

BACK PAPERS.

FURTHER PAPERS.

B
From orders

No. 2619w, dated 10th September 1896

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

Letter from the Superintending Engineer VI Circle forwarding a Memorial from Mr. Joyce, Executive Engineer, Madhira Division. - - -

Mr. Joyce will be informed that having again considered his case, His Excellency the Governor in Council can find no reason for modifying the decision previously arrived at. He will also be informed that his remarks regarding the late Chief Engineer are regarded by the Government as unjustifiable.

21/8/96

R.A.

The Suptg. Engr. W. C. C. *✓ P. 2 10/9/96*

No. 2619 W, dated 10 September
1896

Cms 6683

W

Mr. Joyce, Esq.,

again appeals against
the position assigned to
him on the departmental
graduation list.

He passed out
of Cooper's Hill in 1874
& stood above all the
officers of that year who
came to Matron.

He came out
originally to the N. U.
Provence in 1874, & from
there he was transferred
to Rome in 1876. He
was transferred to
Matron in 1883.
The reasons for which
he was placed on
the Matron list at
the bottom of the
list of the officers
of his own year, are
fully stated in the

Cancelled draft - 20. in

1149 W of 30-4-87-
the 1149 W of 30-4-87-
known this was

before Colonel Pennyman
joined the Secretariat

The last appeal was
disposed of by 20. in

1107 W of 4.4.92. the

draft of which was

based entirely on the

note by the A. M. in

charge of the P. W. D., Col.

Pennyman having con-

ferred no opinion in

submitting the appeal

for order.

Mr. Joyce states

that Mr. De Morgan

was junior to him

when he joined the

under Mr. De Morgan

case was

pending. In his early

career he was reduced,

& he was afterwards

restored to his place.

After this, he lost

position again by

delay in having his

examination. After he

passed & was promoted,

he was replaced in

his original position

above Mr. Davidson.

(20. in 1187 W of 20.5.85)

Mr. Joyce appears

to think that the

favoured upon pre-

viously given to his

appeals were due

to personal animus

on the part of Col.

Pennyman. As

above shown, this

position was decided

long before Col. P.

joined the Secretariat

& the last 20. in

was based on any

opinion expressed by

that officer.

The papers re-

garding the alleged

attempt of Colonel

Pennyman to deprive

Mr. Joyce's two months
& three days of service
are correct (vid. Ex.
214 w. of 23.1.96)

It will be seen
that a doubt existed
in this office as to the
date from which Mr.
Joyce's service under
the new time rule
should count. The
matter was referred
to the G. & F. in
1907. Meanwhile Mr.
Joyce's promotion was
deferred. As soon as
the reply from India
was received, Mr. Joyce's
promotion was ante-
dated to 1. Oct. 1893.
The same date
was entered in the case
of Mr. Troill.
The word in
which the term "captain"
was applied to Mr.
Joyce, is Ex. 230 B
of 23.8.92 - vide

file relating to case of
Lt. Col. Kitchin
Pillai -

Mr. Walsh was
directed the order to some
extent in his Ex. 4860 C
of 21.11.92, but there
was no particular
question of withdrawing
the term "captain" -

21/8/96

For orders.

This file has
been delayed for some
time owing to the difficul-
ties in tracing the
papers about the
West Coast Laser,
to which Mr. Joyce
did not give reference
for his order.

C

11/8/96.

W.

When Mr. Joyce was transferred
the Madras establish-
ment he was Assistant
Engineer 2nd grade, and
he took his place below
Mr. Russell, of the year
below him, because the
latter officer was Assistant
Engineer 1st grade ^{at the time}. The
Government of India,
however, having decided
that Mr. Joyce should
be promoted according
to his deserts with Cooper's
Hill Engineers of his
own standing he was
subsequently placed
below Mr. Davidson.
Against this he appealed
on the ground that
he passed out of the
College, not only senior
to Mr. Davidson, but
even to Mr. de Winton,
the senior Cooper's
Hill man in the

14/
Presidency, and he therefore
claimed to take his
place above the first-
Corpus Hill man in
the list. But from a
note by the Hon^{ble} Mr.
Sullivan, dated 8th
December 1888 (flagged
A) it would seem that
Mr. Joyce had been
designated superseded
in Royal, and this
is corroborated by other
documents. And, as
Mr. Sullivan remarked, "to
put him anywhere else"
(then at the bottom of
the list) would have
been to reverse the
supersession which he
underwent for presumably
good reasons before
his transfer. Attention
is invited to G.O. flagged
C. This G.O. was not
issued because Lord
Cunneen was considered

It exceedingly argumentative.
 It states the case
 fairly, nevertheless -
 and it mentions that
 Mr Joyce's advancement
 seemed to have been
 designedly retarded by the
 Government of the N.W. Province,
 and it was never
 intended that he should
 gain by his transfer to
 Madras a great and
 unmerited advantage over
 officers of this Government
 who had won their promotion
 by good service in ordinary
 course. Sir Henry Stokes
 in dated 28th March
 1892 (filed D) corroborates
 the above opinion, and
 puts the whole case in
 a nutshell. This closed
 the whole affair, and
 G.O. No 1107 W of 24th April
 1892 (also in file D) was passed.

