32 pages
1/91
bra signaba

P. W. D

90 14117 Dated 29-5-1893
14127

3272 Sheets
Received
Dlay

1411/1

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

General.
Establishment.

READ—the following papers :—

From J. W. MARTIN, Esq., Superintending Engineer, II Circle, to the Chief Engineer and Secretary to Government, Public Works Department, dated Bezwada, 3rd April 1893, No. 15 K.S.

Being anxious to know the earliest date from which I may retire from Government service, I wrote some time ago to the Examiner to verify my service and let me know the date on which I shall have sufficient qualifying service for a pension. In reply he informed me that, if I remain in the service until the 20th September 1893, I shall then have rendered a qualifying superior service of 25 years for which Government may sanction a pension not exceeding Rs. 5,000 per annum.

2. In regard to the additional pension of Rs. 1,000 per annum admissible to a Superintending Engineer of three years' service in that rank under article 714 of the Civil Service Regulations, the Examiner has ruled that, in the event of my continuing to hold the temporary rank of Superintending Engineer to 20th September next, I shall not have three years' service in that rank, but only two years seven months and 15 days, as the period from 19th February 1891 to 7th July 1891 during which I officiated as Superintending Engineer must be excluded under article 715 (*b*), Civil Service Regulations. The Accountant-General, Public Works Department, agrees with this opinion (*vide* copy enclosed of No. 130 A., dated 30th ultimo, from the Examiner).

3. Regarding my service as Superintending Engineer from 19th February 1891 to 7th July 1891, I beg to point out that the matter stands as follows :—Lieutenant-Colonel A. C. Smith, R.E., proceeded on one month's privilege leave from 19th February and I officiated for him; but, while he was on leave, he was appointed to act as Chief Engineer during the absence of Colonel Pennycuick, R.E., granted three months' privilege leave. There was a short interval between the expiration of the leave granted to Lieutenant-Colonel Smith, R.E., and the date he relieved Colonel Pennycuick, R.E. During that interval he took joining time and I remained officiating Superintending Engineer up to and during the time Lieutenant-Colonel Smith, R.E., acted for Colonel Pennycuick, R.E., and then Lieutenant-Colonel Smith went on furlough and I remained Superintending Engineer from the return of Colonel Pennycuick from privilege leave to date.

4. From the particulars given it will be seen that so far as the duties of a Superintending Engineer are concerned I officiated continuously from 19th February to 7th July 1891. In regard to pay, I believe I drew the salary of an Officiating Superintending Engineer for nearly the whole, if not quite the whole, period from 19th February to 7th July, and, when I drew travelling allowance, I am certain I drew it at the rate admissible to a Superintending Engineer even on some days when Lieutenant-Colonel Smith was on joining time. It seems to me that it is beyond doubt that practically I was Superintending Engineer from 19th February to 7th July 1891, for, as a matter of fact, I was the whole of that period in charge of the VI Circle, and, of course, I was obliged to carry on the duties and accept all the responsibilities.

5. Under the circumstances explained above, I think it is doubtful whether the Accountant-General's opinion that the period from 19th February to 7th July 1891 should be excluded from my service as Superintending Engineer, is correct. In any case, as I was in fact, as regard work and responsibility, a Superintending Engineer for the period under consideration, I think it would be only a very small concession to consider my service continuous.

6. In these circumstances, I respectfully beg that His Excellency the Governor in Council will do me the favour of referring my case to the Government of India for favorable consideration.

Office-note from the Examiner, Public Works Accounts, dated 18th April 1893, No. 1328 C.
" " " " " 16th May " " 1712 C.

ORDER—dated 29th May 1893, No. 1411 W., Public Works.

Ordered to be forwarded to the Government of India.

[Here enter No. 1412 W., Public Works, dated 29th May 1893.]

(True Extract.)

Major, R.E.,
Under Secy. to Govt., P.W.D.

To the Superintending Engineer, II Circle.

