Marine (1898) Department.

G.O., No. 1027 Marine	
DATED 9th Dec 1898.	

[Despatch Abstract.]

Mr. J.M. Sampson, Port Officer, Tellicherry

Stating that H.E. the Govr in Council is unable to entertain the application from — for the grant of a personal allowance & [illegible] with remarks, but it may be possible to transfer him temporarily to a port where the duties are more onerous & carry a higher rate of pay—

Dr

Indexed. 16/12/98

M.—6.
300—15-7-98.

Ma[rine] Department.

B
Fgn orders

Let

dated 4t

~~Circulated to~~

Correspondence with Mr Simpson
But their negotiations –
on the subject of his grievances
To be kept in file

3.8.12

No order can now
AEW
7

James Moncrieff Simpson

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

G.O.	No.	Depar	ate.

G.O.	No.	De	Date.

B
For orders

Marine DEPARTMENT.

READ the following:—
Letter from the Presidency Port Officer, Madras, No. 1759/383 G
dated 4th November 1898.

~~Circulated to~~

~~FOR~~ ORDERS.

No: 1027 Mar. 9·12·98.

With his letter read above the Presidency Port Officer forwards a petition from Mr. J.M. Simpson, Port Officer, Tellicherry, in which he prays (1) that he may be restored to the charge of the Port of Mangalore from which he was transferred to his present station in November 1896, or that an appointment of equal value may be given to him, and (2) that G.O. No. 1032 Marine dated 16th December 1897 refusing to entertain his application for a personal allowance in lieu of fees may be reconsidered.

Flag B.

2. After careful consideration of the grounds advanced by Mr. Simpson in support of his requests, His Excellency the Governor in Council regrets that he is unable to entertain the application for the grant of a personal allowance, but trusts that

The order can now issue

ACK
7-12-98

BW

that it may be possible, now that Mr. Simpson has regained his health, to transfer him temporarily ~~at no distant date~~ to a port where the duties are more onerous and carry a higher rate of pay. He cannot be sent back to Mangalore, nor is it probable that he can be permanently transferred from Tellicherry

P.S.

29.11.98

To

The Presidency Port Officer.

9/12/98

C.No. 1397

~~C.A.No.~~

Please let G.O. be written before issue

[illegible]

H.A. Street
P.P.O.

No: 612 Edy
30 Nov '98

To The Presidency Port Officer
(unofficially)

with the draft order and notes, etc for information and favour of return.

A. S. Russell.
Under Secretary

P.S.

indeed.

H. A. Street
P.P.O.

6/12/98

Unofficial Note
by
The P.P.O.

I would like to point out that unless there should be a death vacancy there is little prospect of a better paid post being open to Mr Simpson in the Port Dept. It is my intention to recommend him to act for the Port Officer at Cochin who intends to apply for furlough in February next.

I fear that if the order goes out as

it stands, the promise to provide Mr Simpson with a better paid post at no distant date will be misunderstood by him, and lead to endless correspondence on the subject. I see no prospect of a better paid permanent post appt. becoming vacant until a Senior Port Officer either retires or dies.

H.A.S.
2-12-98

Marine DEPARTMENT.

Ex. No. Letter from the P.P.O. No. 1759/383 G, d/4th Novr. 1898.

HIS EXCELLENCY THE GOVERNOR.
~~THE HON'BLE SIR HENRY BLISS, K.C.I.E.~~
~~THE HON'BLE MR. GROSE, C.I.E.~~

SUBJECT.

Petition from Mr. J. M. Simpson, Port Officer, Tellicherry.

FOR ORDERS.

With his letter read above the Presidency Port Officer forwards a petition from Mr. J. M. Simpson, Port officer, Tellicherry, in which he prays (1) that he may be restored to the charge of the Port of Mangalore from which he was transferred to his present station in November 1896, or that an appointment of equal value may be given to him, and (2) that G.O. No. 1032 Marine dated 16th December 1897 refusing to entertain his application for a personal allowance in lieu of fees may be reconsidered.

+ Flag B

2. The grounds on which Mr. Simpson bases his requests are

(a) that his transfer to Tellicherry was made at his own request as a temporary measure and on medical advice, and that he has now been there nearly two years (having regained his health)

(b) that during these two years, he has suffered a loss of income of Rs.

