ground for assuming that we are dealing hardly with Mr. B.

On termination of his engagt. with the T. Sirkar he went to British service — & as we do not require him he must be retired as superfluous. The terms will need to be settled in corresp. with the G.I. but meanwhile Mr. B. asks to be allowed to go to England at once.

His leave is

Hon W Huddleston

2199/42

For orders

Letter No 43 of 6 May from the Resident of Travancore and Cochin forwarding with his support a letter from Mr. Barton of the 1st idem

Also d/o letter from the Resident to the address of the undersigned

As the H. M. is fully acquainted with the case it need only be here observed ~~that~~ whatever claims Mr. Barton might have to come into the Madras P.W.D. under the terms

of ~~the~~ original Establisht.
when taking service in
Travancore his services
in ~~the~~ Presidency are
not required, the scale
of Executive Engineers being
full

~~Rtt~~

13.5.80

He tenders resignt. but
offer of reductions
in the P.W.D. having
it to Govt. the letter he
tenders &c. but if
he wants this all
settled before he goes
he must resume his
position in our
Service - wait the
redress from the
Estabt.
Tell him to
do one or other.
We can't refer to Go
while he hesitates.

E.B. 13/5

Copy of Letter No 750 dated 31st July 1879. from A. MacGregor Esqre. Resident in Travancore and Cochin, to the Examiner Public Works Accounts. Madras.

At the request of the Ag. Under Secretary to Government in the D. P. W., I have the honor to forward herewith a Statement of the services of Mr W. Barton from the 21st May 1863, the date of his commission from His Highness the Maharajah.

2. The date of Mr Barton's birth cannot be ascertained; but in the Census Return for 1871 his age was entered as 34 years.

~~I have &c. &c.~~

~~Signed~~ A. MacGregor
Resident.

(True Copy)

W. J. Jackson

Superintendent Correspondence Branch

[illegible] 24/7

[illegible] 24/7

2199/44 [illegible] of 21.5.80

C

Now that Mr Burton has submitted his resignation will you please let me have a statement of the pension claimable by him

His retirement not as a fact being voluntary it will also be necessary to state what his claim would be if granted the terms of the G. of I. Resolution of 31st July 1879

16/5/80

C. 26.7.80.

No. 336 24 July 1880
Enclo

~~2199~~

W.

HEREWITH, THE REPORT ON THE PENSION PAPERS OF MR. W. BARTON, LATE CIVIL ENGINEER TRAVANCORE.

2. THE ORIGINAL PAPERS RECEIVED FROM GOVERNMENT ON THE CASE ARE HEREWITH RETURNED.

Dm
24/7 OFFG. C.

Recd. 27/7

To W.
For orders.
28/7

C. 26.7.80

PUBLIC WORKS DEPARTMENT.
2199
45

Report on the pension papers of Mr. W. Barton late Civil Engr. Travancore.

FOR ORDERS. with previous papers

R. H. Sankey Col. R.E.
Secy. to Govt. P.W.D.

2nd. August 1880.

I think the case must go to G. of I. for decision.

I think the Govt. is wrong in 2 points.

1st the service must count from date of which Mr. W. B. was brought to Govt. service - unless the Govt. itself prescribes a later date.

2nd as G. of I. expressly accepted Mr. Barton's

Hon. W. Huddleston

FOR ORDERS.

considers that service in Travancore sh^d. count for pension from Govt. the Govt. is not warranted in excluding it – & he should be required to report what pension Mr B. would be entitled to under the rules & G. O. of July 29 assuming that the whole of his service both in Bombay & Travancore is admitted –

It is for Govt. and the Major [illegible] to decide what effect sh^d. be given to the fact that Mr. B. has obt^d. a pension from Travancore –

In sending the case on to G. I. it sh^d be pointed out that Mr. B's services having been relinquished by Travancore he was entitled to revert to employ^t. under Govt. but that owing to the reduction order his services

Cir 2.8.80 Abst 10.8.80
O. L. Shell 84 July

Had the dismissal to the [illegible] attention of the [illegible] [illegible] that [illegible] be required to [illegible] in Mr. B's [illegible] rules & [illegible]

Class P

INDIAN TELEGRAPH.

Local No 25

To (Station) Ootacamund

From (Station) Trivandrum

Words.	Day.	Hour.	Minute.	Official Instructions.
26	1	13	50	299/46

To (Person) Chief Engineer D. P. W.

From (Person) W. Barton

1 Will	2 resignation	3 be
4 regarded	5 as	6 affecting
7 circumstances	8 of	9 retirement
10 reported	11 on	12 by
13 resident	14 or	15 prejudice
16 claims	17 under	18 consideration

Recd. From L. N.
At Hrs. Mts., By
Sent to L. N.
At Hrs. Mts., By

Date OOTACAMOND 1-5-80

for Telegraph Master.

Traffic Code Form C. (P. 1)—G. T. Press,—No. 304,—7-8-79,—200000.

197/14

Urgent

2199/47

Hon W Huddleston

For orders

Please read the telegram from Mr Burton with that sent to him yesterday

I would beg to suggest that the following be wired to him

"Your retirement under ordinary rules will not prejudice your claims under agreement made on entering Travancore Service"

RHH

1/5/80

I am not sure that Mr. B. may not be thinking ~~that~~ resignation will

to reverting to the

damage his claims on us for Pension — Resig^n. & compulsory Retir^t. on pension are not the same.

Can we positively say that his services are not required by us & that we perforce retire him compulsorily? If so, pension & his resig^n is unnecessary because let him go home without resig^n.

J.D.

1/5

superseded by another telegram

Recd 3.40 1/5/80

2199
58

For order

With reference to the D/o enquiring whether submitted by Mr. Barton C E of Travancore asking for information to enable him to decide on the plans ~~[illegible]~~ he would now solicit instruction from Government

Mr Barton retires from the Travancore State on 10 May with a pension of £500 per annum and as he has been nominally borne on the Strength of this Depart.; though never having done a day's duty in it, he probably looks to reverting to the

I think Mr B. had better be informed that this Govt. will be unable to retain his services on his quitting his employt. under the Travancore Sirkar — & that on the fact of his doing so, with the particulars being officially intimated to this Govt., his case will be dealt with under the rules applicable to it.

