

Gobt. of {1888} Madras.

MILITARY.

To

THE ADJUTANT-GENERAL,
&c., &c., &c.

Dated July,

Issued

Recd.

Encl.

G.O., 5 July 1888, No. 4525

G.O. 2740 W-1-10-89

JULY.

Nos.

Recorded

Appointments—Royal Engineers.

Majors of Royal Engineers.—Observations of the Government of India on certain questions submitted as to the employment and promotion of — who have elected for continuous service in India, communicated to His Excellency the Commander-in-Chief for favor of necessary action.

GOVERNMENT OF MADRAS.

MILITARY DEPARTMENT.

Appointments—Royal Engineers.

Read the following paper :—

No. *From Lieutenant-Colonel E. COLLEN, Secretary to the Government of India, Military Department, to the Adjutant-General in India; dated Simla, the 8th June 1888, No. 1286-A.*

Engineers.

I am desired to acknowledge the receipt of your letter * No. 2480-C, dated the 15th May 1888, submitting certain questions as to the employment and promotion of Majors of Royal Engineers who have elected for continuous service in India.

* Enclosures herewith returned.

2. In reply, I am to say, for the information of the Commander-in-Chief, that as Major S. J. Lambert, R.E., will not attain the age of 50 years until the 15th of April 1892, it does not appear to the Government of India to be necessary to consider his individual case at present. The Secretary of State has, moreover, recently directed that action should be suspended on the Public Works Department Circular directing the compulsory retirement of Executive Engineers from that Department on attaining the age of 50 years, and it is doubtful whether the measure will be carried out.

3. With regard to the exemption of continuous service Royal Engineer officers serving in the Military Works Department from compulsory retirement, I am to state, for His Excellency's information, that the decision on this point communicated in Military Department letter No. 1488-AS, dated the 14th October 1886, did not strictly interpret the Secretary of State's ruling, which was to the effect that exemption from retirement would be secured "if necessary;" and in a subsequent despatch† His Lordship explained this to mean that special exemption from retirement from the service *might* be secured in any particular case if necessary.

4. It does not therefore appear that the Home authorities intended that Royal Engineer officers of the Military Works Department should be exempt from the conditions in regard to half-pay and retirement to which all other officers of the corps are subject under the Royal Warrants at present in force; and I am to request that, under the orders of the Commander-in-Chief, all officers to whom the previous decision was communicated may be informed of the precise instructions of the Secretary of State on this point as above explained.

Military Despatch from the Right Honorable the Secretary of State for India, to His Excellency the Right Honorable the Governor-General of India in Council; dated India Office, London, 7th October 1886, No. 272.

In continuation of the Earl of Kimberley's Military Despatch No. 194, of the 22nd July last, I forward herewith copy of further correspondence * with the War Office regarding the Royal Warrant of the 20th February 1886, and the continuous service of officers of Royal Engineers in India.

Questions connected with Royal Warrant, 20th February 1886, and service of Royal Engineer officers in India.

* From War Office, 20th August 1886, and enclosure.

To ditto, 10th September 1886, M 8154.

From ditto, 27th August 1886, and enclosure.

To ditto, 17th September 1886, M 8404.

From ditto, 22nd September 1886.

To ditto, 30th September 1886, M 9551.

† Telegram to the Viceroy, dated 29th September 1886.

2. Your Lordship has already been informed in my telegram of the 29th September † that the Military Works Branch should be considered as Civil for the purposes of Article 8 of the Royal Warrant, special exemption

from retirement from the service being secured in any particular case if necessary.

3. With reference to this point, I may point out that compulsory retirement in the ranks of Major and Captain has been suspended by the Royal Warrant of the 10th August 1886, and that in the case of a Lieutenant-Colonel such retirement does not take place till the age of 55 years.

4. In my telegram above quoted, you were also informed that the period of election for continuous Indian service had been extended to the 1st November.

No. 20/Engineers/1378.

SIR,

WAR OFFICE,
20th August 1886.

I am directed by the Secretary of State for War to transmit herewith, for the consideration of the Secretary of State for India in Council, a memorandum detailing certain points on which inquiries are constantly being made at this office on the interpretation of the recent Royal Warrant ‡ respecting the conditions of service in India of officers of Royal Engineers, and on which decisions have not been received.

‡ 20th February 1886.

As regards the question in para. 2, it is presumed that the election once made is irrevocable.

I am therefore to request you will be good enough to inform me whether Sir R. Cross concurs in the above observation, and also favor me with his remarks upon the other questions contained in the memorandum.

I am also to add that, considering the Military Works Department is now the normal employment of officers of Royal Engineers in India, and that the question whether that Department is a Civil or Military Department is still under the consideration of the Government of India, also bearing in mind that the result is not likely to be arrived at in time for it to be promulgated so as to reach officers by the 1st October next, Mr. Secretary Smith would suggest that some extension of the period during which they may make their election should be allowed.

I am, &c.,

(Signed) H. G. DEEDES.

The Under Secretary of State for India.

MEMORANDUM.

If officers accept continuous Indian service, and the Staff Corps rules of pension, will they be relieved of the disabilities they now lie under in India as Queen's officers? For example, will they be eligible for political employment, for employment in Military Department, Government of India, for the Judge Advocate General's Department, &c., and, if selected, would they be appointed to Army Staff as Indian or as Queen's officers?

2. Is the election (made by 1st October) to be irrevocable, or may officers hereafter revert to the English list, giving up all claim to the benefits derived from Indian service? (See also para. 5.)

§ Of the Royal Warrant.

3. Para. 11. § "Elsewhere than in India" would appear to include service under the Indian Government in England, as for example under para. 7, or in War Office or India Office.

4. Many officers in India have furloughs to their credit under the rules of 1868. Will they be allowed to work this off under those rules, or must they lose the very beneficial rates of furlough pay already earned by past service in India?

No. M 8154.

INDIA OFFICE,
10th September 1886.