Rs.85 per mensem,^x besides undergoing heavy medical expenses on account of an accident he met with, while on special duty,

x shown as Rs 50 in para 7 of G.O. 57 Marine d/11 Feb 90 - Flag V

(c) that Petitioner refused the appointment at Tellicherry when he was allowed the option in 1894, as he could not carry with him the personal or local allowance drawn at his previous port,

(d) that he believes no personal allowance was sanctioned for Tellicherry, as it was never anticipated that a senior officer entitled to the personal allowance would be posted to that port,

(e) that except for his ill-health he was content with the appointment at Mangalore, where he had considerable extra duties in connection with Mr. Walch's enquiries, and for which he was granted an honorarium.

3. The Presidency Port Officer reports that when Mr. Simpson asked to be moved from Mangalore, there was no understanding that the transfer would be of a temporary nature; that Mr. Simpson's pecuniary loss by his transfer to Tellicherry was anticipated and made known to His Excellency the Governor at the time-*vide* letter^x to the Private Secretary dated 27th October 1896 (copy attached ts Cho/397)); that had Commander Powell known Mr. Simpson as long as he (Commander Street) had known him, Mr. Simpson's

x Flag O

Simpson's

Simpson's transfer from Gopalpur to Mangalore in 1894 would never have been recommended; that the recommendation for the grant of an honorarium for Mr. Simpson's services at Mangalore was made "on the ground of his having undergone a considerable amount of exposure and for the hard out door work he had to perform", and that he cannot find anywhere in the papers in his office "that Commander Powell expressed himself even satisfied with the manner in which Mr. Simpson had performed his duties"

4. The Presidency Port Officer represents that the Mangalore Port includes the supervision of 3 important sub ports and their respective lights, besides considerable correspondence with mercantile firms - and that it is very necessary that the Port Officer should be a person capable of undertaking arduous out-door work, and be of an amicable -- temper.

5. Mr. Simpson's temper is, it is said, very excitable, and he is not considered fit for any post where the duties are other than those of a purely routine nature. The Presidency Port Officer accordingly regrets his inability to support Mr. Simpson's first request.

6.

6. It may be added that the special allowance which forms the ground for Mr. Simpson's complaint is a purely local allowance i.e. it is attached to a particular po~~s~~rt, and varies in amount at different places, as will be seen from reference to para 7 G.O. No. 51 Marine dated 11th February 1890. The heading of Column 3 of the statement in this para is given as "Personal allowance" but it would have been more correct to have called it "Local allowance." This is quite clear from the succeeding para (8) wherein it is stated that the allowance now sanctioned "should be attached to the port concerned and not to the officer x x in charge of the port". The reason is obvious. The allowance was given in lieu of special fees which Port officers appropriated at certain ports. When the new scale of pay came into effect, Mr. Simpson was apparently at Gopalpur; he was certainly there in 1894, and he must thus have drawn only Rs. 45 per mensem on the introduction of the new scale. In the year 1894 he was transferred to Mangalore where his local allowances rose to Rs. 80 per mensem. He thus got the benefit of the larger allowance on transfer to a more important port, and he did not then raise the general question of carrying with him to a new port

+ Flag V

the allowance drawn at a former -- port, as he now does.

7. Mr. Simpsons' assumption given as (d) ante is incorrect. The reason why no local allowance is attached to Tellicherry is that there were in 1890 no special fees at that port to be commuted as at certain other ports – vide para 7 of the order last quoted.

+ Flag V

8. It would be seen from the foregoing remarks that the second request for the ~~part~~ grant of a compensation allowance is unsustainable. The only way in which he can be restored to his former position in regard to emoluments is to transfer him to a port where local allowances are admissible.

I agree with this.

Mr. Simpson must have plenty of leisure judging from the length of his letter.

A.G.H
26.11.98

R.S. Mr Simpson is, I believe, in much better health than he was, & it may, I hope, be possible to transfer him, at no distant date to more onerous duties & higher pay than obtain at Tellicherry; but so long as he remains there, his requests for special allowance cannot be granted, & it is certainly not advisable to send him back to Mangalore.

23.11.98

Encd
C.R.

Marine (1898) Department.

CURRENT No. 1397

From

The Presidency Port officer,
Madras

No. 1759/383 G

Order

Dated 4th November 1898

Received 5 - 11 - 98.

Enclosures 2

Spare copies

SUBJECT.

Forwarding with remarks a petition from Mr J. M. Simpson, Port officer, Tellicherry, praying that he may be transferred to Mangalore as Port officer.

BACK PAPERS.