Reference to G.G. will I think be necessary, but no need to say this to Mr. B. W.H. Rose

Madras P.W.D. immediately on completing his retirement by Travancore

I have no personal acquaintance with Mr. Barton or his work but judging from the tenor of the Resident's communication and taking into consideration the facts that (1) this Government has had to deal so summarily with a large number of its Officers and (2) that Mr. Barton has actually no personal claim on this Dept. I would venture very strongly to deprecate his being allowed to revert to the Dept.

He has now particularly at this time a very good opportunity for securing an engagement

as Local Fund Engineer and although he is not entitled as presently ruled to retire on the Resolution of the 31st July 1875 he can obtain a gratuity under the Pension Rules, and with the pension he will soon have from the Travancore State he cannot have any grievance if compulsorily retired by the Government on reversion.

I would therefore request permission to intimate this to him in general terms

10/4/80

Claims to retire on
the terms of the
Resol.n of 31 July 74.

I think he must be
left to complete his
service in Travancore
& earn his full pension
from that Sirkar—
if they dispense with
them in [illegible].
& he claims to revert
to our P.W.D. the
case sh'd be referred
to G. I. for disposal
on its merits E.K.

27/3.

The Hon'ble W. Huddleston

2199/50

For orders

The annexed notes
furnishing the information
called for in Mr Baxter's
case by the H. M. have
just now been sent in
in the rough by the
C. E. there being no time
to fair them before I
leave for Madura.

I trust in the present
form they will answer
all purposes

Otto

24/3/80

The case is most
complicated. but
one thing is I think
clear. viz: that
Mr Baxter cannot

12
14/8

GOVT. OF MADRAS. } 1880. { P. W. DEPT.

SECRETARY.

~~Ootacamund~~, ~~Fort St. George~~, 10th August 1880.

2199
51

OFFICE NOTE

R. No 456 of 80-81

To

C.

Your report on the pension papers of Mr. W. Barton, late Civil Engineer, Travancore.

It is considered by Govt. ~~that~~

(1) Not Mr. B's service must count from date of covenant by which he was bound in the Company's or Govt. service, unless the Uncovenanted service prescribes a later date.

(2) That as the Govt. of India expressly accepted Mr. Barton's condition that service in Travancore

OF 187

-80

should count for pension from Govt., there is no warrant for excluding it.

2. They desire that you should report what pension Mr. Barton would be entitled to under the rules, and the Govt. of India Resolution of the 31st of July 1879, assuming that the whole of his service both in Bombay and Travancore is admitted.

3. It will be for Govt. to decide what effect should be given to the fact that Mr. Barton has obtained a pension from Travancore

Please issue the report in accordance with these remarks.

10/8

W.
10/8/80

Fr. 236 W. 14-1-78.
— 237 W. 14-1-78.
— 2502 W. 14-6-78 –
— 2503 do — " —.
— 3262 W — 15-8-78 –
— 3263 do — " —
— 4327 – 11-11-78.
— 4328 — " —
— 246 W — 20-1-79.
— 975 W. 31.3.79.
— 1995 W. 30-7-79.
— 3141 W – 9-12-79.

No. 481 dated August 31, 1880

TO W.

2199
52

WITH REFERENCE TO YOUR OFFICE NOTE DATED OOTACAMUND 10TH, AUGUST 1880, HEREWITH A FURTHER CERTIFICATE AND REPORT SHEWING WHAT PENSION AND BONUS MR. BARTON LATE CHIEF ENGINEER TRAVANCORE WILL BE ENTITLED TO ON RETIREMENT, ASSUMING THAT THE WHOLE OF HIS SERVICE (COUNTING FROM DATE OF HIS COVENANT) BOTH IN BOMBAY AND TRAVANCORE, IS ADMITTED.

31/8 FOR OFFG. C.

30/8 31/8.

31/8

Ans No. 1059 W of 1st Mar/78

The Govt of India furnished with copy of Proceedings No. 236 W of 14th January/78 regarding Mr. Barton's name being retained or replaced on the departmental list of the Bombay Govt: —

Political Department.

2199/54

PROCEEDINGS of the MADRAS GOVERNMENT.

Read the following letter from the Resident in Travancore and Cochin, dated 21st February 1880, No: 21.

With Government Order, Public Works Department 6th December 1879. No: 3126 I received for communication to Mr: Barton the Proceedings of the Government of India, Public Works Department of 25th November No: 2679 with the Resolution in the same Deptt: of 21st Novr: Nos: 2620-2641. E. G. and forwarded it home according to Mr: Barton's address.

2. By this it was ordered that in the case of Officers whose salaries are not a direct charge on the general Revenue who had applied to be allowed to resign and whose resignation had not been accepted under the Resolution in the Financial Department No: 2079 of the 31st July 1879 none would be allowed to retire unless the savings to the Public Treasury by his retirement

retirement exceeds the cost of the special concessions which he would enjoy under the Resolution.

3. When Mr: Barton sent his application for retirement he informed the Travancore Government of the fact, but stated his willingness to continue in the Travancore service after his retirement from the British, should the Travancore Government desire it.

4. Under his existing agreement with Travancore he becomes entitled to full pension in May next. The Government had before them the option of accepting his offer which was so put as to make it a favour on his part remaining or to close the engagement and they decided on the latter course, and intimated to him that they would consider his Engagement terminated on the 10th May from which date they informed that his pension would be considered due even if he did not rejoin in the interval. Mr: Barton has written to resent this but the Travancore Government desire to adhere to the arrangement.

5. When it was made the contingency of Mr: Barton's application to resign the British service being refused was not contemplated but in any case it would for many reasons be difficult for the Travancore Government to recede from the position. They are unwilling to do so, and in the interests of the Travancore

P. 6

82

2199/55

Public Works Department I would not advocate it.

6. Under the circumstances of Mr: Barton's engagement with the Travancore Government being determined, he would I presume become entitled to employment in the Madras Public Works Department; in that case retirement would be a direct saving to the State.

7. Mr: Barton is believed to be at present on his way out he having intimated his intention in any case to return.

8. This letter may however admit of the question of the acceptance or otherwise of his application to retire under the resolution being disposed of without waiting for his reply to the reference which may not be received for some time.

Order thereon. 3rd March 1880. No: 91.

Communicated to the Public Works Department.

2. The Government see no reason to interfere with the decision of the Travancore Government.

(True Extract)

L. Gibson

Ag. Under Secretary.

To,
The Public Works Department

2129
56

P.W.D.
4 1880
No. 1546

Govt. of {1880} Madras.

To

Dated } 1880, No.
Recd. }

Nos.