Fwd. A. D. Xavier.
Spare Copies

1411/2

1411/2

GENERAL.
ESTABLISHMENT.

Govt. of {1893} Madras.

PUBLIC WORKS.

Dated May, 29*th*.

Read.

Encl.

G.O., 29th May 1893, No. 1411 W.

MAY.

Mr. J. W. Martin, Superintending Engineer

Letter from — requesting that the period he officiated as Superintending Engineer may be allowed to count for the special additional pension admissible under rules, ordered to be forwarded to the Government of India.

29TH MAY 1893, No. 1412 W., PUBLIC WORKS.

PUBLIC WORKS DEPARTMENT.

1411/3

General.
Establishment.

LETTER—from

J. HANNAN, ESQ.,
Ag. Joint Secretary to the Government of Madras,
Public Works Department,
General, Buildings and Roads Branch,

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA,
PUBLIC WORKS DEPARTMENT.

SIR,

I am directed to forward, for the consideration of the Government of India, the accompanying copy of a letter * from Mr. J. W. Martin, Superintending Engineer, third class, and first class, temporary rank, requesting that a period from 19th February 1891 to 7th July 1891, during which he officiated as Superintending Engineer, may be allowed to count for the special additional pension admissible under articles 714 (*b*) and 715 (*a*), Civil Service Regulations.

* No. 15 K.S., dated 3rd April 1893.

2. The facts of the case are as follows:—On the 19th February 1891 Lieutenant-Colonel A. C. Smith, R.E., Superintending Engineer, VI Circle, proceeded on privilege leave and Mr. Martin thereupon assumed charge of the circle as Officiating Superintending Engineer. Lieutenant-Colonel Smith's leave expired on the 27th March, but this officer had meanwhile been appointed to officiate as Chief Engineer *vice* Colonel Pennycuick on three months' privilege leave, and, availing himself of joining time from the 28th March, he assumed charge of his appointment as Chief Engineer on the 8th April 1891 without rejoining his circle. On his relief by Colonel Pennycuick on the 7th July 1891, Lieutenant-Colonel Smith proceeded on special leave to Europe and Mr. Martin thus held uninterrupted charge of the VI Circle from the 19th February to the 7th July 1891.

3. For the period—19th February to 27th March 1891—Mr. Martin drew acting allowance as Superintending Engineer; from the 28th March to 7th April his pay as Executive Engineer, first grade; and from the 8th April to 7th July acting allowance as Superintending Engineer.

4. His Excellency the Governor in Council is of opinion that the period from the 19th February to 27th March cannot count under the first part of article 715 (*b*) of the Civil Service Regulations, and that the interval from the 28th March to 7th April should also be excluded because Mr. Martin did not for this period draw pay as Superintending Engineer; but the period from the 8th April to the 7th July should, His Excellency the Governor in Council considers, be allowed to count, as the officer absent on privilege leave was not one whose service counts for the special pension under article 715 (*a*).

I have the honour to be,
Sir,
Your most obedient servant,

Ag. Joint Secy. to Govt., P.W.D.,
General, Buildings and Roads Branch.

OOTACAMUND,
29th May 1893.

Exd. A. D. Xavier.
Spare Copies

GENERAL.
ESTABLISHMENT.

Govt. of {1893} Madras.

PUBLIC WORKS.

1411/4

Dated May, 29th.

Recd. Encl.

29th May 1893, No. 1412 W.

MAY.

Mr. J. W. Martin, Superintending Engineer

Forwarding, for consideration, letter from — requesting that the period he officiated as Superintending Engineer may be allowed to count for the special additional pension admissible under rules.

Superintending Engineer's Office,

No. 15 Ks

1411/5

II Circle, Bezwada

Dated 3rd April 1893.

From,

J. W. Martin Esquire,

Superintending Engineer,

II Circle.

To,

The Chief Engineer

& Secretary to Government,

Public Works Department,

Madras.