No.	Date.
G.O 1032	of 16-12-97 ✓
551 E	of 6-11-96 ✓
G.O 318	of 7-V-96 ✓
- 316 F	of 7-V-96 ✓
279	of 24-4-96 ✓
220 E	of 23-4-96 ✓
264	of 21-4-96 ✓
201 E	of 4-4-96 ✓
129	of 28-2-96 ✓
15 E	of 15-1-96 ✓
172	of 4-6-95 ✓
159	of 5-6-95 S.C ✓
169 R	of 18-9-94 ✓
51-2	of 11-2-90 12th S.C. pd

FURTHER PAPERS.

No.	Date.

To

His Excellency
Sir Arthur Elibank Havelock, G.C.M.G. G.C.I.E.
Governor and President in Council
Fort St George – Madras.

The humble Petition of
Mr. James Moncreiff Simpson
Port Officer of Tellicherry
late Port Officer of Mangalore

Respectfully sheweth,

1. That Your Petitioner was appointed Port Officer of Mangalore in November 1894, by Captain Powell, the late Presidency Port Officer. Flag L

2. That under date 27th November 1895 Your Petitioner submitted a Memorial to Your Excellency in Council, in which it was stated that Your Petitioner had sustained injuries to his health, in the execution of his duties connected with the scheme of Mr G. T. Walch for the Survey and Dredging of the Harbor of Mangalore Flag M

3. That the above Petition was submitted under medical advice for the express purpose of being released from the arduous work of this Survey, and of soliciting monetary compensation to enable Your Petitioner to proceed to Europe for special medical treatment

4. That

James Moncreiff Simpson Port Officer
James Moncreiff Simpson

4. That in obedience to the Order thereon, No. 129, Marine, dated 28th February 1896 Your Petitioner continued the Survey until the end of April 1896.

5. That the sequel of events necessitates a further appeal to Your Excellency as hereinafter stated:

6. Your Petitioner arrived in Mangalore in November 1894, and in the following February while employed on the Survey above mentioned, of the Outer Shoals, he had a fall across the seats of the boat, which at the time only appeared to be sufficiently serious to warrant a few days' rest and treatment. Peremptory orders were however received by telegram from Madras, to commence dredging: and as there was no one else available to undertake it, Your Petitioner, in spite of his injuries, personally transported the Dredger "Wenlock" to the position at the Backwater Entrance, assigned by Mr. Walch.

7. At that Season of the year, the narrow Channels, and quicksand bottom afforded insufficient holding for such a large and powerful Dredger: and in consequence the Tides swept the Vessel across the Flats or Sandspit, necessitating unremitting attention.

8. The result may be anticipated: for injuries which at first seemed slight,

developed

James Moncrieff Simpson.

Hag T X

developed into serious complications, compelling Your Petitioner eventually to proceed to Europe in May 1896 on medical leave for six months: the Doctors of Mangalore being of opinion that an operation for the removal of a calculus was necessary.

9. Two well-known Doctors of London soon decided that no organic disease existed, but that a muscle over the right lumbar region had been injured, and that no operation was necessary

10. Warning Your Petitioner that from long delay, the case had become very serious, the well-known Specialist Dr. Hurry Fenwick sent Your Petitioner to Contrexéville in Lorraine for special treatment, as Massage had been tried without success.

11. After further unsuccessful treatment which caused great suffering, Dr. Debout d'Estrées decided on extreme measures, under which on the 1st of August 1896 the affected muscle suddenly released its long sustained tension, and from this date, recovery to complete restoration was merely a matter of time

12. Your Petitioner had arranged to leave for India on [illegible] 23rd of October 1896, and a few days previously the London Doctors had a final consultation, at which they decided that

James Moncreiff Simpson

that Your Petitioner had completely recovered, and was fit for active duty: but at the same time advised care for a few months to avoid risk of a relapse from excessive fatigue.

13. Under this advice Your Petitioner wrote to Captain Street on the 6th October, expressing a fear that the Survey work of Mangalore would entail too much risk, and asked for a change, as a temporary measure: and accordingly on arrival in Bombay, Your Petitioner received orders to proceed to Tellicherry instead of Mangalore.

Flag U x

14. Your Petitioner has now been nearly two years in Tellicherry without any relapse; and all traces of this injury have long since disappeared: and that he is now in perfect health may be shewn by the facts, that he has had charge of Calicut during the S.W. Monsoon, in addition to his own duties, and has accomplished the journey of 43 miles in one day, over the rough roads without any inconvenience, besides having more recently cycled a distance of thirty miles in one day on three occasions.

15 Your Petitioner now humbly begs to plead: —

16. (1) That for these two years he has

suffered

James Moncreiff Simpson

suffered a loss of income amounting to Rupees Eighty-five per mensem, besides the heavy medical expenses, incurred solely through an accident which occurred while engaged on special duty: which losses have been a serious drain on his resources.

