Cro ms 173 - 174 P. w D

20 - 1 - 1887

All communications should be addressed to the Secretary.

No. 2093 G.

GOVERNMENT OF INDIA.

PUBLIC WORKS DEPARTMENT.

GENERAL.

WW 27.12.86

Fort William ~~SIMLA~~, 21st December 1886.

The undermentioned paper is forwarded to the Government of Madras, Public Works Department for ~~for~~ to be returned with necessary report.

By order,

G H Walker

Offg: Under Secretary.

Document referred to.

Memorial dated November 1886 from Mr. Chisholm, late Consulting Architect to the Government of Madras, to the address of His Excellency the Governor General in Council praying that he may be granted suitable compensation for the loss sustained by him by reason of the action of the Government of Madras in his affairs.

(1)

7 Wa/2.5.83.
9 Wa/17.12.83

(2) —

20 Wa/6.1.85
8.9 Wa/11.3.85
7 Wa/31.3.85
15 C a/6.6.85
08 Wa/3.8.85

(3) —

47 Wa/20.6.85
88 Ea/20.8.85

(4) —

6 Wa/14.3.85
42 Ea/1.9.85
84 Wa/23.3.86.
225 Wa/26.1.86
407 Wa/18.2.86
669 Wa/13.3.86.
209 Wa/23.1.84
145 Wa/6.5.82
119 6 Wa/12.5.84
99 Wa/4.6.85
61 Wa/7.3.85
7 Ca/4.6.85
9 Ca/19.6.85
.8 Wa/26.2.86

—

83 a/1.10.68
63 a/2.12.68
49 a/18.1.69
1140 A a/7.4.69
1386 a/28.4.69
4012 A a/27.12.69
3138 a/12.12.71
28 a/18.12.71

785 a/19.3.72
1 a/2.9.72
1 a/14.9.72

(5) cont^d

No 2191 a/14.9.72
" 2494 Ba/22.10.72
" 665 a/19.3.73
" 1143 a/21.4.73
" 1615 B a/7.6.73
" 1512 a/11.6.73
" 57 a/5.9.73
" 3380 a/2.12.74
" 1486 a/15.6.76
" 1565 a/22.6.76
" 3073 Wa/2.12.79
" 1329 Wa/27.5.84
" 153 Wa/17.1.85
" 154 Wa/17.1.85
" 297 Wa/7.2.85
" 1994 Wa/28.8.85
" 1296 W a/22.5.86
" 2402 Da/11.6.86
" 2672 D a/18.6.86
" 1799 Wa/16.7.86
" 4877 D a/5.8.86
" 5477 Da/18.8.86
" 5532 D a/20.8.86
" 3220 Ca/22.9.86
" 3203 Ca/24.9.86
" 2675.76 Ca/13.10.86.
" 2715 Wa/15.10.86.
" 2862 Wa/1.11.86.
" 4127 Ca/22.11.86.

despatched 5 of 8.

Mch 10174/86

Lr 5/12/86
En 1

10174/86

Note

Memorial from Mr. R.F. Chisholm to H.E. the Viceroy, & endorsement thereon by the Govt. of India No 2093 E & 21.12.86, calling for Report.

—

In this memorial, Mr. Chisholm lays certain alleged grievances before the Viceroy & asks for compensation – He writes in general terms, & it is difficult to see wherein lies his chief grievance, but it appears to be that he was refused promotion to the rank of Suptg. Engr.

The points in his memorial appear

to be :- 1210

(1) That during his absence on furlough in 1883-84, a permanent Supt. was appointed to the School of Arts, thereby depriving him of a charge allowance of Rs 350 per mensem — with respect to this, it will be seen from G.O. of 4.4.83. No 189 Educational, that a permanent Supt for the School was obtained at Mr Chisholm's own suggestion — It is doubtful whether Mr Chisholm brings this matter forward as a grievance, but he mentions it in his memorial as if it were one.

(2) That on his return from furlough in 1884, he was debarred from all private practice — It will be seen from G.O. No 1196 W dy 12.5.84 & G.O. 14.9.72 & G.O. No 1299 W dy 4.6.85 that

from being a loser by having drawn a special consolidated salary of Rs 1200 per mensem from date of his appointment as C.A. to date of his retirement, he had drawn nearly Rs 30,000 in excess of the total salary which would have been passed to him had he worked his way upward in the ordinary course from Asst. Supt. to Supty Supt. 2d Class.

