

(1) Number of pages 8

(2) Date of repair 2.8.41

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MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No.	502.	Press Mis.
Dated	2-11-	1878.

Not to be folded or roughly handled

2.8.41

REVENUE DEPARTMENT.

5th October 1878, No. 1,612.

Read the following papers :—

No. 39. Proceedings of the Board of Revenue, dated 20th August 1878, No. 2,346.

Read the following letter from C. BENSON, Esq., M.R.A.C., Acting Superintendent of Government Farms, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Saidapet, 26th July 1878, No. 628 :—

I HAVE the honor to forward, herewith, a letter from Mr. Schiffmayer and a Memorandum on my own behalf referring to the offers made in Proceedings of the Board of Revenue, No. 1,960, dated 15th instant, in both cases requesting reconsideration of the terms and a settlement of several important points, leave rules, quarters, nature of duties, &c. ; and I would only remark that German Scientific Agricultural Literature is universally acknowledged to be the best extant.

ENCLOSURE No. 1.

MEMORANDUM.

REFERRING to the Proceedings of the Board of Revenue, No. 1,960, dated the 15th instant, offering the undersigned certain rates of salary for the performance of duties therein named, he begs to submit that—

- (1.) He assumes that the grant of free quarters at present given him at the place where his duty lies will be continued, although they are not mentioned.
- (2.) He is doubtful whether G.O., No. 935, dated June 20th, would in his case cancel Section 13 of the Civil Pension Code did not Clause 8 of his original agreement stipulate expressly in contravention to the terms of the section.
- (3.) No mention being made of the leave rules to which he is admitted, he assumes that his name will be included in Schedule A (see paragraph 2 of his letter, dated July 1st, embodied in Board's Proceedings, Miscellaneous No. 6,608, dated 4th July 1878), thus admitting him to the favorable leave rules to which Cooper's Hill Engineers and specially trained farm officers have been previously.
- (4.) Clause 9 of his original agreement provides that, irrespective of any pension or gratuity which may be allowed him under the rules to which Clause 8 of that agreement and the abovementioned Government Order admit him, in event of sickness necessitating his leaving, or if he of his own accord leaves Government service and India at any time, he shall receive one hundred pounds sterling (£100) for passage money on certain stipulations being fulfilled.
- (5.) In paragraph 12 of the Board's Proceedings, No. 5,223, of December 13th last, duty for agricultural officers involving travelling was suggested, but from the first portion of the Proceedings to which reference is now made, it would appear that it is now intended to utilize the services of the undersigned at Saidapet in the duty of scientific teaching or in managing the farm. He would point out that the question whether the salary is adequate in a great measure depends on the character of a duty and on the place where it is to be performed; scientific teaching is generally more highly paid for than the executive work of a farm, whilst travelling involves greater risks and discomforts than either; if it is intended to include touring in his duties it will be necessary to settle the allowances (horse, batta, and travelling) to which he will be entitled in event of his being called on to perform such duty.
- (6.) As it is yet unknown what the exact duties of his future post are to be, by fixing the salary to be given for a long term of years great hardship may be caused.
- (7.) When the appointment of an Assistant to the Superintendent of Madras Government Farms was first mentioned, the Governor in Council thought that a pay rising from £300 to £500 per annum by five yearly increments would be sufficient of the post as at that time outlined. The undersigned is now offered Rupees 500 per mensem as salary during the 6th, 7th, 8th, 9th, and 10th years of his service; his labors during the past years have been considered to increase in value at a rate sanction-

ing a yearly increment of Rupees 50 per mensem, and whilst the value will it is estimated continue to increase up to the end of the 5th year, it will then suddenly and entirely cease to advance for the next five

- (8.) Although (partly owing to the late date at which the offer is made) he is willing to accept the appointment on the terms mentioned, he requests that His Excellency the Governor in Council will be pleased to reconsider the rate of salary proposed for the next five years, viz., whether it cannot be made to increase progressively from Rupees 500 per mensem to Rupees 700 in the time mentioned, i.e., by annual increments of Rupees 40 per mensem, or, if this is not possible, whether it cannot be increased for the whole term, or at least whether some hope of speedier promotion cannot be held out.

2. The points raised being of the utmost importance, the undersigned requests that a decision may be pronounced on them (1, 2, 3, 4, 5, 6, 8) as soon as it is possible to do so; and in conclusion he presumes to believe that it is the intention of Government to gazette his appointment with retrospective effect from 30th January 1874, and to define his general official status and rank in a manner such as the education and importance in this country of a Scientific Agriculturist justifies; and that as he will in future become an ordinary Uncovenanted Officer, neither the letter nor spirit of his agreement now expiring will in future affect his position or rule his conduct, both being only influenced by the rules applicable to all Uncovenanted Civil Service Officers.