SIR,

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 20th August, and to reply as follows to the questions therein enclosed:—

- (1) Officers of Royal Engineers who have elected for continuous Indian service will be eligible for employment in any position to which they may be appointed by the authorities in India, and, if appointed to the Army Staff, would be appointed as Indian officers.
- (2) The object of the Royal Warrant being to assure to the Government of India the certainty of continuous service on the part of officers engaging for its performance, the election is binding on the officer. An officer could return to the British Establishment by exchange only.
- (3) "Elsewhere than in India," in Article 11, of the Warrant, includes service in England under the Indian Government on the part of an officer who has, as in the case of Lieutenant-Colonel Courtenay, never rendered any service in India, but otherwise such service and duty at the School of Military Engineering under Article 7, would be reckoned as equivalent to service in India.
- (4) The Furlough Rules of 1868 cease to be applicable to officers electing for continuous service. After election they are no longer eligible for furlough under those rules.

With reference to the concluding paragraph of your letter, I am to state that Viscount Cross proposed, after communication with the Government of India, that employment in the Military Works Branch should be military employment for all purposes except those of Article 8 of the Warrant. The Government of India, however, consider that the service of retired officers (though not of officers on half-pay) in this branch is impracticable. I am therefore to inquire whether it would not be possible to issue a Royal Warrant in respect to such officers substituting transfer to an Indian half-pay list for retirement from the service as laid down in the Royal Warrant of the 10th June 1884 (in cases where it may be considered desirable to exempt officers from such retirement) until such time as officers would cease to be employed under the rules which apply to other persons holding similar appointments. I am to request that Lord Cross may be favored with a very early reply on this point.

I have, &c.,

(Signed) ALLEN JOHNSON, Major-General,
Military Secretary.

The Military Secretary, Horse Guards, War Office.

No. 20/Engineers/1399.

WAR OFFICE,
27th August 1886.

SIR,

I am directed by the Secretary of State for War to transmit, herewith, for the consideration of the Secretary of State for India in Council, a memorandum of further questions which have been raised on the subject of the recent Royal Warrant respecting the conditions of service of officers of Royal Engineers in India, and I am therefore to request that you will be so good as to cause me to be informed what replies Viscount Cross considers should be sent thereto.

I have, &c.,

(Signed) RALPH THOMPSON.

The Under Secretary of State for India.

MEMORANDUM.

Will the grading of officers in the Military Works Department (which is ruled to be the normal duty of Royal Engineer officers in India) be by regimental or departmental seniority?

2. Will officers of Royal Engineers, ordered to India in future, be liable to be merely attached to the Military Works Department with only Rs. 50 in addition to their regimental pay as at present, or will they be graded with their contemporaries in the Department at once?

3. If an officer, after serving in India under new rules, exchanges to Home service, does he thereby forfeit all claim to Indian pensions which he may have earned?

4. If an officer elects for Indian service, what will be his regimental pay in the rank of Major, viz., that of a Major, Royal Engineers, or only as at present, that of a Staff Corps Major?

No. M 8404.

INDIA OFFICE,
17th September 1886.

SIR,

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 27th August 1886, and to reply as follows to the questions in the memorandum therein enclosed:—

- (1) The grading of officers in the Military Works Branch is by departmental seniority.
- (2) No alteration has been proposed, but the question is one which must rest mainly with the Government of India to decide.
- (3) A continuous service officer exchanging for Home service would forfeit all claim to Indian pension.
- (4) No change is proposed as to the pay of Majors in receipt of staff salary.

I have, &c.,

(Signed) ALLEN JOHNSON, Major-General,
Military Secretary.

The Military Secretary, Horse Guards, War Office.

No. 20/Engineers/1411.

WAR OFFICE,
22nd September 1886.

SIR,

I am directed by the Secretary of State for War to acknowledge the receipt of India Office letter, No. M 8154, of the 10th instant, and, with reference to the proposal contained in the concluding paragraph thereof, viz., that a Royal Warrant may be issued substituting transfer to an Indian half-pay list for retirement from the service, as laid down in the Royal Warrant of the 10th June 1884, in cases where it may be considered desirable to exempt officers employed in the Military Works Department from such retirement, I am to acquaint you, for the information of the Secretary of State for India in Council, that in all probability the present rules as to compulsory retirement will shortly be considerably relaxed.

Under these circumstances, Mr. Secretary Smith considers that it would not be expedient to make any special exception in the case of officers of Royal Engineers employed under the Royal Warrant of the 20th February 1886; and I am now to request that you will be good enough to cause an early decision to be arrived at regarding the point submitted in the letter from this office of the 20th ultimo, No. 20/Engineers/1378, relative to the extension of the period during which officers of Royal Engineers may make their election for continuous Indian service.

I have, &c.,

(Signed) RALPH THOMPSON.

The Under Secretary of State for India.

M 9551.

INDIA OFFICE,
30th September 1886.

SIR,

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 22nd September, and to acquaint you in reply that Viscount Cross admits the inconvenience, under the circumstances, of issuing a Royal Warrant as suggested in my letter of the 10th September.

2. I am to add that His Lordship has decided that the Military Works Branch shall be considered as military for all purposes except those of Article 8 of the Royal Warrant of 20th February 1886, and that, in view of the lateness of the time at which it has been possible to arrive at this decision, His Lordship consents to the extension to the 1st November next of the period during which officers of Royal Engineers may make their election for continuous service in India.

I have, &c.,

(Signed) ALLEN JOHNSON, Major-General,
Military Secretary.

The Under Secretary of State for War.

Telegram to the Viceroy, dated 29th September 1886.

Your Military telegram, 4th September. Military Works Branch made Civil, for the purpose of para. 8. Exemption from retirement will be secured if necessary. Period of election extended to 1st November.

No. 1286-A.

Copy of the above, and of the Secretary of State's Despatch No. 272, dated the 7th October 1886, and enclosures, forwarded to the Secretary to the Government of Madras, Military Department, with reference to the telegram from the Military Department, No. 1485-AS, dated the 13th October 1886.

(By Order.)

SIMLA,
8th June 1888.(Signed) A. C. TOKER,
Dy. Secy. to the Govt. of India.

No.

ORDER THEREON, 5 July 1888, No. 4525

Communicated to His Excellency the Commander-in-Chief for favor of necessary action, with reference to Proceedings of Government, No. 6451, dated 14th October 1886.

(True Extract.)

(Signed) A. KENNEY-HERBERT, Bigdr.-Genl.,
Secretary to Government.To the Adjutant-General.
„ Public Works Department.