On receipt of this order, Mr Chisholm explained, in his letter No 474 dy 25.6.85, that he had not asked for any increase of pay, nor had he proposed the consideration of any measure which would increase State expenditure by one Rupee, but

to be

(1) No

o

5

the prohibition was a general one, applying to all officers of the Dept, & that it was promulgated under the express orders of the Govt of India - this therefore cannot be included in the "action taken in this affair by the Govt of Madras" -

(3) That he was refused promotion to the rank of Supply Offr - the grounds on which the pro- tion was refused were clearly set forth in G.O. No 1447 W dy 20.6.83, & it seems needless to repeat them here - Mr Chisholm quotes only a portion of the order in his memorial but it was explained to him that no par-

7

that he merely desired to be graded as a Supply Offr to admit of his drawing the higher pension sanctioned for that class - That the Govt. were not unmindful of Mr Chisholm's interests in respect to his pension, will be evidenced by a perusal of the papers pub. with G.O. No 1808 W dy 3.8.83 - In letter No 569 W dy 11.3.83, the Govt of India were asked in strong terms to grade Mr Chisholm as a Supply Offr to admit of his drawing the higher pension, & in reply that Govt stated that they had no power to grade him as proposed but that the matter was under the consideration of the Secy of State

Later on (July 1885) the Govt. of India intimated that the Secy. of State had admitted Mr. Chisholm to the higher rate of pension sanctioned for Supdg Engrs (vide Gt. Ms. 1808 W dy 3.8.85)

It was then believed that Mr. Chisholm had obtained all he wanted, for in a D.O. letter dy 28.7.85 he intimated his intention to retire as soon as the decision of the Secy. of State giving him the higher pension had been received - That decision was communicated to him on 3.8.85. but his retirement was delayed on account of certain trouble connected with the accounts of the Parla Kemidi palace works. That trouble

having been removed, he retired on 21.2.86 (vide papers with Ms 784 W dy 23.3.86) - There is nothing in the official record to show that Mr. Chisholm's retirement was otherwise than purely voluntary.

(4) Mr. Chisholm complains that in June last (or about four months after his retirement) he saw with much surprise & annoyance, that the late Lt Col. Mignant had been appointed Consy. Architect with the rank of Supdg Engr; also that he quite recently learnt, with still deeper resentment, that shortly after H.E. the Governor had alleged

his inability to confer
on him the promotion
he rightfully demanded,
& upwards of four ~~months~~ (Mrs Ci).
months before his retirement
Sir Evan. was in possession
of the Govt. of India orders
under which he exercised
his authority in favour
of Col. Morant. How
Mr Chisholm obtained
access to the Govt records
is not known, but
it will be shown that
he is not correct in his
deductions - Mr Chisholm's
special appointment as
Consy. Asst. on a ~~Rs~~
special rate of salary,
Rs 1200 per mensem,
was sanctioned by
the Secy of State on
the condition that on
Mr Chisholm's retirement,
the question of continuing

the appointment should
be reconsidered, & that
a successor to Mr C
should not be appointed
until a reference had
been made to the Govt
of India. In Mr Ci
individual case, the Govt.
of India said in March
1885, that they had no
authority to grade him
as a Supply Supt., but
they subsequently obtained
the Secy of State's sanction
to allow him the higher
rate of pension - When,
in July 1885, Mr C
intimated his intention
to retire in September,
the Govt. addressed
the Govt. of India
with respect to the
continuation of the
appointment - The G. of I.
themselves suggested

that the appointment should be given to any Officer of the Dept., who might rise as a supernumerary to the rank of Supply Duty. The correspondence all had reference to what should be done after Mr Chisholm retired, & there is nothing to show that Mr C would have remained in the dept. if promotion to Supply Duty had been granted to him, — he having obtained what he professed & wanted, i.e. the rate of pension allowed to Supply Duty. It is true that the G. P. suggestion as to the terms on which the appointment should be continued were received about four months before Mr Chisholm retired,

but the approval of the Secy. of State to these terms was not received until May 1886, or three months after Mr C retired, so that A.G. the Govr did not "exercise his authority in favor of Col. Morant R.E." on the G. of I. letters of Septr & Octr 1885, but on that of May 1886. (vide Pp. No 1296 W of 22. 5. 86)

(5) Mr Chisholm considers himself "to have been unjustly and improperly deprived of an honorable & lucrative position, to the compelent discharge of the duties pertaining to which, he fearlessly

asserts himself to be the best qualified officer in the Presidency". Mr. Chisholm voluntarily retired from the service, & he was therefore not deprived of his position, & so far as Official record shows, he has never intimated to the Madras Govt any wish to return to his former appointment on the terms on which it has been continued.

For orders.

C.R.
10.1.87

Mr. Chisholm's Memorial

Note

Mr. Chisholm asks redress for the heavy loss which has worked him by reason of the action taken in his absence by the Govt. of Madras.

He claims.

