

P. W. D. 6 1/2 43-1

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
GENERAL.

No 3165 Waf 20.12.81

Recorded.

[Signature]

19.12.81

To

Nos. 1534—56 G.

Dated December 8, 1881.

Received 17 Dec 81

B. No 3165 Waf 20 Dec 81

Provisions of Section 38 (b) of the Pay and Acting Allowance Code, relative to the grant of increments of progressive pay in advance of due date, supersede the orders contained in Public Works Department Circulars Nos. 40 and 81 of 1879.

No. 414, P. W. D. Press—9-12-81—425.

Samp 1/2

Ex P. W. D. : Sent 20/12/81

Entd. in Receipt Reg
with order.

68 page copies

Nos. 1534—56 G.

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
GENERAL.

To

THE GOVERNMENTS OF MADRAS, BOMBAY, BENGAL, NORTH WESTERN PROVINCES AND
ODDH, AND THE PUNJAB, IN THE PUBLIC WORKS DEPARTMENT.
THE CHIEF COMMISSIONERS, CENTRAL PROVINCES, BRITISH BURMA, ASSAM AND COORG.
THE RESIDENT AT HYDERABAD.
THE AGENTS TO THE GOVERNOR GENERAL FOR CENTRAL INDIA, RAJPUTANA AND
BELUCHISTAN.
THE ACCOUNTANT GENERAL, PUBLIC WORKS DEPARTMENT.
THE INSPECTOR GENERAL OF MILITARY WORKS.
THE DIRECTOR GENERAL OF RAILWAYS.
THE CONSULTING ENGINEERS TO THE GOVERNMENT OF INDIA FOR GUARANTEED RAIL-
WAYS, CALCUTTA, LAHORE AND LUCKNOW.
THE DIRECTOR GENERAL OF TELEGRAPHS IN INDIA.
THE DIRECTOR-IN-CHIEF, INDO-EUROPEAN TELEGRAPH.
THE DIRECTOR, PERSIAN TELEGRAPH.
THE DEPUTY DIRECTOR, PERSIAN GULF TELEGRAPH.

Fort William, December 8, 1881.

SIR,

I am directed to state that the provisions of Section 38 (b) of the
Pay and Acting Allowance Code, relative to the grant of increments of progres-
sive pay in advance of due date, supersede the orders contained in Public Works
Department Circulars Nos. 40 and 81, dated the 7th June and 26th November
1879, respectively.

I have the honor to be,

SIR,

Your most obedient Servant,

W. Sampson

Under Secy. to the Govt. of India.

N^o 1534 G

To,

*The Secretary to the Government of Madras
Public Works Department.*

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
GENERAL.

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Nos. 1534—56 G.

Dated December 8, 1881.

Received

B. N. 3165 Way 20 Dec 81

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(S.) R.T.

Examiner W. Aceto.

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PUBLIC WORKS DEPARTMENT.
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1879, respectively.

I have the honor to be,
SIR,
Your most obedient Servant,

A. B. SAMPSON,
Under Secy. to the Govt. of India.

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
ESTABLISHMENT.
General.

Circular No. 81 Public Works.

Dated SIMLA, November 26, 1879.

Received

Inv'd to 3834 dpr Dec 1881

*Communicated to the
Chief Engr for Irrigation,
Consty Engr for Railways and
to the Examiners P.W. and
Railway Accounts.*

J. S. J. S.

*Chs Engr for d.
Consty Engr for P.W.
Ex- P.W. Accts
" P.W. Accts
Secy P.W. Committee*

Regarding officers appointed on progressive pay
beginning on the minimum.

For Heads of Departments only.

Circular No. 81 Public Works.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

ESTABLISHMENT.

General.

Simla, November 26, 1879.

The Governments of Madras, Bombay and Bengal, in the Public Works Department, General, Irrigation and Railway Branches.
The Government of North-Western Provinces and Oudh, in the Public Works Department, Buildings and Roads and Irrigation Branches.
The Government of Punjab, in the Public Works Department, General and Irrigation Branches.
The Chief Commissioners, Central Provinces, British Burmah and Assam.
The Resident, Hyderabad.
The Agents to the Governor General for Central India, Rajputana and Biluchistan.
The Superintendent of Port Blair and Chief Commissioner, Andaman and Nicobar Islands.
The Accountant General, Public Works Department.
The Inspector General of Military Works.
The Director General of Railways.
The Consulting Engineers to the Government of India for Guaranteed Railways, Calcutta, Lahore and Lucknow.
The Director General of Telegraphs in India.
The Director-in-Chief, Indo-European Telegraph.
The Director, Persian Telegraph.
The Deputy Director, Persian Gulf Telegraph.

The following is forwarded to the Local Governments and Administrations and Officers marginally noted, in continuation of Public Works Department Circular No. 40, dated 7th June 1879.

Also to the Foreign Department for communication to the Chief Commissioner, Mysore.