Ed. E. C. Shunker.

Govt. of 1888 Madras.

MILITARY.

To THE ADJUTANT-GENERAL,
&c., &c., &c.

Dated July,

Issued

Recd.

Encl.

G.O., July 1888, No.

JULY.

Nos.

Appointments—Royal Engineers.

Majors of Royal Engineers.—Observations of the Government of India on certain questions submitted as to the employment and promotion of — who have elected for continuous service in India, communicated to His Excellency the Commander-in-Chief for favor of necessary action.

MILITARY DEPARTMENT,

JULY 1888, No.

GOVERNMENT OF MADRAS.

MILITARY DEPARTMENT.

Appointments—Royal Engineers.

Read the following paper :—

No. From Lieutenant-Colonel E. COLLEN, Secretary to the Government of India, Military Department, to the Adjutant-General in India; dated Simla, the 8th June 1888, No. 1286-A.

Engineers.

I am desired to acknowledge the receipt of your letter * No. 2480-C, dated the 15th May 1888, submitting certain questions as to the employment and promotion of Majors of Royal Engineers who have elected for continuous service in India.

2. In reply, I am to say, for the information of the Commander-in-Chief, that as Major S. J. Lambert, R.E., will not attain the age of 50 years until the 15th of April 1892, it does not appear to the Government of India to be necessary to consider his individual case at present. The Secretary of State has, moreover, recently directed that action should be suspended on the Public Works Department Circular directing the compulsory retirement of Executive Engineers from that Department on attaining the age of 50 years, and it is doubtful whether the measure will be carried out.

3. With regard to the exemption of continuous service Royal Engineer officers serving in the Military Works Department from compulsory retirement, I am to state, for His Excellency's information, that the decision on this point communicated in Military Department letter No. 1488-AS, dated the 14th October 1886, did not strictly interpret the Secretary of State's ruling, which was to the effect that exemption from retirement would be secured "if necessary;" and in a subsequent despatch† His Lordship explained this to mean that special exemption from retirement from the service might be secured in any particular case if necessary.

4. It does not therefore appear that the Home authorities intended that Royal Engineer officers of the Military Works Department should be exempt from the conditions in regard to half-pay and retirement to which all other officers of the corps are subject under the Royal Warrants at present in force; and I am to request that, under the orders of the Commander-in-Chief, all officers to whom the previous decision was communicated may be informed of the precise instructions of the Secretary of State on this point as above explained.

Military Despatch from the Right Honorable the Secretary of State for India, to His Excellency the Right Honorable the Governor-General of India in Council; dated India Office, London, 7th October 1886, No. 272.

In continuation of the Earl of Kimberley's Military Despatch No. 194, of the 22nd July last, I forward herewith copy of further correspondence * with the War Office regarding the Royal Warrant of the 20th February 1886, and the continuous service of officers of Royal Engineers in India.

Questions connected with Royal Warrant, 20th February 1886, and service of Royal Engineer officers in India.

* From War Office, 20th August 1886, and enclosure.

To ditto, 10th September 1886, M 8154.

From ditto, 27th August 1886, and enclosure.

To ditto, 17th September 1886, M 8404.

From ditto, 22nd September 1886.

To ditto, 30th September 1886, M 9551.

† Telegram to the Viceroy, dated 29th September 1886.

2. Your Lordship has already been informed in my telegram of the 29th September † that the Military Works Branch should be considered as Civil for the purposes of Article 8 of the Royal Warrant, special exemption

from retirement from the service being secured in any particular case if necessary.

3. With reference to this point, I may point out that compulsory retirement in the ranks of Major and Captain has been suspended by the Royal Warrant of the 10th August 1886, and that in the case of a Lieutenant-Colonel such retirement does not take place till the age of 55 years.

4. In my telegram above quoted, you were also informed that the period of election for continuous Indian service had been extended to the 1st November.

No. 20/Engineers/1378.

WAR OFFICE,
20th August 1886.

SIR,

I am directed by the Secretary of State for War to transmit herewith, for the consideration of the Secretary of State for India in Council, a memorandum detailing certain points on which inquiries are constantly being made at this office on the interpretation of the recent Royal Warrant † respecting the conditions of service in India of officers of Royal Engineers, and on which decisions have not been received.

† 20th February 1886.

As regards the question in para. 2, it is presumed that the election once made is irrevocable.

I am therefore to request you will be good enough to inform me whether Sir R. Cross concurs in the above observation, and also favor me with his remarks upon the other questions contained in the memorandum.

I am also to add that, considering the Military Works Department is now the normal employment of officers of Royal Engineers in India, and that the question whether that Department is a Civil or Military Department is still under the consideration of the Government of India, also bearing in mind that the result is not likely to be arrived at in time for it to be promulgated so as to reach officers by the 1st October next, Mr. Secretary Smith would suggest that some extension of the period during which they may make their election should be allowed.

I am, &c.,

(Signed) H. G. DEEDES.

The Under Secretary of State for India.

MEMORANDUM.

If officers accept continuous Indian service, and the Staff Corps rules of pension, will they be relieved of the disabilities they now lie under in India as Queen's officers? For example, will they be eligible for political employment, for employment in Military Department, Government of India, for the Judge Advocate General's Department, &c., and, if selected, would they be appointed to Army Staff as Indian or as Queen's officers?

2. Is the election (made by 1st October) to be irrevocable, or may officers hereafter revert to the English list, giving up all claim to the benefits derived from Indian service? (See also para. 5.)

§ Of the Royal Warrant.

3. Para. 11. § "Elsewhere than in India" would appear to include service under the Indian Government in England, as for example under para. 7, or in War Office or India Office.

4. Many officers in India have furloughs to their credit under the rules of 1868. Will they be allowed to work this off under those rules, or must they lose the very beneficial rates of furlough pay already earned by past service in India?

No. M 8154.

INDIA OFFICE,
10th September 1886.