Cong. letter from the Resident in Travancore & Cochin passing orders regarding Mr. Barton's services

P.C. No. 3126 W. of 6 Dec. 79.
" " 3141 W. of 9 — 79
Since added: —
P.C. No. 463 & 464. 21-11-62.
" " 48. 11-2-63.
" " 2550. 4-8-69.
" " 194. 14-5-72.
" " 412. 16-11-72. Pol.
" " 1059 W. 1-3-73 Mis. }
" " 468. 8-12-73. Pol. }
" " 236 & 237 W. 14-1-78.
" " 2532 W. 14-6-78 }
" " 2503 W. 14-6-78 }
" " 3262 W. 15-8-78 }
" " 3263 W. 15-8-78 }
" " 4327-28 W. 11-11-78.
" " 246 W. 20-1-79.
" " 975 W. 31-3-79.

R.C. 19.3.80.

1

No. A d/ 30th March/80.

Pro: of the Political Dept. No. 91 d/ 3d March 1880, with other papers-

P.3

Transferred to the Political Dept. for disposal-

(Sig.) J.P.
Under Secy.

P.4

No. 27.

RESIDENT'S OFFICE,
On Circuit,
Peermade, 17th March 1880

2199/57

From

A. MacGregor Esqr.

RESIDENT in Travancore and Cochin,

To

R. Davidson Esqr.

CHIEF SECRETARY TO GOVERNMENT,

FORT ST. GEORGE.

[illegible]

C. No. 1546.
In Circ. 19-10-80

Put up with [illegible]

SIR,

I have the honor to acknowledge the receipt of G.O. Pol. Dept. dated 3 March 1880, No. 91.

2. Mr. Barton who has rejoined his appointment, writes to me in reference to G.O. P.W.D. 6th Decr. 1879, No. 3126, and requests me to resubmi his application to be allowed to retire from the British Service, and I accordingly forward copy of his lette of the 27th Septr. 1879, which was returned with the G.O. alluded to.

3. Mr. Barton now requests that the British Government will comply with his request to be allowed to retire on the 10th May next with an equitable pension or that he may be re-transferred to the effective list of the British Pub. Works Department.

I

4 I presume that the P. W. D. will supply the Government of India with the necessary information as to the financial savings that would result from Mr Barton's retirement.

5. He would be Considered entitled I conceive to an appointment of the class held by those of the same standing in the Madras Public Works Establishment and as the period of service for which pension is claimed is comparatively short and the pension therefore small it would seem that the excess of saving over cost of special Concession would be proportionately great.

I have the honor to be,
Sir,
Your most obedient Servant,
A McCaspie
President

E.D.L.

P.W.D.
31 MAR 80
No. 2151

P-1

68-973-31-3-80

18

1880

Political Department.

From (Mr. W. Barton)

The Resident in Travancore and Cochin,

To

The Chief Secretary to Govt.

Fort St. George.

Dated 17th March /80

Received 21 — " —

No. 27. No. 162

Enclosure. One.

Resubmitting Mr Barton's application to retire from the British Service on pension or to be re-admitted in the British D.P.W.

With Endorsement

No. 91 – 3-3-80.

P7

No. 729

Forwarded to the Public Works Department for disposal.

R. Vandon
Chief Secretary

Fort St. George,
30th March /80.

To the Public Works Department.

P5

2199
59

To
The British Resident
in Travancore

London 27 September 1879

Sir,

I have the honor to acknowledge receipt of your letter No 457 of 6th May and enclosures, and in reply to the enquiry of the Government of India to state that I request to be allowed to retire from the British Service on completion of 25 years Service.

2 Since my Memorial was sent in and your letter received I have obtained from the India Office copy of the Resolution of Government of India No 2079 dated 31st July 1879 inviting Officers of the Department of Public Works to retire.

3 It is difficult to apply these rules strictly to myself, as there are circumstances fully explained in my Memorial which require special consideration. I am however in hopes that Government, bearing in

in mind my long and good services both under the Bombay and the Madras Governments will deal liberally with me on retirement and grant me either the higher pension asked for in my Memorial Rs:2688 per annum — or, according to the terms of the new order.

1. A maximum pension of Rs 2000 for my 8½ years Service in Bombay.
2. A bonus of 12 months pay at present rate 12×1400 = Rs: 16,800.

and that I may be permitted to avail myself of this pension from the 10th May next on which date I shall have completed my 25 years of Service.

The order referred to requires that this application should be made so as to reach Government before the 30th November and states also that retirement will be given "with regard to the order in which applications are received". I will beg therefore that this may be forwarded with as little delay as possible.

I

6

2199/60

I have &ca

(Signed) W. Barton
Chief Engineer on leave.

(True Copy)

Resident

F.S.

P.W.D.
31 MAR 80
No 2181

No I
Enclosed in a letter from
the Resident in Travan
-core & Cochin to the
Ag Chief Secretary to
Government Fort St
George dated 23d Octr 1879
No 85.

From
W. Barton Esq.
Chief Engineer on leave
To
The British Resident
in Travancore.
D/ London 27th Septr 1879.

Applying to retire from
the British Service from 10th
May next under the Govt
of India Resolution No 2079
d/31st July 1879.

[illegible]/75

In Poll 162/80

17353

2

Memo: No. 973 of 31st March

Endorsement in the Political Dept. No. 729 of 30th March/80 on letter from the Resident in Travancore & Cochin, No. 27 of 17th March/80.

P8

Retransferred to the Political Dept. with reference to No. A of 30th instant, and the remarks by the Hon'ble Mr. Huddleston therewith forwarded.

(Sig.) R. H. S. Col. R.E.
Secy. to Govt. PWD

Political Department.

2199
62

PROCEEDINGS of the MADRAS GOVERNMENT.

READ again ~~the following~~ letter from the Resident in Travancore and Cochin, dated 21st February 1880 No. 21 recorded in Proceedings of Govt. No. 91 dated 3rd March 1880.

Read Endorsements of the Public Works Dept. No. A dated 30th March 1880, and No. 973 dated 31st March 1880.

Order thereon 6th April 1880 No. 135

P9

Mr. W. Barton, the Chief Engineer to the Travancore Government

Memo: No. 973 / 5th March

Government cannot claim to retire on the terms of the Financial Resolution dated 31st July 1879 No. 2079. He must complete his service in Travancore to earn his full pension from that Sirkar.

(True Extract)

G. Gibson
Actg. Under Secy

To, The Resident in Travancore
and Cochin
" – Public Works Dept.s
with Encls

2

Memo: No 973 d/ [illegible]

Mis: No: 911 W
d/ 9th April/80.