1st. (1)
2d. (2)
3d. (3)
4th. (4)
5th. (6).

but upon the 1st point it seems doubtful whether Mr. Chisholm has the matter pressed as a grievance - as -

as regards the 2d point - he has absented since 3d point C.R. Chisholm speaks only a portion of the order in his memorial, for it was explained that so far from being a loser by having drawn a special Allowance Salary of £200 per annum from date of his appointment as D. Collector to date of his retirement, he had drawn no

Rs 30,000 in excess of the total
Salary which would have been drawn
which has to be worked out wrong
in ordinary course from 2nd Sept (?)
to 5th Sept. 2nd class.
Date 4th print - d.
As regards the 5th print £

—

Read the Amended Note of
Mr with reference thereto
Mr 20th Sept. 2nd Dec 1887.

Note.

Mr Chisholm seeks redress for the heavy loss which has worked to him by reason of the action taken in his affairs by the Government of Madras.

He states:—

(1st) that during his absence on furlough in 1883-84, a permanent Superintendent was appointed to the School of Arts, thereby depriving him of a charge allowance of Rs 350 per mensem.

(2nd) that on his return from furlough in 1884, he was debarred from all

all private practice.

(3rd) that he was refused promotion to the rank of Supty Engineer.

(4th) ~~Mr Chisholm complains~~ That in June last (or about four months after his retirement) he saw with much surprise and annoyance, that the late Lieut: Colonel Morant had been appointed Consulting Architect with the rank of Supty Engineer; also that he quite recently learnt, with still deeper resentment, that shortly after H.E. the Governor had alleged his inability

to confer on him the promotion he rightfully demanded, and upwards of four months before his (Mr Chisholm's) retirement, His Excellency was in possession of the Govt of India orders under which he exercised his authority in favor of Colonel Morant.

(5th) Mr Chisholm considers himself "to have been unjustly and improperly deprived of an honorable and lucrative position, to the competent discharge of the duties pertaining to which, he fearlessly asserts himself to be the best

qualified officer in the Presidency."

2. With respect to the first point, it seems doubtful whether Mr. Chisholm brings the matter forward as a grievance, but it will be seen from G.O. dated 4th April 1883, No. 180 Educational that a permanent Supdt for the School was obtained at Mr. Chisholm's own suggestion.

3. As regards the 2d. point, it will be seen from Pro: No. 1196 W dated 12th May 1884 & No. 1299 W dated 4th June 1885, that the prohibition was a general one, applying to all officers of the dept., and that it was promulgated under the express orders of the Govt of India. This therefore cannot be

included in the action taken in his affairs by the Government of Madras.

4. With reference to the 3d. point, Mr. Chisholm in his memorial only a portion of quotes G.O. No. 1147 W dated 20th June 1885 ~~in this memorial~~, but it was explained to him that so far from being a loser by having drawn a special consolidated salary of Rs 1,200 per mensem from date of his appointment as Consulting Architect to date of his retirement, he had drawn nearly Rs 30,000 in excess of the total salary which would have been passed to him had he worked

his pay upward in the ordinary course from Executive Engineer to Superintending Engineer 2. class.

On receipt of this order, Mr. Chisholm explained, in his letter No. 474 dated 25th June 1885, that he had not asked for any increase of pay, nor had he proposed the consideration of any measure which would increase state expenditure by one rupee; but that he merely desired to be graded as a Supdg Engr. to admit of his drawing the higher pension sanctioned for that class.

That this Government were not unmindful of Mr. Chisholm's interests in respect to his pension, will be evidenced by a perusal of the papers. In letter No. 5696 dated 11th March 1885, the Govt. of India were asked in strong terms to grade Mr. Chisholm as a Supdg Engineer to admit of his drawing the higher pension, and in reply that Government stated that they had no power to grade him as proposed, but that the matter was under consideration of the Secretary of State.

Later on (July 1885) the Govt. of India intimated

+ Letter No. 479 Q dated 25th March 1885.

‡ Letter No. 1443 Q dy 24th July 85.

that the Secretary of
State had admitted Mr
Chisholm to the higher
rate of pension sanctioned
for Supty Engineers. (vide
G.O. No. 1808 W dated 3d
August 1885).

It was then believed
that Mr Chisholm had
obtained all he wanted,
for, in a D/o letter dated
28th July 1885, he intimated
his intention to retire
as soon as the decision
of the Secretary of State
giving him the higher
pension had been received. That decision
was communicated
to him on 3d Augt 1885,
and he retired on

it may be remarked in the first place that although an officer may be a competent architect, architectural work does not give the General experience required in a Supty Engineer.