SIR,

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 20th August, and to reply as follows to the questions therein enclosed:—

- (1) Officers of Royal Engineers who have elected for continuous Indian service will be eligible for employment in any position to which they may be appointed by the authorities in India, and, if appointed to the Army Staff, would be appointed as Indian officers.
- (2) The object of the Royal Warrant being to assure to the Government of India the certainty of continuous service on the part of officers engaging for its performance, the election is binding on the officer. An officer could return to the British Establishment by exchange only.
- (3) "Elsewhere than in India," in Article 11, of the Warrant, includes service in England under the Indian Government on the part of an officer who has, as in the case of Lieutenant-Colonel Courtenay, never rendered any service in India, but otherwise such service and duty at the School of Military Engineering under Article 7, would be reckoned as equivalent to service in India.
- (4) The Furlough Rules of 1868 cease to be applicable to officers electing for continuous service. After election they are no longer eligible for furlough under those rules.

With reference to the concluding paragraph of your letter, I am to state that Viscount Cross proposed, after communication with the Government of India, that employment in the Military Works Branch should be military employment for all purposes except those of Article 8 of the Warrant. The Government of India, however, consider that the service of retired officers (though not of officers on half-pay) in this branch is impracticable. I am therefore to inquire whether it would not be possible to issue a Royal Warrant in respect to such officers substituting transfer to an Indian half-pay list for retirement from the service as laid down in the Royal Warrant of the 10th June 1884 (in cases where it may be considered desirable to exempt officers from such retirement) until such time as officers would cease to be employed under the rules which apply to other persons holding similar appointments. I am to request that Lord Cross may be favored with a very early reply on this point.

I have, &c.,

(Signed) ALLEN JOHNSON, Major-General,
Military Secretary.

The Military Secretary, Horse Guards, War Office.

No. 20/Engineers/1399.

WAR OFFICE,
27th August 1886.

SIR,

I am directed by the Secretary of State for War to transmit, herewith, for the consideration of the Secretary of State for India in Council, a memorandum of further questions which have been raised on the subject of the recent Royal Warrant respecting the conditions of service of officers of Royal Engineers in India, and I am therefore to request that you will be so good as to cause me to be informed what replies Viscount Cross considers should be sent thereto.

I have, &c.,

(Signed) RALPH THOMPSON.

The Under Secretary of State for India.

MEMORANDUM.

Will the grading of officers in the Military Works Department (which is ruled to be the normal duty of Royal Engineer officers in India) be by regimental or departmental seniority?

2. Will officers of Royal Engineers, ordered to India in future, be liable to be merely attached to the Military Works Department with only Rs. 50 in addition to their regimental pay as at present, or will they be graded with their contemporaries in the Department at once?

3. If an officer, after serving in India under new rules, exchanges to Home service, does he thereby forfeit all claim to Indian pensions which he may have earned?

4. If an officer elects for Indian service, what will be his regimental pay in the rank of Major, viz., that of a Major, Royal Engineers, or only as at present, that of a Staff Corps Major?

No. M 8404.

INDIA OFFICE,
17th September 1886.

SIR,

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 27th August 1886, and to reply as follows to the questions in the memorandum therein enclosed:—

- (1) The grading of officers in the Military Works Branch is by departmental seniority.
- (2) No alteration has been proposed, but the question is one which must rest mainly with the Government of India to decide.
- (3) A continuous service officer exchanging for Home service would forfeit all claim to Indian pension.
- (4) No change is proposed as to the pay of Majors in receipt of staff salary.

I have, &c.,

(Signed) ALLEN JOHNSON, Major-General,
Military Secretary.

The Military Secretary, Horse Guards, War Office.

No. 20/Engineers/1411.

WAR OFFICE,
22nd September 1886.

SIR,

I am directed by the Secretary of State for War to acknowledge the receipt of India Office letter, No. M 8154, of the 10th instant, and, with reference to the proposal contained in the concluding paragraph thereof, viz., that a Royal Warrant may be issued substituting transfer to an Indian half-pay list for retirement from the service, as laid down in the Royal Warrant of the 10th June 1884, in cases where it may be considered desirable to exempt officers employed in the Military Works Department from such retirement, I am to acquaint you, for the information of the Secretary of State for India in Council, that in all probability the present rules as to compulsory retirement will shortly be considerably relaxed.

Under these circumstances, Mr. Secretary Smith considers that it would not be expedient to make any special exception in the case of officers of Royal Engineers employed under the Royal Warrant of the 20th February 1886; and I am now to request that you will be good enough to cause an early decision to be arrived at regarding the point submitted in the letter from this office of the 20th ultimo, No. 20/Engineers/1378, relative to the extension of the period during which officers of Royal Engineers may make their election for continuous Indian service.

I have, &c.,

(Signed) RALPH THOMPSON.

The Under Secretary of State for India.

M 9551.

INDIA OFFICE,
30th September 1886.

SIR,

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 22nd September, and to acquaint you in reply that Viscount Cross admits the inconvenience, under the circumstances, of issuing a Royal Warrant as suggested in my letter of the 10th September.

2. I am to add that His Lordship has decided that the Military Works Branch shall be considered as military for all purposes except those of Article 8 of the Royal Warrant of 20th February 1886, and that, in view of the lateness of the time at which it has been possible to arrive at this decision, His Lordship consents to the extension to the 1st November next of the period during which officers of Royal Engineers may make their election for continuous service in India.

I have, &c.,

(Signed) ALLEN JOHNSON, Major-General,
Military Secretary.

The Under Secretary of State for War.

Telegram to the Viceroy, dated 29th September 1886.

Your Military telegram, 4th September. Military Works Branch made Civil, for the purpose of para. 8. Exemption from retirement will be secured if necessary. Period of election extended to 1st November.

No. 1286-A.

Copy of the above, and of the Secretary of State's Despatch No. 272, dated the 7th October 1886, and enclosures, forwarded to the Secretary to the Government of Madras, Military Department, with reference to the telegram from the Military Department, No. 1485-AS, dated the 13th October 1886.

(By Order.)

SIMLA,
8th June 1888.(Signed) A. C. TOKER,
Dy. Secy. to the Govt. of India.

No. ORDER THEREON, 5 July 1888, No. 4525

Communicated to His Excellency the Commander-in-Chief for favor of necessary action, with reference to Proceedings of Government, No. 6451, dated 14th October 1886.

(True Extract.)

(Signed) A. KENNEY-HERBERT, Bigdr.-Genl.,
Secretary to Government.To the Adjutant-General.
„ Public Works Department.