Comm'd to
the Ex P.W.A.

A.H.
6/4

~~A.H.~~

11/4/80

Ex P.W.A.
Docked
9/4/81

197/17 3 28/6

Govt. of {1880} Madras.

Procs April
P.W. Mis Procs of 9 April/80 No 911 W
Political

To P.W.D.
7 APR 80
No 2309

Dated }
Recd. } 1880, No.

Nos.

Stating ~~that~~ Mr W. Barton, the Chief Engr. to the Travancore Govt. cannot claim to retire on the terms of the Gov. Order No 2079 of 31st July 1879 & that he must complete his service in Travancore to earn his full pension from ~~that~~ Sirkar.

No 911 W

W.H. Hodder

810
2/99
64

Trivandrum,
Travancore 6 Sep

Dear Sir.

I believe the subject of my affairs in connexion with the British Governments is, or has been recently, before you.

On the 10th May my

term of service in
Travancore Expires,
and I am naturally
anxious to know what
decision has been
come to with regard
to my retirement or
transfer — and I shall
therefore feel greatly

obliged if you will
kindly give me any
information which
will enable me to
make up my plans.
I remain Dr Sir
Yours faithfully
W. Barton
Col. R. H. Sankey RE
C.S.

2199/65

2

Memo: No

P.W. 2490 A

12/4/80

P12

No. 947 W.

E. I. Form No. 22.

Public Works Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 13th April 1880.

Read the following :—

2199
66

Demi official from Mr. Barton, dated 6th April 1880.

Mr. Barton will be informed that the Madras Govt. will be unable to retain his services on his quitting his employment under the Travancore Sirkar.

2. As soon as that event has been officially intimated, with particulars to this Govt., Mr. Barton's case will be dealt with under the rules applicable to it.

To

J. Barton Esqre.

Desptd
13/4/80

12.4

$\frac{197}{13}$ $\frac{28}{3}$

4

P. W./1880/Dept.

Dis. No 947 W/d 13 April/80

5

Memo No 35 A of 30th April

C. A. W.

$\frac{2199}{67}$

Wire to Mr. Burton now

P/3

"You can proceed to Europe on tendering resignation under ordinary rules leaving claims for consideration of Government"

30/4/80

Despd 30/4/80

197/15 28/4

Hon W Stu[illegible]

6

2199/68

For orders

It can be absolutely ~~stated that~~ the Dept. scale of Ex Engineers as last submitted to India in July, and ~~that~~ consequently if no other reason existed Mr. Barton would not be required by us

The form of ~~telegram~~ as suggested by me guarantees ~~that~~ his claims shall not be prejudiced, but no doubt he would feel more assured of this if compelled to retire

A telegram ~~therefore~~ of the following purport might be better

14 2/5

"Your services not being required in ~~this Department~~ your pensionary claims under ordinary rules are guaranteed"

Despatched 3 pm 1/5/80

2/5/80

Urn 26 [illegible]

Urgent

2199/119

Telegram to
Resident Travancore
Alleppey

JPA 14/5 — PJS

Inform Barton
Can go now tendering
resignation and
waiving claims to
Government or
report himself
Madras pending
reduction

14.5.80

despatched
14/5

Read also

P16

No. 40.

RESIDENT'S OFFICE,
On Circuit
Peermade, 28th April 1880.

2199/70

From
A. MacGregor Esqre

[illegible]

RESIDENT in Travancore and Cochin,

To
R. Davidson Esqre

CHIEF SECRETARY TO GOVERNMENT,

FORT ST. GEORGE.

SIR,

In continuation of the subject of my letter of the 22nd April, No. 35, I have the honor to refer to G. O. 11th February 1863, No. 48, in which an order of the Government of India is communicated, to the effect that Mr. Barton will be allowed to count for Pension the period during which he may be employed under the Travancore Government, the latter being possibly liable for a proportion. The Travancore Government subsequently agreed with Mr. Barton for a fixed amount, but the liability of the British Government for their proportion is clearly not hereby affected.

2. To shew the understanding that appears to have obtained at the time

I

I would beg to call attention to Mr. Newill's letter of 24th Septr. 1864, No. 64, printed with G. O. 24th January 1865, No. 31, where in para: 4 with reference to the pension of Sadasiva Pillay, 1st Judge of the Sudr he writes, "I beg further to inform the Government that I consider that this principle has been affirmed in the arrangement made with the Bombay Government by which this State is required to contribute towards the present retiring pension of the Civil Engineer of Travancore, transferred from that Presidency, only in proportion to the time of his service in this State".

"Under an aspect of this case however it may perhaps be considered that in the event of the Civil Engineer reverting to the Bombay Government before completing the period entitling him to pension the Travancore State will merely relieve the British Government of the proportionate amount of pension for the time served in Travancore but on the other hand should the Civil Engineer complete his period of service in this State the case would be analogous to the one now in question."

As

3. As pointed out by the Madras Government in their order of 11th Decr. 1871, No. 388, according to Sec: 18 of the Resolution of the Government of India, No. 4359, 14th October 1871, the position of Officers who have accepted service under Native States prior to the promulgation of that resolution are not affected thereby.

I have the honor to be,
Sir,
Your most obedient Servant,
A [illegible]
Resident.

En. D. L.

19 7/8

28/2

1880.

R.D.

Political Department 3 MAY 80

From Mr W. Barton

The Resident in Travancore and Cochin,

To

The Chief Secretary to Govt.

Fort St. George

Dated 28th April 1880

Received 3rd May /80

No. 40.

Enclosure. None.

No. 240

Referring to G.O. 11th May /63 No. 40 communicating the order of the Govt of India that Mr Barton [illegible] ~~[illegible]~~ commute his pension [illegible] [illegible] [illegible]

[illegible]

O.L. Chief 8th May.

No. 989. P18

Transferred to the Public Works Department in continuation of Endorsement No. 953 dated 29th April /80.

R. Davidson
Chief Secretary

[illegible] 7th May 1880.

Endt to the Public Works Department

P19

No. 45.

RESIDENT'S OFFICE, [illegible]

Peermade, 10th May 1880.

From

A. MacGregor Esquire 499/72

RESIDENT in Travancore and Cochin,

To

Colł. R. H. Sankey R.E.

~~CHIEF~~ SECRETARY TO GOVERNMENT,
Public Works Department
FORT ST. GEORGE.