80

(2) That in 1896 Your Petitioner refused to accept the appointment of Tellicherry when option was allowed, because it carried no allowances to which Your Petitioner is entitled at any other Port, having joined the Department before the revised Rules were brought into force by G.O No. 51 Marine of 11th February 1890 and G.O No. 512 of 2nd of July 1890. The sole reason why no Personal Allowance was sanctioned for Tellicherry is, it is believed, because it was never anticipated that a Senior Officer who is entitled to a Personal Allowance would be appointed as Port Officer.

Flag V X

No date wrongly quoted.

This is not the reason. The reason is that Tellicherry had its special fees which converted into a local allowance for the Port Officer.

17. That Your Petitioner further pleads that except from ill-health resulting from his accident, he was contented with the appointment of Mangalore, and after a tenure of eighteen months at this time, and of six months in 1889, he left the place

with assurances

James Moncreiff Simpson

with assurances of gratifying encomiums from Captain Powell which have been duly placed on record in official correspondence quoted in G. O. No. 159 Marine of 5th June 1895: and in G. O. No. 172 Marine dated 14th June 1895: and which resulted in the bestowal of the highest monetary Bonus allowed by the Regulations, as stated in the last mentioned Order.

Hag W X
Hag D X

18. Your Petitioner therefore humbly prays:

1st. That without further delay and loss of Income, Your Excellency may be pleased to restore him to his appointment of Mangalore: or that an appointment of equal value as regards total sources of income may be given to him.

Hag B X

2nd. And Your Petitioner further prays that Your Excellency may be pleased to reconsider the Order No. 1032 Marine dated 16th December 1897: and whereas the Personal Allowance of Mangalore amounting to Rupees Forty per mensem has lapsed to Government since Your Petitioner left Mangalore in May 1896, the said Personal Allowance of Rupees Forty per mensem may be granted to him with

James Moncrieff Simpson

retrospective

retrospective effect during his tenure of the appointment of Tellicherry, as a special concession.

19. For which acts of kindness Your Petitioner as in duty bound will ever pray:

James Moncreiff Simpson
Port Officer

Forwarded through the Presidency Port Officer of Madras

Port Office
Tellicherry
26th October 1898.

James Moncreiff Simpson
Port Officer.

James Moncreiff Simpson

327/3-11-98

From,

Mr James Moncreiff Simpson
Port Officer of Tellicherry.
late Port Officer of Mangalore

To,

His Excellency The Governor
In Council
Ft St George.

Thro:

The Presidency Port Officer
Madras.

Dated	26th October	1898.
Despatched	— Do —	
Recd.		

Subject.

A Memorial praying that the Petitioner may be restored to his former appointment of Mangalore, or to one carrying like income: and that G. O No 1032 Marine of 16th December 1897 regarding Personal Allowance may be re-considered.

Mar Genl
1397/98

Presidency Post Office
Madras 27 Octr 1898.

My dear Stuart,

I have received a letter from Mr James M. Simpson, Post Officer Mangalore, who is now in England on Sick leave, in which he states that he has obtained permission to return to duty on or about the 16 of next month, but that he will be unable to undertake any arduous duty and asks that he may be given a change so that he may avoid another monsoon at Mangalore - I put up the letter for reference. It is very necessary that the Post Officer at Mangalore should be an active and capable Officer, and a

Mr

Mr Simpson from his own Statement is unable to carry out any arduous work, I beg to propose for the consideration of His Excellency the Governor that Mr Simpson should be transferred to Tellicherry and Mr H. S. Brown, Port Officer of Tellicherry to Mangalore. Mr Simpson will be a pecuniary loser by Rs 80 per mensem by the transfer, for at Tellicherry he will receive only the pay of the post Rs 350 and no allowances - at Mangalore the pay and allowances amount to Rs 430 per mensem but I submit that this need not be considered as it is not only for the good of the public

public Service but for Mr Simpson's own benefit that he should be transferred to a port where the work is not of a nature to affect his health. Should His Excellency approve of my proposals, the necessary Minute of Appointment will be forwarded in the usual course, through the Secretary to Government, Marine Department.

Yours truly
(Sd) H. A. Street

(Copy)

H. A. Street
Commander R. I. M.
Presidency Port Officer.

mar Genl/1357 Wd

No. 1759 G
383

Presidency Port Office,

Heading

Madras, 4th November 1898.

From

Commander H. A. Street, R.I.M.
Presidency Port Officer,
Madras,

To

THE SECRETARY TO GOVERNMENT,
MARINE DEPARTMENT,
CHEPAK.