Exd E. C. Shunker.

Govt. of (1888) Madras.
MILITARY.

To THE ADJUTANT-GENERAL,
&c., &c., &c.

Dated July,

Issued

Recd.

Encl.

G.O., July 1888, No.

JULY.
Nos.

Appointments—Royal Engineers.

Majors of Royal Engineers.—Observations of the Government of India on certain questions submitted as to the employment and promotion of — who have elected for continuous service in India, communicated to His Excellency the Commander-in-Chief for favor of necessary action.

MILITARY DEPARTMENT, JULY 1888, No.

GOVERNMENT OF MADRAS.

MILITARY DEPARTMENT.

Appointments—Royal Engineers.

Read the following paper :—

No. From Lieutenant-Colonel E. COLLEN, Secretary to the Government of India, Military Department, to the Adjutant-General in India; dated Simla, the 8th June 1888, No. 1286-A.

Engineers.

I am desired to acknowledge the receipt of your letter * No. 2480-C, dated the 15th May 1888, submitting certain questions as to the employment and promotion of Majors of Royal Engineers who have elected for continuous service in India.

2. In reply, I am to say, for the information of the Commander-in-Chief, that as Major S. J. Lambert, R.E., will not attain the age of 50 years until the 15th of April 1892, it does not appear to the Government of India to be necessary to consider his individual case at present. The Secretary of State has, moreover, recently directed that action should be suspended on the Public Works Department Circular directing the compulsory retirement of Executive Engineers from that Department on attaining the age of 50 years, and it is doubtful whether the measure will be carried out.

3. With regard to the exemption of continuous service Royal Engineer officers serving in the Military Works Department from compulsory retirement, I am to state, for His Excellency's information, that the decision on this point communicated in Military Department letter No. 1488-AS, dated the 14th October 1886, did not strictly interpret the Secretary of State's ruling, which was to the effect

that exemption from retirement would be secured "if necessary;" and in a subsequent despatch† His Lordship explained this to mean that special exemption from retirement from the service might be secured in any particular case if necessary.

4. It does not therefore appear that the Home authorities intended that Royal Engineer officers of the Military Works Department should be exempt from the conditions in regard to half-pay and retirement to which all other officers of the corps are subject under the Royal Warrants at present in force; and I am to request that, under the orders of the Commander-in-Chief, all officers to whom the previous decision was communicated may be informed of the precise instructions of the Secretary of State on this point as above explained.

Military Despatch from the Right Honorable the Secretary of State for India, to His Excellency the Right Honorable the Governor-General of India in Council; dated India Office, London, 7th October 1886, No. 272.

In continuation of the Earl of Kimberley's Military Despatch No. 194, of the 22nd

Questions connected with Royal Warrant, 20th February 1886, and service of Royal Engineer officers in India.

* From War Office, 20th August 1886, and enclosure.

To ditto, 10th September 1886, M 8154.

From ditto, 27th August 1886, and enclosure.

To ditto, 17th September 1886, M 8404.

From ditto, 22nd September 1886.

To ditto, 30th September 1886, M 9551.

† Telegram to the Viceroy, dated 29th September 1886.

July last, I forward herewith copy of further correspondence * with the War Office regarding the Royal Warrant of the 20th February 1886, and the continuous service of officers of Royal Engineers in India.

2. Your Lordship has already been informed in my telegram of the 29th September † that the Military Works Branch should be considered as Civil for the purposes of Article 8 of the Royal Warrant, special exemption

from retirement from the service being secured in any particular case if necessary.

3. With reference to this point, I may point out that compulsory retirement in the ranks of Major and Captain has been suspended by the Royal Warrant of the 10th August 1886, and that in the case of a Lieutenant-Colonel such retirement does not take place till the age of 55 years.

4. In my telegram above quoted, you were also informed that the period of election for continuous Indian service had been extended to the 1st November.

No. 20/Engineers/1378.

WAR OFFICE,
20th August 1886.

SIR,

I am directed by the Secretary of State for War to transmit herewith, for the consideration of the Secretary of State for India in Council, a memorandum detailing certain points on which inquiries are constantly being made at this office on the interpretation of the recent Royal Warrant ‡ respecting the conditions of service in India of officers of Royal Engineers, and on which decisions have not been received.

‡ 20th February 1886.

As regards the question in para. 2, it is presumed that the election once made is irrevocable.

I am therefore to request you will be good enough to inform me whether Sir R. Cross concurs in the above observation, and also favor me with his remarks upon the other questions contained in the memorandum.

I am also to add that, considering the Military Works Department is now the normal employment of officers of Royal Engineers in India, and that the question whether that Department is a Civil or Military Department is still under the consideration of the Government of India, also bearing in mind that the result is not likely to be arrived at in time for it to be promulgated so as to reach officers by the 1st October next, Mr. Secretary Smith would suggest that some extension of the period during which they may make their election should be allowed.

I am, &c.,

(Signed) H. G. DEEDES.

The Under Secretary of State for India.

MEMORANDUM.

If officers accept continuous Indian service, and the Staff Corps rules of pension, will they be relieved of the disabilities they now lie under in India as Queen's officers? For example, will they be eligible for political employment, for employment in Military Department, Government of India, for the Judge Advocate General's Department, &c., and, if selected, would they be appointed to Army Staff as Indian or as Queen's officers?

2. Is the election (made by 1st October) to be irrevocable, or may officers hereafter revert to the English list, giving up all claim to the benefits derived from Indian service? (See also para. 5.)

§ Of the Royal Warrant.

3. Para. 11. § "Elsewhere than in India" would appear to include service under the Indian Government in England, as for example under para. 7, or in War Office or India Office.

4. Many officers in India have furloughs to their credit under the rules of 1868. Will they be allowed to work this off under those rules, or must they lose the very beneficial rates of furlough pay already earned by past service in India?

No. M 8154.

INDIA OFFICE,
10th September 1886.