SAIDAPET,
24th July 1878.

(Signed) C. BENSON.

(True Copy.)

SAIDAPET,
26th July 1878.

(Signed) C. BENSON,
Ag. Supt., Govt. Farms.

ENCLOSURE No. 2.

From K. SCHIFFMAYER, Esq., to C. BENSON, Esq., M.R.A.C., Acting Superintendent of Government Farms, dated Saidapet, 25th July 1878.

WITH reference to the Proceedings of the Board of Revenue, No. 1,960, dated the 15th instant, offering to re-engage me on certain terms, I have the honor to submit that—

- (1.) No mention being made of the leave rules to which I shall be admitted, I assume that my name will be included in Schedule A.
- (2.) I hope that the free quarters now allowed will be granted to me in future, although no reference is made to this point.
- (3.) No mention being made of horse allowance, I presume that the same will be given to me as at present.
- (4.) I trust that travelling allowances will be granted to me should I be called upon to perform duties necessitating travelling or touring.
- (5.) Being unaware of the Pension Rules under which my name has been included, I accept that the improved Uncovenanted Civil Service Rules have been extended to my case.
- (6.) I assume that my appointment will have retrospective effect from the 23rd December 1873, the date I joined the Agricultural Department in Madras.
- (7.) In my original agreement my pay was fixed at Rupees 250 per mensem. Having had no increase of salary up to date, I have endured all the hardships resulting from being obliged to support myself on scanty means in a hot climate, but I lived in the hope that Government would give me adequate emoluments on my re-engagement; now I am offered Rupees 350 per mensem for the next five years and Rupees 550 per mensem after that.
- (8.) The work of imparting scientific knowledge, which I am led to believe will become part of my duties, being generally highly compensated, I venture to consider that the emoluments now offered are inadequate.

2. I have the honor therefore to request that His Grace the Governor in Council will be pleased to reconsider the question regarding salary, whether instead of the Rupees 350 per mensem offered, Rupees 500 per mensem, rising by yearly increments of Rupees 40 per mensem to Rupees 700 per mensem, cannot be given to me.

3. I venture to presume that my being a foreigner should not be considered an impediment to my promotion, and the fact of my being not quite conversant with the English language should be considered to be more than counterbalanced by the advantage of my being able to turn to good account my freedom of access to German literature, which excels in scientific agriculture.

(True Copy.)

(Signed) C. BENSON,
Ag. Supt., Govt. Farms.

Read also the following papers:—

Board's Proceedings, dated 30th July 1878, Miscellaneous No. 7,612.

Read the following:—

From C. BENSON, Esq., M.R.A.C., Acting Superintendent of Government Farms, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Saidapet, 15th July 1878, No. 609.

WITH reference to G.O., No. 935, dated 20th June last, I have the honor to request that I may be informed whether the sanction, by Her Majesty's Secretary of State for India, of the extension of certain privileges in regard to pension and leave conceded in 1876 to officers of the Public Works Department and to Forest officers educated in Europe to officers of this department carries with it the qualification required in Section 1 (b) of the Civil Leave Code; in other words will the names of the officers of this department be included in Schedule A?

REFERRED to the Accountant-General for remarks.

(A true Copy and Extract.)

(Signed) J. STURROCK,
Acting Sub-Secretary.

From L. C. PROBYN, Esq., Accountant-General, to C. A. GALTON, Esq., Acting Secretary to the Board of Revenue, dated Fort St. George, 8th August 1878, No. 5,187.

WITH reference to your Proceedings, No. 7,612, dated the 30th July 1878, I have the honor to state that I am not at present in a position to answer the inquiry of the Acting Superintendent, Government Farms. The Government Order he quotes does not contain sufficient information as no names are given, nor are the privileges which have been conceded to Public Works and Forest officers stated, and the previous correspondence referred to cannot be traced in this office.

2. This department cannot of course recognize any of the officers concerned as admitted to the benefit of the Civil Leave Code until authoritative orders on the subject are received from the Government of India.

In their Proceedings, dated 15th July 1878, No. 1,960, the Board intimated to Messrs. Benson and Schiffmayer that the Government desired to secure their services after the expiry of their present term of agreement to be employed as hitherto or on agricultural educational projects as circumstances might determine, and were willing to offer the following terms:—

To Mr. Benson.—A salary of Rupees 500 *per mensem* for five years from the date of the expiry of his present term of service, and after that Rupees 700 *per mensem*.