Sir,

Being anxious to know the earliest date from which I may retire from Government Service, I wrote some time ago to the Examiner to verify my service and let me know the date on which I shall have sufficient qualifying service for a pension. In reply he informed me that if I remain in the service until the 20th September 1893, I shall then have rendered a qualifying superior service of 25 years for which Government may sanction a pension not exceeding Rs. 5000 per annum.

2. In regard to the additional pension of Rs. 1,000 per annum admissible to a Superintending

Superintending Engineer of 3 years service in that rank under article 714 of the Civil Service Regulations, the Examiner has ruled that in the event of my continuing to hold the temporary rank of Superintending Engineer to 20th September next, I shall not have 3 years service in that rank, but only 2 years, 7 months, and 15 days as the period from 19th February 1891 to 7th July 1891 during which I officiated as Superintending Engineer must be excluded under article 715 (b) Civil Service Regulations. The Accountant General, Public Works Department agrees with this opinion. Vide Copy enclosed H.No 130 A dy 20th ultimo from the Examiner.

3. Regarding my service as Supg: Engineer from 19th February 1891 to 7th July 1891, I beg to point out that the matter stands as follows:— Lieut Col. A.C. Smith R.E. proceeded on one month's privilege leave from 19th February and I officiated for him. But while he was on leave he was appointed to act as Chief Engineer during the absence of Colonel Pennycuick, R.E., granted three month's privilege leave. There was a short interval between the expiration of the leave granted to Lieut Col: Smith R.E. and

and the date he relieved Colonel Pennycuick R.E. During that interval he took joining time and I remained officiating Superintending Engineer up to and during the time Lt. Colonel Smith R.E. acted for Col: Pennycuick R.E, and then Lieut Col: Smith went on furlough and I remained Superintending Engineer from the return of Col: Pennycuick from privilege leave to date.

1447/6

4. From the particulars given it will be seen that so far as the duties of a Supg: Engineer are concerned I officiated continuously from 19th February to 7th July 1891. In regard to leave I believe I drew the salary of an officiating Superintending Engineer for nearly the whole, if not quite the whole period from 19th February to 7th July; and when I drew travelling allowances I am certain I drew it at the rate admissible to a Superintending Engineer even on some days when Lt. Col. Smith was on joining time. It seems to me that it is beyond doubt that practically I was Supg: Engineer from 19th February to 7th July 1891; for as a matter of fact I was, the whole of that period, in charge of the VI Circle, and, of course, I was obliged

obliged to carry on the duties and accept all the responsibilities.

5. Under the circumstances explained above I think it is doubtful whether the Accountant General's opinion that the period from 19th February to 9th July 1891 should be excluded from my service as Supg: Engineer is correct. In any case, as I was in fact as regard work and responsibility, a Supg: Engineer for the period under consideration I think it would be only a very small concession to consider my services continuous.

6. In these circumstances I respectfully beg that His Excellency the Governor in Council will do me the favor of referring my case to the Government of India for favorable consideration.

I have the honor to be,
Sir,
Your most obt Servant,

W. Martin
Superintending Engineer,
Ist Circle.

147
7

P.W. DEPARTMENT No. 3790
5 MC 377/53

From

The Supg Engineer
2nd circle

To

The Chief Engineer
P.W. Dept
Madras

Dated 3rd April 1893

Encls one

No. 1628

Mr. J.W. Martin — Offg. Supg Engineer is aware of — Requesting that the — for a certain period may be reckoned reckoned as Continuous Service in the rank of Supg Engr.

No 1628 dated 8th April 1893

To

C

For favour of information on the following points.

(1). What interval occurred between Lt Col A.C. Smith's return from privilege leave in 1891 and the date of his assumption of charge of the office of Joint Secretary to Govt.

(2) At what date was pay passed to Mr. J.W. Martin in that interval.

(3). At what rate was travelling allowance passed to him during the same period.