SIR,

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 20th August, and to reply as follows to the questions therein enclosed:—

- (1) Officers of Royal Engineers who have elected for continuous Indian service will be eligible for employment in any position to which they may be appointed by the authorities in India, and, if appointed to the Army Staff, would be appointed as Indian officers.
- (2) The object of the Royal Warrant being to assure to the Government of India the certainty of continuous service on the part of officers engaging for its performance, the election is binding on the officer. An officer could return to the British Establishment by exchange only.
- (3) "Elsewhere than in India," in Article 11, of the Warrant, includes service in England under the Indian Government on the part of an officer who has, as in the case of Lieutenant-Colonel Courtenay, never rendered any service in India, but otherwise such service and duty at the School of Military Engineering under Article 7, would be reckoned as equivalent to service in India.
- (4) The Furlough Rules of 1868 cease to be applicable to officers electing for continuous service. After election they are no longer eligible for furlough under those rules.

With reference to the concluding paragraph of your letter, I am to state that Viscount Cross proposed, after communication with the Government of India, that employment in the Military Works Branch should be military employment for all purposes except those of Article 8 of the Warrant. The Government of India, however, consider that the service of retired officers (though not of officers on half-pay) in this branch is impracticable. I am therefore to inquire whether it would not be possible to issue a Royal Warrant in respect to such officers substituting transfer to an Indian half-pay list for retirement from the service as laid down in the Royal Warrant of the 10th June 1884 (in cases where it may be considered desirable to exempt officers from such retirement) until such time as officers would cease to be employed under the rules which apply to other persons holding similar appointments. I am to request that Lord Cross may be favored with a very early reply on this point.

I have, &c.,

(Signed) ALLEN JOHNSON, Major-General,
Military Secretary.

The Military Secretary, Horse Guards, War Office.

No. 20/Engineers/1399.

WAR OFFICE,
27th August 1886.

SIR,

I am directed by the Secretary of State for War to transmit, herewith, for the consideration of the Secretary of State for India in Council, a memorandum of further questions which have been raised on the subject of the recent Royal Warrant respecting the conditions of service of officers of Royal Engineers in India, and I am therefore to request that you will be so good as to cause me to be informed what replies Viscount Cross considers should be sent thereto.

I have, &c.,

(Signed) RALPH THOMPSON.

The Under Secretary of State for India.

MEMORANDUM.

Will the grading of officers in the Military Works Department (which is ruled to be the normal duty of Royal Engineer officers in India) be by regimental or departmental seniority?

2. Will officers of Royal Engineers, ordered to India in future, be liable to be merely attached to the Military Works Department with only Rs. 50 in addition to their regimental pay as at present, or will they be graded with their contemporaries in the Department at once?

3. If an officer, after serving in India under new rules, exchanges to Home service, does he thereby forfeit all claim to Indian pensions which he may have earned?

4. If an officer elects for Indian service, what will be his regimental pay in the rank of Major, viz., that of a Major, Royal Engineers, or only as at present, that of a Staff Corps Major?

No. M 8404.

SIR,

INDIA OFFICE,
17th September 1886.

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 27th August 1886, and to reply as follows to the questions in the memorandum therein enclosed:—

- (1) The grading of officers in the Military Works Branch is by departmental seniority.
- (2) No alteration has been proposed, but the question is one which must rest mainly with the Government of India to decide.
- (3) A continuous service officer exchanging for Home service would forfeit all claim to Indian pension.
- (4) No change is proposed as to the pay of Majors in receipt of staff salary.

I have, &c.,

(Signed) ALLEN JOHNSON, Major-General,
Military Secretary.

The Military Secretary, Horse Guards, War Office.

No. 20/Engineers/1411.

SIR,

WAR OFFICE,
22nd September 1886.

I am directed by the Secretary of State for War to acknowledge the receipt of India Office letter, No. M 8154, of the 10th instant, and, with reference to the proposal contained in the concluding paragraph thereof, viz., that a Royal Warrant may be issued substituting transfer to an Indian half-pay list for retirement from the service, as laid down in the Royal Warrant of the 10th June 1884, in cases where it may be considered desirable to exempt officers employed in the Military Works Department from such retirement, I am to acquaint you, for the information of the Secretary of State for India in Council, that in all probability the present rules as to compulsory retirement will shortly be considerably relaxed.

Under these circumstances, Mr. Secretary Smith considers that it would not be expedient to make any special exception in the case of officers of Royal Engineers employed under the Royal Warrant of the 20th February 1886; and I am now to request that you will be good enough to cause an early decision to be arrived at regarding the point submitted in the letter from this office of the 20th ultimo, No. 20/Engineers/1378, relative to the extension of the period during which officers of Royal Engineers may make their election for continuous Indian service.

I have, &c.,

(Signed) RALPH THOMPSON.

The Under Secretary of State for India.

M 9551.

SIR,

INDIA OFFICE,
30th September 1886.

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 22nd September, and to acquaint you in reply that Viscount Cross admits the inconvenience, under the circumstances, of issuing a Royal Warrant as suggested in my letter of the 10th September.

2. I am to add that His Lordship has decided that the Military Works Branch shall be considered as military for all purposes except those of Article 8 of the Royal Warrant of 20th February 1886, and that, in view of the lateness of the time at which it has been possible to arrive at this decision, His Lordship consents to the extension to the 1st November next of the period during which officers of Royal Engineers may make their election for continuous service in India.

I have, &c.,

(Signed) ALLEN JOHNSON, Major-General,
Military Secretary.

The Under Secretary of State for War.

Telegram to the Viceroy, dated 29th September 1886.

Your Military telegram, 4th September. Military Works Branch made Civil, for the purpose of para. 8. Exemption from retirement will be secured if necessary. Period of election extended to 1st November.

No. 1286-A.

Copy of the above, and of the Secretary of State's Despatch No. 272, dated the 7th October 1886, and enclosures, forwarded to the Secretary to the Government of Madras, Military Department, with reference to the telegram from the Military Department, No. 1485-AS, dated the 13th October 1886.

(By Order.)

SIMLA,
8th June 1888.(Signed) A. C. TOKER,
Dy. Secy. to the Govt. of India.

No. ORDER THEREON, 5 July 1888, No. 4525

Communicated to His Excellency the Commander-in-Chief for favor of necessary action, with reference to Proceedings of Government, No. 6451, dated 14th October 1886.

(True Extract.)

(Signed) A. KENNEY-HERBERT, Bigdr.-Genl.,
Secretary to Government.To the Adjutant-General.
„ Public Works Department.

Gobt. of (1888) Madras.