To Mr. Schiffmayer.—A salary of Rupees 350 *per mensem* for five years, and after that Rupees 550 *per mensem*.

2. Messrs. Benson and Schiffmayer both desire re-consideration of the terms offered, and their letters will be forwarded for the orders of Government. In the absence of orders on their Proceedings, dated 13th December 1877, No. 5,223, the Board are unable to submit as definite proposals as they would have been in a position

to make if the nature of the duties on which these officers are to be employed had been determined, but a few suggestions will be offered with reference to the main points raised—

Mr. Benson's Memorandum, paragraph 1.—The Board consider that free quarters should be provided for all European officers whose duties involve residence on a Government Farm. This of course involves provision of temporary quarters elsewhere pending construction of farm buildings.

Paragraphs 2 to 3.—In G.O., dated 20th June 1878, No. 935, the Government communicated an extract from a despatch from the Secretary of State sanctioning to Messrs. Robertson, Benson, and Schiffmayer certain privileges in regard to leave and pension which had recently been conceded to certain officers in the Public Works Department and to Forest officers educated in Europe. The original application which led to the despatch refers only to certain concessions in the matter of pensions, but the wording of the despatch is such that the Board incline to believe that it is the intention, both of the Secretary of State and of the Government of India, that these officers should be looked upon as entitled to all the privileges enjoyed under Schedule A of the Civil Leave Code, but it will be seen that on a reference being made to the Accountant-General, he has replied that he has not sufficient information on the subject. The Board consider that an authoritative ruling should be sought. Forest officers educated in England come under Schedule A, and the despatch above quoted affords sufficient evidence of the recognition of the claim of the officers of the Madras Agricultural Department to be regarded as holding an analogous position.

Paragraph 4.—The Board would not have been inclined to continue the arrangement about passage money as they contemplated placing the officers of the Agricultural Department in all respects under the ordinary rules of the Uncovenanted Service as regards pensions and gratuities, but the wording of Clause 9 of the original agreement seems to constitute a kind of pledge to Mr. Benson that the arrangement will be continued even after the expiry of the first term of five years. They observe, however, that in the concluding sentence of his Memorandum, Mr. Benson seems to desire his original agreement to be looked upon as a thing of the past, and the ordinary rules of Uncovenanted Civil Service officers alone held applicable to him; he would, in fact, apparently forego his claim to return passage in the hope that the terms he asks, viz., an annual increment of Rupees 40 or other promotion may be granted, and it seems fair that he should not be expected to waive his claim to £100 without some such equivalent.

Paragraph 5.—With regard to travelling expenses, the Board would recommend terms similar to those proposed for Mr. Robertson in Board's Proceedings, dated 14th June 1878, No. 1,621, except that they would grant to officers other than the head of the department only the allowances of a Head Assistant Collector when touring within the districts in which his head-quarters for the time being are fixed.

3. The bulk of the above remarks apply also to Mr. Schiffmayer's case. The horse allowance referred to by him was granted under special circumstances, and its continuance depends solely on the continuance of these circumstances (G.O., dated 7th August 1877, No. 2,457).

4. The question of the adequacy of the salary offered, the Board leave for the decision of Government, merely remarking that there is much truth in the observation made by Mr. Benson that it in a great measure depends on the character of the duty, and on the place where it is to be performed. It is to be noted however that the terms offered contrast favorably with the salaries hitherto drawn in the Madras Presidency by Forest officers specially educated in Europe.

(True Copies and Extract.)

(Signed) J. STURROCK,
Acting Sub-Secretary.

No. 40. From C. L. TUPPER, Esq., Officiating Under-Secretary to the Government of India, Department of Revenue, Agriculture, and Commerce, (General,) to the Secretary to the Government of Madras, dated Simla, 19th September 1878, No. 640.

WITH reference to your telegram, dated the 12th instant, inquiring what are the exact privileges conceded by the Secretary of State to the Agricultural Officers of the Madras Presidency, I am directed to forward copy of a Resolution of the Government of India in the Financial Department, No. 679, dated the 5th February last, embodying the information required.

ENCLOSURE No. 1.

Proceedings of the Government of India, Financial Department, dated Fort William, 5th February 1877, No. 679.

Read the following Despatch from the Most Honorable the Secretary of State for India, to His Excellency the Right Honorable the Governor-General of India in Council, dated India Office, London, 10th August 1876, No. 310, Financial.

MY LORD,—I have considered in Council your Financial letter, dated the 14th June 1875, No. 196, forwarding a Memorial from Civil Members of the Engineer Branch of the Public Works Department, praying for certain concessions in regard to leave and pension.