(4) Did Lt. Col. Smith on return from privilege leave resume charge of the 2nd Circle before he proceeded to take up the office of Joint Secretary to Govt.

1411

Letter from J.S. Sherlock Esquire, Examiner of P.W. Accounts, Madras, to J.W. Martin Esquire, Offg. Engineer, 2nd Circle, dated Madras 30th March 1893, No. 130 A.

The following is forwarded to Mr. J.W. Martin, Offg. Engineer, 2nd Circle for information.

Extract (para 2) from letter from the Accountant General, Public Works Department, to the Examiner, P.W. Accounts, Madras, No. 607 E. dy 23rd March 1893.

2. In the case of Mr. Martin, I am of opinion that as he did not officiate for Colonel A.C. Smith for more than 6 months at a time, he cannot be allowed to count the officiating period towards special additional pension. The fact that he officiated for a Military officer may be considered as an accidental factor to be considered in deciding the case as to the duration of the officiating service against the privilege leave vacancy.

— Joint Secretary
Examiner P.W. Accounts
Offg. Supg. Engineer, 2nd Circle

(C. No. 1201/8)

KEEP-WITH CURRENT No. GOVT. OF MADRAS. 1893. P. W. DEPT.

EXAMINER, P. W. ACCOUNTS.

dated 189 .

Madras, 18 April 1893.

OFFICE NOTE No. 1328 C

To

W

Your office Note No. 1628 C of 8th inst.

(1) 11 days i.e. from 28th March 1891 to 8th April 1891 both days inclusive

(2) At the rate admissible to an Executive Engineer, 1st grade

(3) Travelling allowance as Superintendent

(4) No. He joined his new appointment on the Expiry of his Privilege leave.

18/4

C. and A.

18/4

No. 76 Dtd 2nd May 93 18/4 (Pacca)

J. C

Please state when Mr. Martin commenced to draw pay as Supty. Engineer and what breaks occurred in the rate of pay between the 19th February 1891 and the 7th July 1891.

Oct 1893

W

E1

P. W. CURRENT No. 2747

4579/93

Memo on 1976 c/g 8-4-91

Encls: 2

Recd: 19-4-93

0/94

(C. No. 1201/5)

1411/10

KEEP-WITH CURRENT No.

ted 189 .

GOVT. OF MADRAS. 1893. P. W. DEPT.

EXAMINER, P. W. ACCOUNTS.

Madras, 16 May 1893.

OFFICE NOTE No. 1712-C

To

W

Yr office note 2° 768 g 2° May 1893

Mr Martin officiated as Superintending Engineer, 6° Circle vice Colonel A. C. Smith R.E. absent on privilege leave from 19° February 1891 to 27° March 1891. He drew pay and acting allowance as follows:—

as Executive Engineer, 1° grade at Rs 950 per mensem plus acting allowance at Rs 112-8-0 per mensem for the first 30 days (from 19° February 1891 to 20° March 1891) and at Rs 150 per mensem from 21° March 1891 to 27° March 1891.

2. Colonel Smith's privilege leave having expired on 27° March 1891 Mr Martin drew pay as Executive Engineer 1° grade at Rs 950 per mensem from 28° March 1891 to 7° April 1891 both days inclusive having been allowed to continue to officiate as Superintending Engineer in the arrangements vice Colonel Penny sick R.E. on 3 months privilege leave from 8° April 1891 to 7° July 1891.

Mr Martin drew pay as Executive Engineer 1° grade at Rs 950 per mensem plus officiating allowance at Rs 112-8-0 for the first 30 days (from 8° April 1891 to 7° May 1891) and at Rs 150 per mensem from

8-2-91.

P. W. CURRENT No. 4571

from 8th May 1891 to 7th July 1891.