Sir,

I have the honor to forward copy* of a letter from Mr. Barton requesting to be allowed to retire from the British Service from the 10th May. The papers referred to by Mr. Barton are I believe all before Government.

*o/s. Inst.

I have the honor to be,

Sir,

Your Most obedt. Servant,

A MacGregor

Resident.

Ind. L.

1880.

Political Department.

From

The RESIDENT in Travancore and Cochin,

To

The ~~Chief~~ SECRETARY to Govt.
P. W. D.
FORT ST. GEORGE.

Dated 11 May 1880
Received

No. 45.
Enclosure. one

Mr. Barton -
forwards copy of a letter
from - requesting to be
allowed to retire from
service from 10th May 80

20

Trevandrum,
5th May 1880

2499/74

From

W. C. Barton Esqre
Chief Engineer
Travancore Government

To

A. MacGregor Esqre
British Resident in Travancore

Sir,

In continuation of my letter of the 1st Instant, I have now the honor to forward copy of a further telegram which I have received from the Secretary to Government Madras D. P. W. and on the assurance therein conveyed I request permission to be allowed to retire from the British Service from the 10th May current on which date I shall have completed 25 years Service.

2. With reference to the consideration of my claims to Pension and Gratuity (Vide Order of Madras Government dated 13th April No. 947 W.) I understand from your letter of the 23rd April that all particulars have been forwarded by you to the Government. I have however not

not yet been favored with a copy of that information though I requested it in my letter of the 18th April.

3 I think it desirable therefore to request that if not already sent, a copy of my memorial to the Viceroy dated 22d February 1877 (forwarded through your office) may be laid before Government together with such papers as you may have sent. I am in hopes that considering that my retirement has been made compulsory, it may be upon some such calculations as I submitted in my memorial my claims may be based rather than are those mentioned in para 12 of your letter No. 35 to the Chief Secretary to the Government of Madras.

4. I also beg that it may be noted my service commenced on the 10th May 1855 the date of my covenant with the Honorable East India Company. There is another error in the record of my services published in the Madras Distribution List of the P. W. D. (October 1879) my absence to Europe in 1867-1868 was on sick leave and I claim also that, that period should be considered to have been on duty under Section 52 Para 4 & 5 the whole of that time I was employed in Travancore Sirkar Service, this point will only affect calculation for length of effective service.

I confess to being considerably confused as to the application of the rules to my case and hence I propose with the above notes to leave it for the disposal of the British Government; it will I presume be opened to me to raise any question when that decision is communicated to me.

I put in a plea for liberal treatment in considering my claims on the grounds of specially good and meritorious service both in Bombay & in Travancore. The former can be vouched for by record. The latter has been certified to year by year by the Travancore Government and by the Residents annual reports to the Madras Government on the Administration of Travancore.

I also beg to point out that by the declared inability of the Madras Government to employ me in accordance with the order of Government of India quoted in para 7 of your letter No. 35 of the 23rd April I am deprived of the claim to a very high appointment and of the possibility of earning the highest rate of pension provided under my Covenant.

I have &c

(Signed) W. Barton
Chief Engineer

(True Copy)

A Macpherson
Resident

Enclosed in a letter
from the Resident in
Travancore & Cochin
to the Secretary to
Govt. D.P.W. Fort St. Geo
of 10th May 1880 No 45.

From Mr Barton Chief
Engineer to the Resident
in Travancore of 5th May
1880 &c

Requesting permission
to retire from British
Service from 10th May
current.

No 22

Terms of Agreement between W. C. Barton, Esq. M. I. C. E., Chief Engineer, Travancore, and Government of His Highness the Maharajah of Travancore.

2199/77

Unless incapacitated for further service by illhealth, duly certified to by competent medical authority, or recalled by the British Government, Mr Barton agrees to continue in the Service of His Highness the Maharajah on the following terms–

I His Highness the Maharajah agrees to pay to Mr Barton a monthly Salary of British Rupees 1,200 per mensem, and to increase that salary to Rupees 1,400 per mensem from the 10th May 1875, when he will have completed twenty years' service reckoning from the 10th May 1855, on which date he entered the service of the British Government.

2. In addition to this salary Mr Barton will also be entitled to receive travelling allowances according to the sanctioned Rules of the Travancore Department of Public Works.

3. Mr Barton shall, as hitherto, have a free house at head quarters

4 Mr Barton engages not to cultivate or join in the cultivation of land in Travancore for purposes of gain without the knowledge and consent of the Government, also not to enter into trade or to receive any commission on goods purchased, or contracts made, or any moneys other than the salary and allowances payable by His Highness the Maharajah.

5. Mr Barton and his family shall be entitled to the gratuitous medical attendance of the Medical Officers in the service of the State.

6. Mr Barton shall also be entitled to such privilege leave and furlough as he would have been entitled, to had he continued to serve under the direct orders of the British Government and after the same periods of service.

7. Mr Barton's absentee allowance shall, similarly, be regulated in accordance with those grantable by the British Government to Engineering Officers of his position serving under their direct orders.

8. Mr Barton shall be entitled to the grant of a retiring pension, without medical certificate, of a sum of £310 per annum after twenty years' service, and £500 per annum after twenty-five years' service, counting from the date of his admission into the Bombay British Service, and irrespective of any pension which he may receive from the British Government.

9. This agreement shall be terminable at the option of either of the contracting parties on giving six months' notice. In either case Mr Barton shall be entitled to a free passage to Bombay, or to any part of British India, where he may have to rejoin the British Service. In such case he would revert to the British Service Pension Rules, Travancore bearing the proportion of pension that may be determined upon by the two Governments as due on the period of service passed in Travancore, counting for such pension.

10. This agreement shall be carried out, on the part of His Highness the Maharajah, in a spirit of justice and liberality, and Mr Barton on

his part, agrees to serve His Highness zealously and faithfully; holding himself liable to the same obedience to the orders of the State, and to the same penalties for misconduct as the Officers serving under the direct orders of the Government of India.

11 In all cases of dispute the British Resident shall be the arbitrator.

(True Copy.)

Resident

Em D L.

J.S.

P.W.D.
14JUN80
No. 5506

Exr. Wks. Form No. 445.]

PUBLIC WORKS DEPARTMENT.

2199/79

No. A/R, dated July 1880.

Statement of the verified Services of Mr. Walthew Barton late Chief Engineer Travancore Government

Date of birth not known

Stated in the Census report 1871 as 34 years of age. Vide para. 2 of Resident's (Travancore and Cochin) letter No. 750 dated 31st July 1879 (copy attached).

