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MADRAS RECORD OFFICE.

Government of Madras.

Public Works DEPARTMENT.

G.O. No.	521	(W)	Press
			Mis-
Dated	2 - 8 -	18 77	

Not to be folded or roughly handled

GOVERNMENT OF MADRAS.
PUBLIC WORKS DEPARTMENT.

2nd August 1877, No. 521 W.

General.
Establishment.

Read the following papers:—

No. 15. Endorsement in the Pension Department, dated Madras, 11th July 1877, No. 401.

✓ No. 15-A. From Captain L. CONWAY-GORDON, R.E., Examiner of Public Works Accounts, to L. C. PROBYN, Esq., Accountant-General, Madras, dated Fort St. George, 9th June 1877, No. 86 P.

I HAVE the honor to forward, for transmission to Government, an application for the grant of an invalid gratuity to Mr. E. C. Bowyer-Smyth, late Assistant Engineer, 2nd Grade, Public Works Department, Nellore District.

2. The following are the papers that accompany the application:—
One Medical Certificate.

- „ Copy of G.O., No. 3,358-B, dated 27th November 1874.
- „ Copy of letter, dated 28th August 1874, from the Secretary of State.
- „ Copy of letter from Mr. Bowyer-Smyth, dated 27th May 1877, with District Engineer's endorsement, No. 758-P., of the 5th June 1877.

✓ From E. C. BOWYER-SMYTH, Esq., Assistant Engineer, Public Works Department, to J. O'SHAUGHNESSY, Esq., District Engineer, Nellore, dated 27th May 1877.

I HAVE the honor to request that you will forward, for the favorable consideration of Government, the following facts connected with my having to quit the Public Works Department from ill-health. I was sent out to this country in November 1874 before I had fully recovered from an attack of typhoid fever contracted in Manchester while going through the third years' course of Practical Engineering; the following June I was ordered home on sick certificate owing to illness, having to pay my passages both ways myself, and while in England for a period of eighteen months only received as pay the sum of £85, thereby being put to a very great expense, and obliging me to borrow money in England to defray the expenses of my passage out to the country. On my arrival in India with my health not yet fully restored, I was posted to the Nellore District to do duty on the East Coast Canal.

While engaged on this Famine Relief Work, my health utterly broke down from fatigue and exposure to the sun, and on May 19th I was passed by the Medical Board in Madras as unfit for further service in India. By the rules of the Civil Pension Code I am only eligible to a gratuity of one month's pay, i.e., Rupees 350, though I joined the service in October 1874, after a three years' training at the Royal Indian Engineering College, Cooper's Hill, costing in fees alone £450.

Under these circumstances, and taking into account the fact that I was ruined in health while doing my duty on a famine work, I humbly request that Government will grant me a gratuity, which will recoup me in some measure for the outlay incurred while at Cooper's Hill and in England on sick certificate.

No. 758.

SUBMITTED to Government through the Examiner, Public Works Accounts. Mr. Bowyer-Smyth's case is a very hard one. The illness which now makes him incapable to continue in the service was, if not induced, probably much aggravated, by the nature of the duty on which he was employed since his return from sick leave in December last, and for this reason he seems to deserve some special consideration from Government.

NELLORE,
5th June 1877.

(Signed) J. O'SHAUGHNESSY,
District Engineer.

No. 16.

ORDER THEREON, 2nd August 1877, No. 521 W.

ORDERED that, with advertence to Section 78 of the Pension Code, the following letter be sent to the Government of India.

(Here enter No. 522 W, dated 2nd August 1877.)

(True Extract.)

Colonel, R.E.,
Secretary to Government, P.W.D.

PUBLIC WORKS DEPARTMENT.

General.
Establishment.

No. 522 W.

No. 17.

FROM

THE SECRETARY TO THE GOVERNMENT OF MADRAS,

Public Works Department,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,

Public Works Department.

SIR,—I am directed to forward correspondence relating to an application for the grant of a special gratuity to Mr. Edmund Bowyer-Smyth, late an Assistant Engineer in the Madras Public Works Department.