3. It will thus be seen that ~~for~~ for the period from 28th March 1891 to 7th April 1891, during which there was no vacancy in the grade of Superintending Engineer, nothing beyond the pay of his substantive grade was drawn by Mr. Martin and this Constitutes a break in the Continuity of his service as a Superintending Engineer

16/5

Encls 1

Rec: 17.5.93

C. on 19/5

28/16/5

(Encls)

14 11
14123 W

For orders

Submitted with reference to the Hon'ble Member's inquiry dated 28th April on the draft letter to the Govt. of India. It will be seen that there was a break of 11 days — from 28th March to 7th April — as regards the pay, though none as regards the duties of Suply. Engineer

HH.
20.5.93

W

~~Read~~
29/5

2nd I think it is clear that the period from 28th March to 7th April cannot count under the first proviso of Art 715 b. I think from 28th March to 7th April cannot count because Mr. Martin did not draw them as S.E. But I think that from 7th April Hon'ble County became the office absent on privi. leave was not one which could count for the special pension under 715 a. I am not however positive. To this effect in replying the case.

Hon
22 May

9/17/6

R 24.5.93

Ans 123-6
Hon 40-5.

14 11
11 PUBLIC WORKS DEPARTMENT.

P. 20/

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

Letter from the Suptg. Engineer II Circle (M.E. No. 15-K dd 13th April 93)
Office Note from the Examiner P. W. Accts (M.E. No. 1328-C dd 18th April 93)
1717

Ordered to be forwarded to the Government of India.

To The Suptg Engineer II Circle
2/1

M.E. No. dd

I think the Auditor is right here in the view that we therefore the case when did not months begin to run 12 may.

Hon
23 Apr

To The Secretary to the Govt of India P. W. D.

Sir,

I am directed to forward for the favourable consideration of the Government of India, the accompanying copy of a letter from Mr J. W. Martin, Suptg. Engineer 3rd Class and 1st Class temporary rank, requesting that a period from 19th February 1891

* No. 15-K.S. dd 3.4.93

48—800—23-3-95.

1891 to 7th July 1891, during which he officiated as Superintending Engineer, may be allowed to count for the special additional pension admissible under Articles 714 (b) and 715 (a) C. S. Regulations.

2. The facts of the case are that Lt Col A. C. Smith R.E. Supdg. Engineer VI Circle proceeded on privilege leave on the 19th February 1891, and Mr Martin on that date assumed charge of the Circle as officiating Superintending Engineer. On Lt Col A. C. Smith's return from privilege leave on 28th March 1891 he was appointed to officiate as Chief Engineer vice Col J. Pennycuick R.E., granted three months privilege leave, and he assumed charge of the office on 8th April 1891 without rejoining his Circle, having been on

1441/12

on joining time in the interim. During the interval of 11 days from 28th March to 7th April, Mr Martin was left in undisturbed charge of the VI Circle, but he drew for that period only the pay of an Executive Engineer 1st Grade, while travelling allowance at the rate admissible to a Superintending Engineer was passed to him. On Col Pennycuick's return from privilege leave on 7th July 1891, Lt Col A. C. Smith to proceeded on special leave to Europe, and Mr Martin continued to hold temporary rank as Superintending Engineer without further break.

3. It will thus be seen that Mr Martin has performed the duties of a Superintending Engineer continuously from 19th July 1891 to date, and if the period from 19th February

19th February to 7th July 1891 be allowed to count under Article 715 (a) C. S. Regulations, he will be enabled to retire on the 20th September next on the pension of his rank together with the tra pension admissible under Article 714 (b) as his total temporary and permanent service as Superintending Engineer will then be more than the required period of three years, he having on a previous occasion held temporary rank as Superintending Engineer for over 5 months.

4. Article 715 (b) C. S. Regulations, rules that no period will count during which an officer is officiating in a vacancy caused by the absence of an officer on privilege leave whose service counts under Clause (a), but it

1411/13

it may be remarked that both the officers on account of whose absence on privilege leave Mr. Martin officiated on the occasion in question are military officers to whom Articles 714 and 715 are not applicable.