Mr Chisholm makes a point of his being refused the post of Supt Engr because he had all along been employed on purely architectural duties, while Col. Mowat, a Supt Engr, was appd to succeed him as Supt. architect. The answer is of course obvious - an Engineer may be a competent architect but architectural work does not give the general experience required in a Supt Engr. But it might be worked into the note or the order thereon

1886
17 Jany

21st February 1886. There
is nothing in the official
record to show that
Mr Chisholm's retirement
was otherwise than
purely voluntary.

5. With respect to the
4th point, Mr Chisholm's
special appointment as
Consulting Architect on a
special rate of salary,
Rs 1,200 per mensem, was
sanctioned by the Secy: of
State on the condition
that on Mr Chisholm's
retirement, the question
of continuing the appoint-
ment should be reconsidered,
and that a successor
to Mr Chisholm should

not be appointed until a reference had been made to the Govt of India. In Mr Chisholm's individual case, the Govt of India said in March 1885, that they had no authority to grade him as a Supdg Engineer, but they subsequently obtained the Secretary of State's sanction to allow him the higher rate of pension. When, in July 1885, Mr Chisholm intimated his intention to retire in September, this Government addressed the Govt of India with respect to the continuation of the appointment. The

Govt of India themselves suggested that the appointment should be given to any officer of the P.W.D. who might rise as a supernumerary to the rank of Supdg Engineer. The correspondence all had reference to what should be done after Mr Chisholm retired, and there is nothing to show that Mr Chisholm would have remained in the dept if promotion to Supdg Engineer had been granted to him, - he having obtained what he professedly wanted, i.e. the rate of pension allowed to Supdg

Engineers. It is true that the Govt. of India suggestions + as to the terms on which the appointment should be continued were received about four months before Mr. Chisholm retired, but the approval of the Secy of State to those terms was not received until May 1886, or three months after Mr. Chisholm retired, so that His Excellency the Governor did not exercise his authority in favor of Colonel Morant R.E. on the Govt. of India letters of September & October 1885, but on that of May

+ G. of I. letters No 1432 Q, 17 19 Sept 1885 & No 1538 Q, 17 16 Oct 1885

+ No 720 S & G 4 May 1886.

1886 (vide G.O. No. 1296 W of 22 May 1886).

6. As regards the 5th point, Mr. Chisholm voluntarily retired from the service, and he was therefore not deprived of his position, and so far as official record shows, he has never intimated to the Madras Govt any wish to return to his former appointment on the terms on which it has been continued.

J.M.
14/7/87. W

Cu

PROCEEDINGS OF THE MADRAS GOVERNMENT.

~~Under date the~~ 20 January

READ the following

Endorsement by the Govt of India on memorial from Mr R. F. Chisholm. } (H. No 2093 G dt Dec 21. 1886)

Note by the Secy to Govt P.W.D. dt Jany ~~20~~ 14. 1887

Ordered to be forwarded to the Govt of India with reference to their endorsement No 2093 G dt 21st December 1886, the enclosure of which is returned.

(H.

(H. No. 174 W 20 Jany 87)

Forwarded.

Jobs
14/7/87.

Desbd
20/1/87

1447 W 20.6.85
4888 E 20.8.85
1808 W 3.8.85
709 W 31.3.85
1015 C 6.6.85
568-9 W 11.3.85
1920 W 6.1.85
577-78 W 26.2.86.
1079 C 19.6.85
1607 C 4.6.85
2193 W 5.9.84
661 W 14.3.85
1299 W 4.6.85
1196 W 12.3.84
1145 W 6.5.82
709 W 23.1.84

669 W 13.3.86.
467 W 8.2.86.
225 W 26.1.86.
73 W 9.1.86.
784 W 23.3.86
542 21.9.85
836 W 14.3.83
1287 W 2.3.83
369 W 17.12.83.
4124 C 22.11.86.
2862 W 1.11.86.
2715 W 15.10.86.
2675-6 W 13.10.86.
E 203 C 21.9.86.
3220 C 22.9.86.
552 D 20.8.86.
547 D 18.8.86.
533 D 14.8.86.
487 D 5.8.86.
1799 W 16.7.86.

15.1.87

1799 W 16.7.86.
267 D 18.6.86.
240 D 11.6.86.
1296 W 22.5.86.
1994 W 28.8.86
297 W 7.2.85
154 W 17.1.85
153 W 17.1.85
1329 W 27.5.84
3043 W 2.12.79
1565 22.8.76
1486 15.6.76
3386 2.12.74
1542.11.6.73.
1515 B 7.6.73
1143 21.4.73.
865 19.3.73
2494 B 22.10.72
2790 L 14.9.72

97.12.9.72
785 14.3.72
Despatch No 28.1812
3138.12.12.71
4012 A. 9.12.69
27.9.10.69
1386 28.4.69
385
1140 A. 7.4.69
149.181.69
3763.21.2.69
3083.1.10.68

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