Establishment and Appointment.	Pay.	Ag. Allce	Date of beginning.	Date of ending.	Period reckoned as Service.			Period not reckoned as Service.			Remarks by Examiner, P. W. Accounts.
					Y.	M.	D.	Y.	M.	D.	
	Rs.	Rs.									
			9th June 1855	14 Septr 1855	-	-	-		3	6	The Examiner of Public Works Accounts Bombay reports that Mr. W. Barton was appointed a Civil Engineer by the "Court of Directors" from 9th June 1855 but states that no information can be furnished of the particular Office from which he received his pay during this period vide statement of services attached. In the Articles of Agreement with the Travancore Sirkar (copy herewith) it is stated that Mr Barton entered the service of the British Government from 10th May 1855 while from the statement of his services received from the Examiner of Accounts, Bombay, it is observed that he was appointed a Civil Engineer by the Court of Directors from 9th June 1855. The Covenant of Mr Barton dated 11th May 1855 with the East India Company is herewith forwarded. In the absence of any precise information in his Covenant with the East India Company, as to the date from which his service for pension should reckon, the date of his landing in India (15th September 1855) has been taken as the date from which his service for pension should commence
			15 Septr 1855	31st Octr 1855	-	1	16	-	-	-	
Carried over					-	1	16	.	3	6	

Statement of the verified Services of

(Continued)

Establishment and Appointment.	Pay.	Ag. Allce	Date of beginning.	Date of ending.	Period reckoned as Service.			Period not reckoned as Service.			Remarks by Examiner, P. W. Accounts.
	Rs.	Rs.			Y.	M.	D.	Y.	M.	D.	
Brought forward					.	11	6	.	3	6	
Sub Assistant Executive Engineer Surat and Broach	250		1st Novr 1855	6th April 1857	1	5	6	-	-	-	Verified from the records of the Office of the Examiner of Accounts Bombay
Assistant Executive Engineer	350		7th April 1857	26th Novr 1857	.	7	19	-	-	-	
Do Railway Department			26th Novr 1857	31st Octr 1858	.	11	5	-	-	-	Not verified from the records of the Examiner of Accounts' Office Bombay who however states that Mr Benton was employed on the Ahmedabad and Gogo Railway Survey, but that no information is available from what Office he drew his pay for this period and by what Officer it was Audited. From the fact of his having performed his appointment on the normal strength of the Bombay Public Works Department Establishment it may be presumed that he was either employed on the permanent Establishment of Government during the period or preserved a lien on his substantive appointment in the Bombay Public Works Department ~~leaving~~ and the period is consequently classed as qualifying.

2

[Exr. Wks. Form No. 445.]

PUBLIC WORKS DEPARTMENT.

25

No. A/B dated 18 .

Statement of the verified Services of

2129/80

Establishment and Appointment.	Pay.	Ag. Allce	Date of beginning.	Date of ending.	Period reckoned as Service.			Period not reckoned as Service.			Remarks by Examiner, P. W. Accounts.
	Rs.	Rs.			Y.	M.	D.	Y.	M.	D.	
Assistant Engineer 1st Class Surat and Broach	350		1st Novr 1858	31st July 1859	.	9	.	-	-	-	Verified from the records of the Examiner of Accounts Bombay.
Acting Executive Engineer Surat and Broach	350	100	1st Augt 1859	30th Septr 1859	.	2	.				
Assistant Engineer 1st Class Surat and Broach	350		1st Octr 1859	30th Novr 1859	.	2	.	-	-	-	
Do Dharwar	350		1st Decr 1859	31st Octr 1860	.	11	.				
Special Assistant Engineer Do	500		1st Novr 1860	26th May 1861	.	6	26				
Six months' Leave on Private affairs to Europe	250		27th May 1861	26th Novr 1861	.	.	.	.	6	.	
On Subsidiary Leave			27th Novr 1861	11th Decr 1861	.	.	15				
Carried Over					5	8	27	.	9	6	

Statement of the verified Services of

(Continued)

Establishment and Appointment.	Pay.	Ag. Allce	Date of beginning.	Date of ending.	Period reckoned as Service.			Period not reckoned as Service.			Remarks by Examiner, P. W. Accounts.
	Rs.	Rs.			Y.	M.	D.	Y.	M.	D.	
Brought forward					5	8	27	-	9	6	
Special Assistant Engineer Dharwar	500		12th Decr 1861	31st March 1862	-	3	19	-	-	-	Verified from the Records of the Office of Examiner Bombay
Do North Canara	500		1st April 1862	31st May 1862	-	2	-	-	-	-	
Do Ahmedabad and Kaira	500		1st June 1862	19th June 1862	-	-	19	-	-		
Assistant Engineer 1st Class — do	350		20th June 1862	28th July 1862	-	1	9	-	-	-	
Acting Executive Engineer 3rd Class Do	350	125	29th July 1862	19th Decr 1862	-	4	21	-	-	-	
Executive Engineer 3rd Class — do	600		20th Decr 1862	10th May 1863	-	4	21	-	-	-	
~~Executive Engineer 3rd Class — do~~											
			11th May 1863	20th May 1863				-	-	10	Drew no pay, probably on trav to join his appointment in Travancore
Civil Engineer Travancore State	800		21st May 1863	26th Octr 1865	-	-	-	2	5	6	Periods classed as non qualifying as under the terms of Mr Barton's Contract of Service with the Travancore Sirkar he is held to be entitled to a pension of £ 500 per annum after
Do	1000		27th Oct 1865	26th March 1867	-	-	-	1	5	-	
On Furlough			27th Mar 1867	29th Dec 1868	-	-	-	1	9	3	

[Exr. Wks. Form No. 445.]

PUBLIC WORKS DEPARTMENT.

26

No. A/B dated 18 .