2.

Accordingly

There is only one point
further which need be
noticed, and that is
the case of Mr. de
Morgan out of whose
reduction Mr. Joyce
endeavored to make
capital. Mr. de
Morgan was reduced
to Assistant Engineer 3rd
grade - i.e. to a grade
below that in which he
had entered the service - on
account of some work
in Vijayapattanam. But
after his period of reduction
had been considered
sufficient to meet the
case, and he had
passed the necessary
examination, he was

reinstated into his
old place above Mr
Davidson and
consequently also above
Mr Joyce. This was
the place originally
occupied by Mr de
Morgan in the Madras
list. The case of Mr
Joyce does not seem
to be on all fours
with that of Mr de
Morgan whose promotion
was only temporary, and
who in other respects has
not been superseded
for promotion.

C. H. B.
21.8

4/10/96

Mr. Joyce's Memorial.

P. W. DEPARTMENT.

No. 2619 W, dt 10 September 1896.

Read the following:—

Letter from the S.E. VI Circle No. 837 M. S. dt 22nd July 1896.

FOR ORDERS.

Mr. Joyce, Executive Engineer, again appeals against the ^{position} ~~petition~~ assigned to him in the departmental graduation list.

2. He passed out of Cooper's Hill in 1874 and stood above all the officers of that year who came to Madras.

3. He came out originally to the M. W. Provinces in 1874, and from thence he was transferred to Bengal in 1880. He was transferred to Madras in 1883. The reasons for which he was placed on the Madras list at the bottom of the list of the officers of his own year, are fully stated in the cancelled draft G.O. in No. 1148 W dated 30 April 1889, this was only cancelled because Lord Curzon considered it

Mr. Joyce may be informed that having again considered his case, the Govt. can find no reason for modifying the decision arrived at. He should be told that his remarks respecting the late Chief Engineer are unjustifiable.

A. G. H.

27.8.96

85323

27/8

Amos A.

exceedingly argumentative.

Flagged A.

4. This was done long before Colonel Pennycook joined the Secretariat.
5. The last appeal was disposed of by L^o. N^o. 1107 W dated 4 April 1892, the draft of which was based entirely on the note by the Amble Member in charge of the P. W. Dept., Colonel Pennycook having expressed no opinion in submitting the appeal for orders.

6. Mr. Joyce states that Mr. H. Morgan Watson was junior to him when he joined the Madras P. W. Dept. Mr. H. Morgan's case was peculiar. In his early career he was reduced, and he was afterwards restored to his place. After this, he lost position again by delay in passing his examination. After he passed and was promoted, he was replaced in his original position above Mr. Davidson. (L^o. N^o. 1187 W dated 20 May 1885)

7. Mr. Joyce appears to think that the unfavourable replies previously given to his appeals

Flagged B.

were due to personal animus on the part of Colonel Pennycook. As above shown, his position was decided long before Colonel Pennycook joined the Secretariat and the last L^o. was not based on any opinion expressed by that officer.

8. The papers regarding the alleged attempt of Col. Pennycook to deprive Mr. Joyce of two months and three days of service are put up (vide L^o. 214 W d/23rd January 1894)

9. It will be seen that a doubt existed in this office as to the date from which Mr. Joyce's service under the new time rule should count. The matter was referred to the Genl of India, and in the meanwhile Mr. Joyce's promotion was deferred. As soon as the reply from the Genl of India was received, Mr. Joyce's promotion was ante-dated to 1st October 1893. The same doubt existed in the case of Mr. Prall.

vide L^o. 214 W d/23/1/94
Flagged C

10. The means in which

the term "capricious" was applied
to Mr. Joyce is N^o 230 & dated
3rd August 1892 - side file
relating to case of Lascar Kistnasamy
Pillai.

2 para 3 flagged D
FOR ORDERS.

1. Mr. Walsh modified the
order to some extent in his N^o
4860 C dated 21st Nov^r 1892,
but there was no particular
question of withdrawing the
term "capricious".

2. I consider that Mr. Joyce's
remarks about the late Chief
Engineer are most unjustifiable
and reprehensible and should
be taken notice of.

3. Mr. Joyce is an officer of very
moderate abilities whose career in
the Dept has not been altogether
satisfactory, and instead of being
in a higher position than that
he now occupies I am inclined
to think ^{that} he has already had
more than he deserves in the
way of promotion.