Sir,

At the request of Mr. James M. Simpson, Port Officer, Tellicherry, I submit, for the consideration of Government, a petition from that Officer in which he draws attention to the circumstances that rendered necessary his proceeding to Europe in 1896 for medical treatment, and prays that he may be transferred from Tellicherry to Mangalore as Port Officer

Officer.

2. I regret that I am unable to support Mr. Simpson's request to be sent back to Mangalore, for the reason that, I do not consider the change would be for the benefit of the public service. Mr. Simpson's very excitable temperament renders him, in my opinion, unfit for any post where the duties are other than of a purely routine nature; and for the Mangalore appointment which includes the supervision of three important sub-ports and their respective lights, besides considerable correspondence with Mercantile Firms regarding the working of the boat rules and the Indian Ports Act, it is very necessary that the Port Officer should not only be a person capable of undertaking arduous out-door work but also of a

temperament

temperament which would enable him to carry on his duties in an amicable spirit when brought into contact with members of the Mercantile Firms at the port. Mr. Simpson was appointed to Mangalore during 1895, at the instance of Commander Powell, then Presidency Port Officer, and although Mr. Simpson points out in his petition that he was rewarded by a bonus for the work he performed in connection with the Survey of Mangalore Harbour, I find on reference to the correspondence on the subject that it was advocated by the Presidency Port Officer on the ground of his having undergone a considerable amount of exposure and for the hard out-door work he had to perform. I cannot find anywhere in the papers in my

Office

Hug L 48

Office that Commander Powell expressed himself even satisfied with the manner in which Mr: Simpson had performed his duties.

3. My knowledge of Mr: Simpson dates from his appointment to the Port Department, and I feel convinced that had Commander Powell known him as long as I have, the transfer from Gopalpore to Mangalore would never have been recommended.

4. I may add in conclusion that the pecuniary loss Mr: Simpson would sustain on being transferred from Mangalore to Tellicherry was made known in my Demi-Official letter to Mr: Stuart, the then Private Secretary to His Excellency the Governor, dated 27th October 1896 — copy attached — and that in Mr: Simpson's letter to me dated 6th October 1896 in which he begs for a transfer, no request that

that it should be of a temporary nature was made. The following is an extract from Mr: Simpson's letter:-

"I venture to hope that you will "not force upon me again such arduous labor as the survey if possible. I will do the best I can to avoid trouble, but I cannot get through such hard work as I had last year, and as the climate of Mangalore does not seem to give me hopes of a complete restoration I shall feel very grateful if you can give me a change even for a short time so as to avoid another monsoon at Mangalore."

This surely is not asking transfer as a tempy: measure

I have the honour to be,
Sir,
Your obdt: servant,
H. A. Street
Commander, R. I. M.,
Presy: Port Officer

YSC.

Merely a Claim [illegible]
then in [illegible]
C & R
under 242

28-4-01

M

Please see the original file of G O 1027 Marine of 9-Dec 1898 (below) which explains the case fully and disposes of the claim to pecuniary compensation. Mr Simpson was transferred from Mangalore at his own request, as he was physically unable to hold the charge. He has thus no claim to compensation.

R. G.
25-4-01

See

27.4.01

(2)
i.e. an officer draws the pay of his grade, without reference to the post he may be in charge of. Even under the old rules, he would have had no grievance. His contention involves his transfer from post to post, while on furlough, under the erroneous supposition that he could thereby draw more leave allowances.

The papers on the case are submitted

C.S.
24-4-1

It is his former furlough in '96 on med: cert. to which Mr S. refers - Please let me see the letters.
* He went on leave from Mangalore & was posted on return to Tellicherry & has not claimed to return to Mangalore - the post merely

Arts ~~240~~ 242 -
Surely a Govt Officer has not a lien on any particular appointment & it is open to Govt. to post Mr Simpson in certain [illegible] where it pleases.
I should like to see the record of his transfer

23. 4. 11

M

Mr Simpson is mistaken - The posts of Tuticorin & Mangalore are not more lucrative than Tellicherry - as under the revised grading introduced on 9 Jany 1900 before he went on furlough, local pay was abolished, i.e.

Cater never drawn

Mr Simpson Post Office Nagapatam has written to me explaining 'Under art 242 of the CSR I claim the right to ask on what grounds I was kept at Tellicherry while his 7 months my juniors were sent to Trichinopoly & Mangalore, which are both more lucrative appointments' –

Lamping I tell him to send up any grievance he has through the proper channel but I should like to know first whether he has any grievance under