2. In forwarding this Memorial, you request that it may be considered in connection with your letter, dated the 29th January 1875, No. 39, regarding the grant of more favorable leave rules to members of the Uncovenanted Service, and also in connection with the correspondence in reference to the Pension Rules applicable to Civil Engineers, ending with the Duke of Argyll's Financial Despatch to your Government, dated the 6th July 1871, No. 210.

3. The prayer of the Memorialists "that the Furlough Rules recently granted to the Military or Covenanted Civil Service may be extended to them," has been already met by their admission to the benefits of the more favorable leave rules as notified in my Financial Despatch to your Government, dated the 10th February last No. 48.

4. In regard to pension, the Memorialists state that they "are exposed to the influences of this tropical climate equally with the Military Officers of the Department, and from the nature of their duties are more exposed than officers of most other services;" and they "solicit attention to the great disparity between the rules relating to the period of service necessary to qualify for pension which apply to them, and those in force for the Civil, Military, Medical, and Ecclesiastical Services."

5. They therefore pray—

- (1st) "that they may be allowed to retire on medical certificate at any time after ten years' actual service, or without medical certificate at any time after twenty-one years' actual service, on a pension of one-sixtieth of their average pay for the previous five years for every year of service, provided that the maximum pension shall not exceed £ 600 per annum ;"
- (2nd) "that Civil Engineers appointed at once to the Department, with rank higher than that of a first grade Assistant Engineer, on the ground of previous experience, may be allowed three years in the computation for pension, as is done in the case of educational officers who enter Government service after the age of twenty-five years."

6. After a careful consideration of the Memorial submitted by you, and of the arguments therein contained, I have arrived at the conclusion that, comparing the amount of the pensions that can be earned by Civil Engineers with those for which Military Officers employed in the Public Works Department are eligible, there is no ground for making any change in that respect; and that, considering that the probable age of the Civil Engineer, who will henceforth be appointed from the Royal Engineering College in this country, will be considerably less than twenty-five years, there would not appear to be any necessity for laying down any rule as to a reduction of three years in the period of service in regard to Civil Engineers similar to that which has been sanctioned in the case of educational officers.

7. In paragraph 8 of the Financial Despatch to the Government of India, dated the 6th July 1871, No. 210, it was stated that, in special cases, where it might be found expedient to engage the services of men of mature age, the Home Government would "be prepared to sanction such a departure from the terms of the pension rules as may be agreed upon at the time

of their engagement, those cases being at once reported to Her Majesty's Government for confirmation," and that concession, in my opinion, will adequately meet the case of "Civil Engineers appointed at once to the department with rank higher than that of a first grade Assistant Engineer, on the ground of previous experience."

8. It remains to determine whether any concession may be made, first, as to the term of service required before any pension is given, and, second, as to including a part of the time passed on furlough or period of service reckoned for pension.

9. After a careful examination of these points, I have come to the conclusion that the conditions under which the Civil Engineers educated at the Royal Engineering College are selected and trained are so distinct from those under which other classes of Civil Servants who do not belong to the Covenanted Service are appointed, as to require separate consideration, and to justify special treatment in relation to the matters now under discussion.

10. Although liability to suffer from the diseases to which tropical climates give rise is one of the necessary contingencies of all Indian Service, I cannot resist the conviction that officers of the Public Works Department are more than usually exposed to such influences, and that it will be just to recognise the claims of this branch of the service to invalid pensions after a shorter period than 15 years' service; and this concession, while it will tend to increase its efficiency and to remove objections to entering it which have at least some weight, will probably cause a comparatively small additional charge.

11. With reference to the admission of a part of the time allowed for furlough to reckon for service as pension, I also view the claims of this class of officers as deserving special consideration. It is of real public importance that our Engineers in India shall have all reasonable facilities for obtaining furlough to Europe where they may best learn the progress that their profession is constantly making. If, as is at all events partly the case, the limitation of the ordinary pension rules throw impediments in the way of taking advantage of leave out of India which the recent extension to Public Works Officers of the more favorable furlough rules offer, some modification of those rules may reasonably be made in their behalf, in the direction of allowing a moderate proportion of leave in Europe to reckon for service for pension.

12. I consequently authorise your Government to frame rules, which shall be specially applicable to the Civil Engineers who have passed through the Royal Engineering College, providing for the grant of invalid pensions on suitable medical certificates after a service of not less than 10 years' residence, at a minimum rate of 1,000 Rs. per annum, with graduated increase up to the pension now given after 15 years' residence.