3

Statement of the verified Services of

2199/81

Establishment and Appointment.	Pay.	Ag. Allce	Date of beginning.	Date of ending.	Period reckoned as Service.			Period not reckoned as Service.			Remarks by Examiner, P. W. Accounts.
	Rs.	Rs.			Y.	M.	D.	Y.	M.	D.	
Civil Engineer Travancore	1000		30 Decr 1868	4th Feb 1872	-	-	-	3	1	5	after 25 years' service counting from the date of his admission into the Bombay British service (10th May 1856) and irrespective of any pension which he may receive from the British Government vide also Appendix D to the Civil Pension Code
Do Do	1200		5 Feb 1872	26th April 1874	-	-	-	2	2	22	
On Furlough * Includes preparatory leave for one month			27th April 1874*	4th Novr 1875*	-	-	-	1	6	8	
Civil Engineer Travancore	1400		5 Nov 1875	24th March 1879	-	-	-	3	4	20	At the request of the Resident of Travancore the Madras Government applied for the services of Mr. Barton from the Bombay Public Works Department and he signified his willingness to take up the appointment on the condition that the period of his employment in Travancore was allowed to count for pension. The Government of India in according sanction to this proposal, directed that the Travancore Government may be informed that if they accept Mr Barton's services they may ultimately become liable for a proportion of his pension.
On Sick Leave to Europe * Includes preparatory Leave for one month			25th Mar 1879*	24th Dec 1879*				-	9	-	
Civil Engineer Travancore	1400		25th Dec 1879	9th (10) May 1880	-	-	-	-	4	15 (16)	
Total Service under British Government and under the Travancore State					7	1	26	17	9	5 (6)	

vide

Statement of the verified Services of

(Continued).

Establishment and Appointment.	Pay.	Ag. Allce	Date of beginning.	Date of ending.	Period reckoned as Service.			Period not reckoned as Service.			Remarks by Examiner, P. W. Accounts.
	Rs.	Rs.			Y.	M.	D.	Y.	M.	D.	

vide Madras G. Os No 463 and 48 dated 21st November 1862 and 11th February 1863 respectively.

In the agreement that Mr Barton entered into with the Travancore Sirkar it is stated that Mr Barton shall be entitled to the grant of a retiring pension without Medical Certificate of a sum of £ 300 per Annum after 20 years service and £ 500 per Annum after 25 years service counting from the date of his admission into the Bombay British Service and irrespective of any pension which he may receive from the British Government.

In the enclosed copies of correspondence that ended in the issue of Government of India letter 18 E.G. dated 6th January 1879 recorded in G. O. No 246 W. dated 21st January 1879, it was decided, that should a contingency arise, Mr Barton should be provided for on the normal strength of the Madras Public Works Department. The Travancore Sirkar having given six months notice as stipulated in his Covenant, Mr Barton had to be provided for on the Madras Establishment and this could not be done owing to the recent reduction of Establishments ordered by the Government of India.

Mr Barton requests that he may be allowed to retire under the terms of the Resolution of the Government of India Finance and Commerce No 2079 dated 31st July 1879, considering that his retirement from the Native State was not voluntary and that the Madras Government are unable to provide for him on the Establishment owing to the sanctioned scale of Executive Engineers being already full.

4

Statement of the verified Services of

27 2191/82 (Continued).

Establishment and Appointment.	Pay.	Ag. Allce	Date of beginning.	Date of ending.	Period reckoned as Service.			Period not reckoned as Service.			Remarks by Examiner, P. W. Accounts.
	Rs.	Rs.			Y.	M.	D.	Y.	M.	D.	

Certificate and Report of the Examiner Public Works Accounts.

Certified that subject to the remarks above recorded, qualifying service in superior grades under British Government would amount to 7 years 1 month and 26 days, and that should the resolution of the Government of India Financial Department No 2079 dated 31st July 1879 be held applicable to Mr Barton's case, he will be entitled to a Compensation pension of Rs 57-7-11 per mensem equal to 7/40 of his average Emoluments and a bonus of Rs 4200 equal to seven months' pay of Substantive rank at the time he left the British Government for Travancore. Should on the other hand, it be decided that Mr Barton retired under the ordinary rules of the Civil Pension Code he will be entitled to a gratuity of Rs 4,200 equal to 7 months' Emoluments under Section 68(a) of the Civil Pension Code. The pension and bonus or gratuity above referred to will if sanctioned be admissible to the applicant in addition to any pension that he may receive under the terms of his agreement from the Sirkar Travancore.

D. A. [illegible]
Major
For Offg: Examiner P. W. Accts
M.
24.7.80

To
The Secretary to Government
Public Works Department.

a/24/7.

[Pub. Wks. Form No. 443.]

PUBLIC WORKS DEPARTMENT.

No. A/B, dated 18 .

Statement of the verified Services of

Establishment and Appointment.	Pay.	Ag. Allce	Date of beginning.	Date of ending.	Period reckoned as Service.			Period not reckoned as Service.			Remarks by Examiner, P. W. Accounts.
	Rs.	Rs.			Y.	M.	D.	Y.	M.	D.	

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r. Wks. Form No. 443.]

PUBLIC WORKS DEPARTMENT.

No. A/B, dated 18 .

2199/83

Statement of the verified Services of Mr W. C. Barton, C.E.

Born on the — Not known

Establishment and Appointment.	Pay.	Ag. Allce	Date of beginning.	Date of ending.	Period reckoned as Service.			Period not reckoned as Service.			Remarks by Examiner, P. W. Accounts.
	Rs.	Rs.			Y.	M.	D.	Y.	M.	D.	
			9th June 1855	31 Octr 1855							Appointed by the Court of Directors from 9th June 1855, but no information can be found from what Office Mr Barton had received his pay for this period
Sub Asst Ex. Engr. Surat & Broach	250	"	1 Nov/55	6 Apl/57	1	5	6	"	"	"	
Asstt Ex. Engr. Do	350	"	7 Apl/57	25 Nov/57	"	7	19	"	"	"	
Do Railway Deptt	"	"	26 Nov/57	31 Oct/58	.	.	.	.	.	.	Mr Barton was employed on the Ahmedabad and Gogo Railway Survey but no information is available from what Office he drew his pay for this period and by what Office it was audited.
Asst Engr 1st Class Surat & Broach	350	"	1 Nov 1858	31 July/59	"	9	"	"	"	"	
Ag. Ex. Engr Surat & Broach	350	100	1st Augt/59	30 Sept/59	"	2	"	"	"	"	
Asstt Engr 1st Class S. & B.	350	"	1 Oct/59	30 Nov/59	"	2	"	"	"	"	
Do Dharwar	350	"	1st Decr/59	31 Octr/60	"	11	"	"	"	"	
Spl. Asstt Engr. Do	500	"	1 Nov/60	26 May/61	"	6	26	"	"	"	
6 months leave on Private affairs to Europe	250	"	27 May/61	26 Nov/61	"	"	"	"	6	"	
Subsidiary leave	250	"	27 Nov/61	11 Decr/61	"	"	15	"	"	"	
Spl. Assistant Engineer Dharwar	500	"	12 Decr/61	31 March/62	"	3	20	"	"	"	
Do North Canara	500	"	1 Apl/62	31 May/62	"	2	"	"	"	"	
Do Ahmedabad and Kaira	500	"	1 June/62	19 June/62	"	"	19	"	"	"	

Statement of the verified Services of Mr. P. C. Barton C.E.