MILITARY.

To
THE ADJUTANT-GENERAL,
&c., &c., &c.

Dated July,

Issued

Recd.

Encl.

G.O., July 1888, No.

JULY.

Nos.

Appointments—Royal Engineers.

Majors of Royal Engineers.—Observations of the Government of India on certain questions submitted as to the employment and promotion of — who have elected for continuous service in India, communicated to His Excellency the Commander-in-Chief for favor of necessary action.

MILITARY DEPARTMENT,

JULY 1888, No.

GOVERNMENT OF MADRAS.

MILITARY DEPARTMENT.

Appointments—Royal Engineers.

Read the following paper :—

No. From Lieutenant-Colonel E. COLLEN, Secretary to the Government of India, Military Department, to the Adjutant-General in India; dated Simla, the 8th June 1888, No. 1286-A.

Engineers.

I am desired to acknowledge the receipt of your letter * No. 2480-C, dated the 15th May 1888, submitting certain questions as to the employment and promotion of Majors of Royal Engineers who have elected for continuous service in India.

* Enclosures herewith returned.

2. In reply, I am to say, for the information of the Commander-in-Chief, that as Major S. J. Lambert, R.E., will not attain the age of 50 years until the 15th of April 1892, it does not appear to the Government of India to be necessary to consider his individual case at present. The Secretary of State has, moreover, recently directed that action should be suspended on the Public Works Department Circular directing the compulsory retirement of Executive Engineers from that Department on attaining the age of 50 years, and it is doubtful whether the measure will be carried out.

3. With regard to the exemption of continuous service Royal Engineer officers serving in the Military Works Department from compulsory retirement, I am to state, for His Excellency's information, that the decision on this point communicated in Military Department letter No. 1488-AS, dated the 14th October 1886, did not strictly interpret the Secretary of State's ruling, which was to the effect that exemption from retirement would be secured "if necessary;" and in a subsequent despatch† His Lordship explained this to mean that special exemption from retirement from the service might be secured in any particular case if necessary.

4. It does not therefore appear that the Home authorities intended that Royal Engineer officers of the Military Works Department should be exempt from the conditions in regard to half-pay and retirement to which all other officers of the corps are subject under the Royal Warrants at present in force; and I am to request that, under the orders of the Commander-in-Chief, all officers to whom the previous decision was communicated may be informed of the precise instructions of the Secretary of State on this point as above explained.

Military Despatch from the Right Honorable the Secretary of State for India, to His Excellency the Right Honorable the Governor-General of India in Council; dated India Office, London, 7th October 1886, No. 272.

In continuation of the Earl of Kimberley's Military Despatch No. 194, of the 22nd July last, I forward herewith copy of further correspondence* with the War Office regarding the Royal Warrant of the 20th February 1886, and the continuous service of officers of Royal Engineers in India.

Questions connected with Royal Warrant, 20th February 1886, and service of Royal Engineer officers in India.

* From War Office, 20th August 1886, and enclosure.
To ditto, 10th September 1886, M 8154.
From ditto, 27th August 1886, and enclosure.
To ditto, 17th September 1886, M 8404.
From ditto, 22nd September 1886.
To ditto, 30th September 1886, M 9551.

† Telegram to the Viceroy, dated 29th September 1886.

2. Your Lordship has already been informed in my telegram of the 29th September † that the Military Works Branch should be considered as Civil for the purposes of Article 8 of the Royal Warrant, special exemption

from retirement from the service being secured in any particular case if necessary.

3. With reference to this point, I may point out that compulsory retirement in the ranks of Major and Captain has been suspended by the Royal Warrant of the 10th August 1886, and that in the case of a Lieutenant-Colonel such retirement does not take place till the age of 55 years.

4. In my telegram above quoted, you were also informed that the period of election for continuous Indian service had been extended to the 1st November.

No. 20/Engineers/1378.

WAR OFFICE,
20th August 1886.

SIR,

I am directed by the Secretary of State for War to transmit herewith, for the consideration of the Secretary of State for India in Council, a memorandum detailing certain points on which inquiries are constantly being made at this office on the interpretation of the recent Royal Warrant † respecting the conditions of service in India of officers of Royal Engineers, and on which decisions have not been received.

† 20th February 1886.

As regards the question in para. 2, it is presumed that the election once made is irrevocable.

I am therefore to request you will be good enough to inform me whether Sir R. Cross concurs in the above observation, and also favor me with his remarks upon the other questions contained in the memorandum.

I am also to add that, considering the Military Works Department is now the normal employment of officers of Royal Engineers in India, and that the question whether that Department is a Civil or Military Department is still under the consideration of the Government of India, also bearing in mind that the result is not likely to be arrived at in time for it to be promulgated so as to reach officers by the 1st October next, Mr. Secretary Smith would suggest that some extension of the period during which they may make their election should be allowed.

I am, &c.,
(Signed) H. G. DEEDES.

The Under Secretary of State for India.

MEMORANDUM.

If officers accept continuous Indian service, and the Staff Corps rules of pension, will they be relieved of the disabilities they now lie under in India as Queen's officers? For example, will they be eligible for political employment, for employment in Military Department, Government of India, for the Judge Advocate General's Department, &c., and, if selected, would they be appointed to Army Staff as Indian or as Queen's officers?

2. Is the election (made by 1st October) to be irrevocable, or may officers hereafter revert to the English list, giving up all claim to the benefits derived from Indian service? (See also para. 5.)

§ Of the Royal Warrant.

3. Para. 11. § "Elsewhere than in India" would appear to include service under the Indian Government in England, as for example under para. 7, or in War Office or India Office.

4. Many officers in India have furloughs to their credit under the rules of 1868. Will they be allowed to work this off under those rules, or must they lose the very beneficial rates of furlough pay already earned by past service in India?

No. M 8154.

INDIA OFFICE,
10th September 1886.

