

NO. 14.

MADRAS 9TH JANUARY 1882.

FROM,

ERNEST BARCLAY,

GOVERNMENT SOLICITOR.

MADRAS.

TO,

THE ACTING UNDER SECRETARY TO GOVERNMENT,

PUBLIC WORKS DEPARTMENT.

SIR,

1. I BEG TO ACKNOWLEDGE RECEIPT OF YOUR MEMORANDUM DATED 7TH INSTANT NO. 39 WITH ITS ENCLOSURES.

2. I AM OF OPINION THAT PERSONS WHO ENTER THE SERVICE OF GOVERNMENT UNDER AGREEMENTS LIKE THOSE ACCOMPANYING YOUR MEMORANDUM UNDER REPLY CANNOT CLAIM TO BE PAID THEIR SALARIES IN ARREARS ON THE FIRST DAY OF EACH MONTH. ONE AGREEMENT IS DATED THE 11TH AND THE OTHER THE 16TH OF THE MONTH AND IN EACH CASE THE SALARY IS MADE PAYABLE MONTHLY COMMENCING FROM THE DATE OF THE AGREEMENT. THE FIRST MONTH'S SALARY IS THEREFORE PAYABLE AT THE EXPIRATION OF ONE MONTH FROM THE DATE OF THE AGREEMENT, AND SO ON FROM MONTH TO MONTH. IN THE CASE OF AN AGREEMENT DATED ON THE LAST DAY OF THE MONTH THE SALARY MIGHT PERHAPS BE CLAIMED ON THE FIRST DAY OF THE MONTH, BUT FOR ANOTHER PROVISION IN THE AGREEMENT.

3. IN EACH OF THE FORMS OF AGREEMENT SENT ME THERE IS A COVENANT BY THE EMPLOYEE THAT HE WILL CONFORM TO ALL THE RULES AND REGULATIONS OF THE DEPARTMENT TO WHICH HE

SHALL

SHALL BELONG AND IF IT BE ONE OF THE RULES OF THE DEPARTMENT THAT THE SERVANTS BE PAID THEIR SALARIES ON A PARTICULAR DAY OF THE MONTH, THE EMPLOYE WOULD, IN MY OPINION, BE BOUND BY SUCH A RULE.

4. I RETURN THE ENCLOSURES WHICH ACCOMPANIED
YOUR MEMORANDUM AND

I AM, SIR,

YOUR OBEDIENT SERVANT.

Lincoln Barclay

GOVERNMENT SOLICITOR.

P. W. C. No. 128

h. 2

Recd. 10 January 1882

G.O. 1089 W. 26.4.81
C.B. 39 - 7.1.82

The Hon W. Huddleston

Cir

Circulated for
information with
reference to the
remark of the Honble
Member on the
letter of the Harbour
Superintendent.

10.1.82

Secy

M

Cd

Cm 11.1.82

5

No. 39. of 7 Jan/82

P.W.D

Memo

The undersigned is directed to
request that the Govt Solicitor
will furnish the Govt with an
expression of his opinion whether,
with reference to the accompanying
two specimen "articles of agreement"
the covenanted men employed on
the Madras Harbour works can
claim to be paid their salaries
in arrears on the 1st day of each
month.

(By order)

Secy R.T.

Ag. to Govt

(By C.S.)

To the Govt Solicitor ✓
with 2 encls. (return
requested).

Recd 7.1.82.

20-10/1

The Capt. W. H. Watson

From letter to J. W. W.

7 Dec. W.

I send copies of the
Agreements - I think the
Lawrence has the originals.
The men also have
signatures -

Please return them

M.

6. 1. 82.

GOVT. } 1881 { P. W.
OF MADRAS. } { DEPT.

N^o 2 N. SECRETARY.

Chepauk, 5 January 1881.

OFFICE NOTE.

To

The Supt. En. H. Works

Your letter No 77W
of 21 Decr 1881.

If the articles of
agreement of any of
the Contracted men now
on the works be in
your possession, please
forward them for reference.

Those of Mr Boteler
were sent to you with No.
No 1089W of 26 April 81.

57.1.82
D.W.

No. 77W

FROM

THE SUPERINTENDENT,
MADRAS HARBOUR WORKS,

To

The Secretary to Government
P. W. Department

MADRAS, 21 December 1881.

Sir,

I have the honor to ask for the sanction
of Government to disbursing the salaries of the
Harbour Works Engineers and Office Establishment
on the first or second day of the month as has been
the practice since 1876.

2 The Examiner in his audit note for
September 1881 requires that under section 1729
of the Madras P.W. Code, the Harbour Works Establish-
ment shall not be paid until his Office has audited
and returned the Salary Bill, which arrangement
will unnecessarily defer payment till the next or
day following after receipt of audited Bill, to
the inconvenience of many of the recipients.

3 The object of the restriction enforced by the
Code is, I believe, to prevent paying items that
would seem liable to retrenchments on account
of fresh appointments, absence from duty and
other incidences such payments I have the
honor to state, have been as a rule always
withheld until the Bill was returned audited
by the Examiner, only the regular payments

being disbursed on the 1st of the month.

4. The origin of the system of paying on the 1st or 2nd of the month arose from the Covenanted Europeans from England firmly demanding their pay at the proper date as they were perfectly well aware that their salary was a fixed matter not subject to alteration by any rules of another office. This became after two months so serious a trouble that on my own responsibility I paid the sums rather than wait till about the 7th or 8th of the month for the return from the Examiners office of the bills - During more than 5 years no refund has had to be made, I therefore beg that the practice may be allowed to continue

I have the honor to be,
Sir,

Your most Obedt Servant.

J. H. Mowson.
Superintendent
the Harbor Works

+ They are not to pay before
initiated to pay before
and I shall show any thing
else. R.S.

bring disb
4. Mr 7568 of 81
2. 40 39 of 82
Cms 120 of 82

Be No 108 Wd 14th January 82

No exception can be
made in favour of the
Harbour Works Estab-
lishments whose salaries
should be disbursed
only after audit.

~~Be~~

24/02/81

Can authorise that
the following may be
able to claim for the
due date of 1st of month
Perhaps better let for 1st
See their accounts.

CG 39-7-1-82.

Suptt Mth works with
Encs PW & Enclosures.

in 3-1-82
Desptd 14-1-82- Jm/1

P. H. Co. 7568
Establishment

From
The Superintendent
Madras Harbor Works

No 77 W.

Dated 21 December 1881.

Recd 22

CG No 39 of 7-1-82.

Be No 108 Wd 14th January 82

No. of Enclosures - nil
Entd. in Receipt Regr.

Salaries

Solicits sanction for
Salary Bills being paid
before audit.

With order