I have &c.

Cos

PUBLIC WORKS DEPARTMENT.

No 1411 W dy 29th May 1893

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

Letter from the Supt. Engineer II Circle No 15. Ko. d/3. iv. 93.
Office note from the Ex. P.W. Accountant No 1328 C. d/18. iv. 93.
No 1712. C. d/16. v. 93.
do do

Ordered to be forwarded to the Government of India.

To The Supts: Engineer II Circle

C/16

(No. W. No 1412 W. d/29 May 1893)

To The Secy. to the Govt of India P. W. D.

Sir,

I am directed to forward for the consideration of the Government of India, the accompanying copy of a letter from Mr J. W. Martin, Supt: Engineer 3rd Class and 1st Class temporary rank, requesting that a period from 19th February 1891 to 7th July

*No 15 Ko. d/3. iv. 93.

July 1891, during which he officiated as Superintending Engineer, may be allowed to count for the special additional pension admissible under Articles 714 (b) and 715 (a) C. S. Regns.

2. The facts of the case are as follows:- On the 19th February 1891 Lt. Col. A. C. Smith R.E., Supdg. Engineer VI Circle proceeded on privilege leave, and Mr. Martin thereupon assumed charge of the Circle as Offg. Supdg. Engr. Lt. Col. Smith's leave expired on the 27th March, but his office had meanwhile been appointed to officiate as Chief Engineer, and Col Pennycuick on 3 months' privilege leave,

and

1411/15

and availing himself of joining time from the 28th March, he assumed charge of his appointment as Chief Engineer on the 8th April '91 without rejoining his Circle. On his relief by Col Pennycuick on the 7th July 1891, Lt. Col. Smith proceeded on special leave to Europe and Mr. Martin has held uninterrupted charge of the VI Circle from the 19th February to the 7th July 1891.

3. For the period 19th February to 27 March 1891, Mr Martin drew acting allowance as Supdg. Engineer from the 28th March to 7th April his pay as Executive Engineer 1st class, and from the 8th April to 7th July acting allowance as Supdg. Engineer.

4. His Excellency the Governor in Council is of opinion

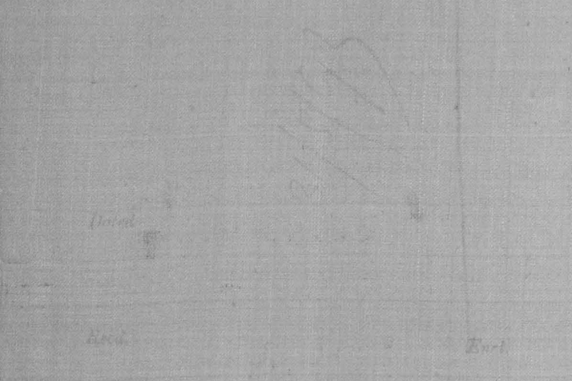
that the period from the
19th February to 27th March
cannot count under
the first part of article
715(b) of the Civil Service
Regs, and that the
interval from the 28th
March to 7th April should
also be excluded because
Wm Martin did not, for
this period, draw pay as
Supt Engineman. But
the period from the 8th
April to the 7th July
should, His Excellency
the Governor in Council,
considers, be allowed
to Count, as the officer
absent on furlough
whose service Counts
for the special pension
under article 715(a).

I have &c

Wm Martin
Esq

C No. 4571

Govt. of 1893 Madras.
PUBLIC WORKS.



G.O. 29 May 93 No. 1411
1442

Supt. Engr. Circle

Letter from Supt. Engr. that the period be officiated as Supt. Engr. may be allowed to count for the special addl. pension admissible under rules ordered to be forwarded to the G.O.

— do —
Forwarding for orders a letter from Supt. Engr.

that the period be officiated as S. E. may be allowed to count for the special addl. pension admissible under rules.

D. S.

J. S.

J. 30/5