SIR,

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 20th August, and to reply as follows to the questions therein enclosed:—

- (1) Officers of Royal Engineers who have elected for continuous Indian service will be eligible for employment in any position to which they may be appointed by the authorities in India, and, if appointed to the Army Staff, would be appointed as Indian officers.
- (2) The object of the Royal Warrant being to assure to the Government of India the certainty of continuous service on the part of officers engaging for its performance, the election is binding on the officer. An officer could return to the British Establishment by exchange only.
- (3) "Elsewhere than in India," in Article 11, of the Warrant, includes service in England under the Indian Government on the part of an officer who has, as in the case of Lieutenant-Colonel Courtenay, never rendered any service in India, but otherwise such service and duty at the School of Military Engineering under Article 7, would be reckoned as equivalent to service in India.
- (4) The Furlough Rules of 1868 cease to be applicable to officers electing for continuous service. After election they are no longer eligible for furlough under those rules.

With reference to the concluding paragraph of your letter, I am to state that Viscount Cross proposed, after communication with the Government of India, that employment in the Military Works Branch should be military employment for all purposes except those of Article 8 of the Warrant. The Government of India, however, consider that the service of retired officers (though not of officers on half-pay) in this branch is impracticable. I am therefore to inquire whether it would not be possible to issue a Royal Warrant in respect to such officers substituting transfer to an Indian half-pay list for retirement from the service as laid down in the Royal Warrant of the 10th June 1884 (in cases where it may be considered desirable to exempt officers from such retirement) until such time as officers would cease to be employed under the rules which apply to other persons holding similar appointments. I am to request that Lord Cross may be favored with a very early reply on this point.

I have, &c.,

(Signed) ALLEN JOHNSON, Major-General,
Military Secretary.

The Military Secretary, Horse Guards, War Office.

No. 20/Engineers/1399.

WAR OFFICE,
27th August 1886.

SIR,

I am directed by the Secretary of State for War to transmit, herewith, for the consideration of the Secretary of State for India in Council, a memorandum of further questions which have been raised on the subject of the recent Royal Warrant respecting the conditions of service of officers of Royal Engineers in India, and I am therefore to request that you will be so good as to cause me to be informed what replies Viscount Cross considers should be sent thereto.

I have, &c.,

(Signed) RALPH THOMPSON.

The Under Secretary of State for India.

MEMORANDUM.

Will the grading of officers in the Military Works Department (which is ruled to be the normal duty of Royal Engineer officers in India) be by regimental or departmental seniority?

2. Will officers of Royal Engineers, ordered to India in future, be liable to be merely attached to the Military Works Department with only Rs. 50 in addition to their regimental pay as at present, or will they be graded with their contemporaries in the Department at once?

3. If an officer, after serving in India under new rules, exchanges to Home service, does he thereby forfeit all claim to Indian pensions which he may have earned?

4. If an officer elects for Indian service, what will be his regimental pay in the rank of Major, viz., that of a Major, Royal Engineers, or only as at present, that of a Staff Corps Major?

No. M 8404.

INDIA OFFICE,
17th September 1886.

SIR,

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 27th August 1886, and to reply as follows to the questions in the memorandum therein enclosed:—

- (1) The grading of officers in the Military Works Branch is by departmental seniority.
- (2) No alteration has been proposed, but the question is one which must rest mainly with the Government of India to decide.
- (3) A continuous service officer exchanging for Home service would forfeit all claim to Indian pension.
- (4) No change is proposed as to the pay of Majors in receipt of staff salary.

I have, &c.,

(Signed) ALLEN JOHNSON, Major-General,
Military Secretary.

The Military Secretary, Horse Guards, War Office.

No. 20/Engineers/1411.

WAR OFFICE,
22nd September 1886.

SIR,

I am directed by the Secretary of State for War to acknowledge the receipt of India Office letter, No. M 8154, of the 10th instant, and, with reference to the proposal contained in the concluding paragraph thereof, viz., that a Royal Warrant may be issued substituting transfer to an Indian half-pay list for retirement from the service, as laid down in the Royal Warrant of the 10th June 1884, in cases where it may be considered desirable to exempt officers employed in the Military Works Department from such retirement, I am to acquaint you, for the information of the Secretary of State for India in Council, that in all probability the present rules as to compulsory retirement will shortly be considerably relaxed.

Under these circumstances, Mr. Secretary Smith considers that it would not be expedient to make any special exception in the case of officers of Royal Engineers employed under the Royal Warrant of the 20th February 1886; and I am now to request that you will be good enough to cause an early decision to be arrived at regarding the point submitted in the letter from this office of the 20th ultimo, No. 20/Engineers/1378, relative to the extension of the period during which officers of Royal Engineers may make their election for continuous Indian service.

I have, &c.,

(Signed) RALPH THOMPSON.

The Under Secretary of State for India.

M 9551.

INDIA OFFICE,
30th September 1886.

SIR,

I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letter of the 22nd September, and to acquaint you in reply that Viscount Cross admits the inconvenience, under the circumstances, of issuing a Royal Warrant as suggested in my letter of the 10th September.

2. I am to add that His Lordship has decided that the Military Works Branch shall be considered as military for all purposes except those of Article 8 of the Royal Warrant of 20th February 1886, and that, in view of the lateness of the time at which it has been possible to arrive at this decision, His Lordship consents to the extension to the 1st November next of the period during which officers of Royal Engineers may make their election for continuous service in India.

I have, &c.,

(Signed) ALLEN JOHNSON, Major-General,
Military Secretary.

The Under Secretary of State for War.

Telegram to the Viceroy, dated 29th September 1886.

Your Military telegram, 4th September. Military Works Branch made Civil, for the purpose of para. 8. Exemption from retirement will be secured if necessary. Period of election extended to 1st November.

No. 1286-A.

Copy of the above, and of the Secretary of State's Despatch No. 272, dated the 7th October 1886, and enclosures, forwarded to the Secretary to the Government of Madras, Military Department, with reference to the telegram from the Military Department, No. 1485-AS, dated the 13th October 1886.

(By Order.)

SIMLA,
8th June 1888.(Signed) A. C. TOKER,
Dy. Secy. to the Govt. of India.

No. ORDER THEREON, 5th July 1888, No. 4525

Communicated to His Excellency the Commander-in-Chief for favor of necessary action, with reference to Proceedings of Government, No. 6451, dated 14th October 1886.

(True Extract.)

(Signed) A. KENNEY-HERBERT, Bigdr.-Genl.,
Secretary to Government.To the Adjutant-General.
„ Public Works Department.

Exd E. C. Shunker.