24/9/94

W

30

His Excellency The Right Honorable
Sir Arthur Elibank Havelock
G.C.M.G. - G.C.I.E
Governor of Fort St George
Madras

The petition of Alfred Joyce Exec.
Engineer humbly sheweth

That your petitioner entered the
Royal Indian Engineering College in
the year 1871 and passed out in
the year 1874 -

That he entered the said College by
open competition, open to all natural
born subjects of Her Majesty the
Queen, now Queen Empress -

That in passing out of the same
College he won his seniority by
competition among those who had
so entered -

That there are four other members
of the Madras Public Works Department,
who passed into the before mentioned
College and out of it at the same
time as your petitioner -

That among these five Members of
the Madras Public Works Department
your petitioner did in free and open
competition pass out the senior -

That your petitioner has invariably
been refused the granting of his
petition -

That your petitioner has received
only two reasons assigned for
this refusal -

The first reason assigned is that
your petitioner was junior to these
four Members of the Madras Branch
of the Public Works Department
on his first entry into that Branch -

The second is that his supersession
is due to circumstances happening
before his entrance into that Branch -

Your petitioner desires to point
out that the first of these
statements is not altogether correct

That Mr. Walter Campbell De
Morgan was junior to your petitioner
at the time the latter entered the
Madras Branch of the Public Works
Department -

That in or about the year 1885
opportunity was taken to
reinstate the before mentioned
Mr. De Morgan in his original place
he having been at one time super-
seded, in addition placing him

firstly the peculiar answer
forwarded to him by Colonel
John Pennycuik R.E.-C.S.I
and secondly some most peculiar
promotions made by the before
mentioned officer not connected
with your petitioner -

Further your petitioner has
reason to believe that the same
officer was influenced against
him by personal animus -

Your petitioner's reasons for
arriving at this conclusion are
two at least -

First that on the last reorgani-
zation of the Department this
same officer attempted despite
the order of Her Majesty's Secretary
of State to deprive your petitioner
of two months and three days
of service dating the commencement
of his service from Dec: 4th 1874
instead of Oct: 1st of the same year -

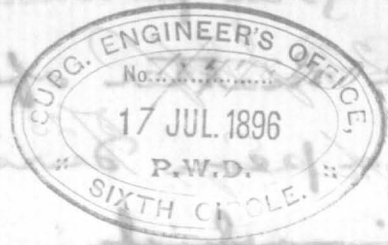
That this matter was only
rectified on appeal to the
Government of India -

Secondly that while serving in the
West Coast Division your petitioner
was censured in the matter of
the suspension of a peon during
which censure ~~being~~ which
as ~~since~~ he had the opprobrious
and insulting epithet of capricious
applied to him by Col. John
Pennycook ^{R.E.-C.S.I.} - This censure was
subsequently removed by Mr.
G. J. Walsh when Chief Secretary
P.W.D. on the appeal of your
petitioner -

Finally your petitioner humbly
prays that your Excellency will have
his case carefully considered and
if possible reinstate him in his
seniority in the Public Works
Department as he originally passed
out of the Indian Royal Engineering
College - For which act of kind-
ness your petitioner will as in
duty bound ever pray -

Madura.
July 16th 1896

Aper Jayce
Exec. Engineer



OFFICE OF THE SUPERINTENDING ENGINEER,
6th CIRCLE,

No. 851 Ind.

Trichinopoly, 22 July 1896.

From

W. Hughes Esq.
The Superintendent Engineer,
6th Circle.

To

The Chief Engineer, P.W.D.
Madras.

SIR,

ENCLOSURE 1

I have the honor to forward herewith a memorial addressed to His Excellency the Governor by Mr. A. Joyce, Executive Engineer Madras Division and to request that the same may be submitted to him.

I have the honor to be
Sir

your most obt. servt.

W. Hughes
Super Engineer
6th Circle

P. W. D. 6th CIRCLE.

6683

FROM

THE SUPERINTENDING ENGINEER,

6th CIRCLE.

Enclot

Recd: 24.7.96

TO

THE CHIEF ENGINEER,

P.W.D.

NO.

851 Ind

Dated.

22

Received.

July

1896

Enclosure. 1

No 1107 W, 27-4-92
.. 4845 C, 21-11-90
.. 2752 C, 10-7-88
.. 2401 C, 26-6-88
.. 1168 W, 30-4-89
.. 3866 W, 5-12-88
.. 2365 C, 3-7-86
.. 271 W, 20-11-85
.. 1742, 22-6-83
.. 656-7 W, 28-2-83
.. 1 W, 2-1-83
.. 3090-1 W, 22-11-82

Memorial of Mr. Joyce,
Executive Engineer, to
His Excellency the Governor
of Madras — Forwarding
a —

No 2682 W, 10-11-85
.. 2367-8 W, 10-10-80
.. 2216 W, 22-9-85
.. 1187 W, 20-8-85
.. 214 W, 22-1-94
.. 2701 W, 27-10-93
.. 2902-3 W, 15-11-93
.. 4025 C, 29-11-93
.. 4860 C, 21-11-92
.. 4295, 22-9-92
.. 2305, 23-8-92