(Continued)

Establishment and Appointment.	Pay.	Ag. Allce	Date of beginning.	Date of ending.	Period reckoned as Service. Y.	M.	D.	Period not reckoned as Service. Y.	M.	D.	Remarks by Examiner, P. W. Accounts.
	Rs.	Rs.									
Assistant Engineer 1st Class Ahmedabad and Kaira	350	"	20th Jun/62	28th July/62	·	1	9	·	"	·	
Assistant Engineer 1st Class & Ag. Ex. Engr. 3rd Class Ahmedabad & Kaira	+475		29th July/62	19th Dec/62	·	4	22	·	·	·	+ Half salary as 1st Class Assistant Eng and Do. as Executive Engineer 3rd
Executive Engineer 3rd Class — Do —	600	"	20th Dec/62	11th May/63	·	4	21	·	·	·	Transferred to Travancore on the 11th May 1863.

Bombay
12th June 1880

(Signed) P. Lambert Major R.E.
Examiner P.W. Accounts

True Copy

W. T. Jackson
Superintendent Correspondence Branch.

24.7.80

No. 2199 W

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 18 Sept. 1880 again

Read the following: 2199/84

Endorsement from the P.W.D. (No. A d/ 30th March 1880)
— do — do — (" 973 — 31st — " —)
Pro: P.W. Dept. — (" 911 — 9th April — ")
— do — do — (" 947 — 13th — " —)
Telegram to Mr. Barton (" — 30th — " —)
— do — do — (— 3rd May —)
— do Resident of Travancore (" — 14th — " —)

Read also

Endorsement in the Political Dept. } H.E. No. 989 d/ 4th May —)
Letter from Resident Travancore (" — 45 — 10th — " —)
Terms of agreement between Mr. Barton & Travancore Govt. }
Report on pension papers of Mr. Barton from Ex. P.W. Accts. — 31st Aug. —)

29

Ordered that the Govt. of India be addressed.

(H.E. No. 2200 W d/ 18th Aug/80)

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

Sir,

I am directed to forward a statement of the verified services of Mr. W. Barton, late Chief Engineer Travancore, and to request the orders of the Govt. of India in regard to the pension to be allowed to him.

2. The Govt. of India are, it is believed, fully acquainted with the circumstances of Mr. Barton's connection with the Madras and Travancore Governments. He accepted service under the Mahahrajah of Travancore prior to the issue of the rules contained in Govt. of India Resolution communicated with Financial Dept. Pro: No. 4359 of the 14th Oct. 1871. His case was referred to the Govt. of India by Chief Secretary Arbuthnot's letter No. 464 of the 21st Nov. 1862, and in the Hnble Mr. Drummond's letter dated 30th January 1863, No. 350 G., it was ruled that Mr. Barton would be allowed to count for pension the period during which he might be employed under the Travancore State as Chief Engineer, the Travancore Govt. being however informed that they might ultimately become liable for a portion of his pension.

3. In Major General Crommelins letter No. 996 E.G. d/17th July 1878, it was ruled that, in case Mr. Barton should at any time leave the Travancore Govt., he was to be taken back as a supernumerary

in a Grade considered suitable by this Govt., and Mr. Sampson's letter of the 6th Jany 1879, No. 18 E.G. this decision was finally re-affirmed.

4. Govt. of India Resolution No. 2620-2642 E.G. of the 21st Novr. 1879, having been communicated to Mr. Barton, he decided to return to India. The Travancore Govt. did not contemplate the refusal of the Madras Govt. to allow Mr. Barton to retire, and as he became entitled to full pension under the existing agreement with Travancore in May 1880, they decided to terminate his engagement with them.

5. Under the Govt. of India ruling previously mentioned Mr. Barton would have been brought on the Madras P.W. Estabt., had it not been for the extensive reductions.

6. In March last Mr. Barton renewed his application for retirement from the date of the severance of his connection with the Travancore State, "with an equitable pension," failing which he desired to be retransferred to the Madras P.W. Dept.

7. Having been informed that the latter course could not be adopted, Mr. Barton ultimately tendered his resignation, leaving his claims to be settled by Government.

8. The terms of Mr. Barton's agreement with the Travancore Govt., so far as they affected his

pension, allowed him a retiring pension of £300 per annum after 20 years service, and £500 after 25 years service, counting from the date of his admission into the Bombay British service, and irrespective of any pension that he might receive from the British Govt.-

9. It has been argued that Mr Barton is only entitled to a claim from the British Govt. one month's pay as gratuity for each year's service rendered to them before he entered the service of the Travancore State; his service and consequent pension being after that date provided for by his agreement with the Travancore Govt.- His Grace the Governor in Council [illegible] is unable to concur in this view, for it was distinctly promised in Mr Drummond's letter to the Chief Secretary to the Madras Govt. No. 350 G. of the 30th Jany, 1863, that Mr Barton's Travancore service was to count for pension; and it seems to this Govt. that this ruling should be adhered to, and that it is for the Govt. of India to decide what effect is to be given to the fact that Mr Barton has obtained a pension from the Travancore State.-

10. The enclosed reports prepared by the Examiner P.W. Accounts shews the pension and bonus admissible under the rules, and under

Govt. of India Resolution
of the 31st July, 1879, No. 2079,
assuming that the whole
of Mr. Barton's service
(counting from date of his
covenant with the East
India Company), both
in Bombay and Madras,
is reckoned as pensionable

13/9/80

A.P.
13/9

Despd to
Simla with
2199W with Ex
Report & memo
of Mr Barton's
qualifying
service & Mr
Barton's
covenant

1-10-80

2199
80

Mr. H. Huddleston

Print in full

16/9

Cor 14-9-80. Ret 16-9-80 —
O.P. Sheet 84 folio

2199
89

Govt. of (1880) Madras.

PUBLIC WORKS.

To

Dated 20/9/80

Issued

Recd.

Recd.

G. O. 10th Sept 1880, No. 2199.2200 W.

Nos. 101-103

Requesting orders regarding the pension to be allowed to Mr W. Barton, late Chief Engineer Travancore

r W. Barton, late
ief Engineer, Travancore.

rdered that the G of I
advised regarding
pension to be
lowed to —

8/12/82