13. Also for allowing furlough to count for service to the following extent:—

After 20 years' service, 2 years' furlough.

" 25	" 3	"
" 30	" 4	"
" 35	" 5	"

14. It will also be obviously proper to abrogate, as regards this class of officers, the rule which rejects service at an age below 22 years.

15. I do not consider that there is any sufficient cause, in the case of the Civil Engineers, for departing from the rule that a medical certificate of incapacity to serve in India is necessary to give a claim to pension until a service of 30 years, including furlough as specified above, has been completed. The conditions of service of those classes of officers who are entitled to claim pension at earlier periods are very different from those of the Civil Engineers, and no true comparison of the two cases can be made.

16. I shall also be prepared to extend the rules thus authorised for the Civil Engineers to the specially educated officers of the Forest Department who occupy a closely analogous position.

17. The arrangements thus sanctioned will only be applicable to that class of officers whose career has been wholly Indian, and who have passed through the Royal Engineering College at Cooper's Hill, or have been appointed to the Forest Department in England. But I shall be prepared to authorise the grant of invalid pensions, should the occasion arise, under the rules referred to in paragraph 12, to other Public Works or Forest Officers whose cases may, in your opinion, justify such special treatment.

18. The questions relating to precedence will be separately dealt with.

I have, &c,
(Signed) SALISBURY.

ORDERED that this Despatch be communicated to the Public Works Department with reference to endorsement from the Financial Department, No. 1,353, dated 14th June 1875, also to the Department of Revenue, Agriculture, and Commerce. The concessions sanctioned in the

Despatch have been already published by the Notifications of the Financial Department, No. 3,284, dated 6th October 1876, and No. 433, dated 26th January 1877. These concessions are embodied in Sections 13, 14, 44 Exception 59 (a) Rule 2, and 63 (e) of the Civil Pension Code.

(Signed) D. BARBOUR,
Under-Secy. to the Govt. of India.

No. 41. ORDER THEREON, 5th October 1878, No. 1,612.

Miscellaneous.

In regard to the Pension and Leave Rules to which the officers of the Agricultural Department are admitted, the foregoing letter and enclosure from the Government of India will be communicated to the Board of Revenue and Accountant-General. The names of the three* officers now in the Department were forwarded to the Government of India for submission to the Secretary of State when it was desired to obtain for them the benefits now conceded, and that Government will now be requested to set all further doubts at rest by entering these three officers in Schedule A of the Civil Leave Code.

2. The salary proposed in the case of Mr. Benson the Government consider to be adequate, but Mr. Schiffmayer's maximum salary will be raised to Rs. 600. The present salaries of Rs. 500 and 350 recommended by the Board are approved, and these amounts will rise to the maximum by yearly increments of Rs. 40 and 50 per mensem.

3. Mr. Benson's service will reckon from the date of his original agreement, unless otherwise stipulated therein, and that of Mr. Schiffmayer from the date of his arrival in India.

4. In view of the assured footing on which these officers are now placed, and their improved position, the Government are no longer prepared to guarantee their passage money to Europe or any other of the special and unusual arrangement stipulated for in their agreements, which will henceforth be null and void. The Board will ascertain from Messrs. Benson and Schiffmayer whether they are willing to accept these terms, and will arrange for their executing fresh agreements intimating such acceptance and their willingness to devote their whole time and attention to the service of Government, &c.

5. Free quarters will be provided for each officer, but all other special allowances will lapse, as stated by the Board, when the grounds on which they were temporarily granted cease to exist.

6. The subject of travelling allowance within and without the district in which they may be employed will be considered and disposed of under the rules laid down by the Government of India.

(True Extract.)

Lorne Campbell
Under-Secretary to Government.

To the Board of Revenue.
" the Accountant-General.

The Financial Dept.
The Pension Dept.

Exd. F. R. Bantleman.

File
Order Wisconsin 27 November 1878
Recorded. J

St Louis 1878
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 REVENUE.

THE BOARD OF REVENUE,

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Total October 5th.

Printed 17th.

Total 28 $\frac{1}{2}$ ——— End

G.O., 5th October 1878, No. 1,812.

OCTOBER.
 Nos. 39—41.

*Pension and Leave Rules to which the Off
 of the Agricultural Department are attached
 Communicating with the remarks to the Board
 Revenue and Accountant-General letter from
 Government of India regarding—, and request
 the Board to ascertain from Messrs. Benson
 Schiffringer whether they are willing to accept
 the terms mentioned, and to arrange for
 executing fresh agreements intimating
 acceptance and their willingness to devote
 whole time and attention to the service of Govt.*

File
Order 502