By order,

J. S. TREVOR, Major-Genl., R.E.,
Deputy Secy. to the Govt. of India.

No. 3093, dated 8th October 1879.

RESOLUTION—By the Government of India, Department of Finance and Commerce.

Read again—

Resolution No. 751, dated 21st February 1879, by which the Governor General in Council decided that, although an officer appointed to an office on progressive pay should, ordinarily, begin on the minimum, a Local Government, which could revise the pay of the appointment itself, has power to make an exception to that rule.

RESOLUTION.—The Governor General in Council has reason to fear that the Resolution thus read has been understood to confer upon Local Governments a general discretion to allow an officer appointed to an office on progressive pay to draw an initial pay exceeding the minimum pay of the appointment; and that it is necessary to caution Local Governments expressly against the exercise of such discretion otherwise than in altogether exceptional cases.

2. A progressive pay is arithmetically equal to a fixed pay somewhere between the minimum and the maximum, its exact amount depending upon the time which must pass before the maximum is attained, and upon other circumstances.

3. To appoint an officer to an office the pay of which is progressive on an initial pay above the minimum, is equivalent to appointing an officer to an appointment the pay of which is fixed on a higher pay than the fixed pay of the appointment.

4. A Local Government, which has power to raise the pay of an appointment, may, no doubt, be held to have power to appoint a particular officer thereto on pay above the pay fixed for the office ; but, clearly, this is a power which it would rarely, if ever, be expedient to exercise, as to do so contravenes the general principle that the pay of an office should be fixed on public and abstract grounds, and not to suit any individual officer.

5. These principles apply, generally, to the case described in the preamble ; and a Local Government should only use the power conferred by Resolution No. 751, dated 21st February 1879, in a case in which, if the pay of the appointment were fixed, it would feel justified in giving to the officer pay in excess of the fixed pay. Such a case, it is presumed, seldom, if ever, occurs.

GOVERNMENT OF INDIA,
PUBLIC WORKS DEPARTMENT.
ESTABLISHMENT.

General.

Circular No. 40, P. W.

Dated, SIMLA, June 7th, 1879.

Received

Recd No 170960/27 June 1879

*Communicated to the
Officers concerned.*

J. S. J. P.

*The Ch. Engr for I
" Com. Engr for Pys
" Ex. Engr Accts.
" " Pys Accts.*

Ruling that ordinarily the professional pay of a new incumbent should begin on the minimum, but exceptions to this rule may be allowed by the Local Government whenever it would be competent to revise the pay of the appointment itself.

"For Heads of Departments only."

Circular No. 40, P. W.

GOVERNMENT OF INDIA.
PUBLIC WORKS DEPARTMENT.
ESTABLISHMENT.

General.

Simla, June 7th, 1879.

The Governments of Madras, Bombay, and Bengal, in the Public Works Department, General, Irrigation, and Railway Branches.

The Government of the North-Western Provinces and Oudh, in the Public Works Department, Buildings and Roads and Irrigation Branches.

The Government of the Punjab, in the Public Works Department, General and Irrigation Branches.

The Chief Commissioners, Central Provinces, British Burmah, Mysore and Coorg, and Assam.

The Resident, Hyderabad.

The Agents to the Governor General for Central India and Rajputana.

The Superintendent of Port Blair, and Chief Commissioner, Andaman and Nicobar Islands.

The Accountant General, Public Works Department.

The Inspector General of Military Works.

The Director of State Railways, Western System.

The Director of State Railway Stores.

The Consulting Engineers to the Government of India for Guaranteed Railways, Calcutta, Lahore, and Lucknow.

The Director General of Telegraphs in India.

The Director-in-Chief, Indo-European Telegraph.

The Director, Persian Telegraph.

The Deputy Director, Persian Gulf Telegraph.

The following
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Administrations
and Officers mar-
ginally noted for
information and
guidance.

By order,

A. B. SAMPSON,

Under Secy. to Govt. of India.

No. 751, dated 21st February 1879.

RESOLUTION—By the Government of India, Financial Department.

Read—

A letter from the Chief Commissioner of British Burma, No. 5581-742, dated 28th December 1878, received in the Home Department, stating that Moung Shwe Aik, consequent on the abolition of his appointment as Deputy Inspector of Schools on a pay of Rs. 200 a month, was nominated to a vacant clerkship in the office of the Director of Public Instruction on a commencing pay of Rs. 110 a month, but that the Deputy Accountant General objected to pass more than the minimum pay of Rs. 80 a month without the sanction of the Government of India.

RESOLUTION.—The Governor General in Council observes that, ordinarily, the progressive pay of a new incumbent should begin on the minimum. But exceptions to this Rule may be allowed by the Local Government whenever it would be competent to revise the pay of the appointment itself.

2. In the present instance the Chief Commissioner was accordingly competent to pass the orders challenged by the Deputy Accountant General.