2. Mr. Smyth passed out from Cooper's Hill in 1874, from the 1st October in which year his service begins. Under the special permission of the Secretary of State, he was allowed to remain in England until the end of the following November. This indulgence appears to have been granted with the view that Mr. Smyth might recover from the effects of a typhoid fever contracted at Manchester during his third year's course of Practical Engineering.

3. His health would appear, however, to have been still impaired at the time when he proceeded to India, and in the following June he was forced to take leave home on medical certificate. In addition to the expenses incident on a stay of eighteen months in England, he had of course on this occasion to pay his return and outward passage money; and during all this time only was able to draw eighty-five pounds.

4. On his re-arrival in India in December 1876, Mr. Bowyer-Smyth was placed on the Relief Works on the Coast Canal in the Nellore District. The exposure and fatigue incident to this work has completely shattered his constitution, and a Medical Board declared him unfit for any further service in the tropics, in consequence of entire prostration of the nervous system.

5. Under these circumstances Mr. Smyth was compelled to vacate his appointment and returned to England. He now begs that in lieu of the gratuity of Rupees

* Section 59 A.

350 to which only by the rules* he is entitled, he may be granted such a gratuity as will be, in some measure, a set off, to the expenses which the payment of the heavy fees at Cooper's Hill, and his forced return to England on eighteen months' sick certificate, entailed.

6. Mr. Smyth's agreement entitled him to a free passage home, in case he should be compelled by ill-health to leave the service, and he is eligible for a gratuity equivalent only to one month's pay, viz., Rupees 350. The circumstances of this case however appear to His Grace the Governor in Council somewhat exceptional inasmuch as the applicant's prospects have been ruined by no fault of his own, but apparently from his having been sent out immediately after suffering from fever caught during the prosecution of his studies in the required course of instruction in Practical Engineering; I am therefore instructed to forward the correspondence to the Government of India for consideration in the Financial Department, and to request that it may be transmitted to the Secretary of State for consideration whether a gratuity of, say, £250 may not be specially granted to Mr. Bowyer-Smyth.

I have the honor to be,

Sir,

Your most obedient servant,

Colonel, R.E.,

Secretary to Government, P.W.D.

FORT ST. GEORGE,
2nd August 1877.

Public Department

P. No 401 of 1877.

12th July 1877

N.R.

Transferred with note
by the Members of
Government to the Public
Works Department for
consideration.

Fort Saint George
11th July 1877

A. B. Jeff
Ag. Under Secretary

1/2 (21 August 77) S.B. 15

To The Public Works Department

Recd. 24.7.77
Cin 13-7-77. Rld 24.7.77

Pension DEPARTMENT.

No. 401.

~~From~~ Application for a gratuity on behalf of
Mr. E. C. Bowyer-Smyth.

Dated 6th June 1877.

FOR ORDERS.

This is a draft
of the amount of the
gratuity of Rs 350,
equal to a month's pay, to
which he is entitled for
his service of 7. 11. 6.

This is an application
from Mr. E. C. Bowyer-Smyth,
late Asst. Engineer, 2nd grade,
P. W. D., Nellore Dt., for a
special gratuity in lieu
of the gratuity of Rs 350,
equal to a month's pay, to
which he is entitled for
his service of 7. 11. 6.

Attest

After passing through the usual three years' course of training at the Royal Indian Engineering College at Cooper's Hill, he was appointed to the B.P.W. in India, his appointment having effect from 1st Oct. 1874, as prescribed in the Secy. of State's Dispatch No. 15 of 30 September 1874, para 5, and Sections 13 & 14 of the R.I.E. Under the terms of his letter of appointment he was to take up his post within two months from date of appointment; but owing to his

having had an attack of typhoid fever he was permitted to delay his departure for India till the end of Nov^r following. But before he had fully recovered he was sent out and posted to Chingleput. Here after serving for 6^{m. & 22^d} he was ordered away to England on medical certificate for 18 months. On return, his health not yet being properly restored, he was sent to Vellore to do duty on the East Coast Canal. Fatigue

Fatigue and exposure to
the sun while engaged on
the Famine Relief work
so utterly broke down
his health, that on presenting
himself before a Medical
Board on 19 May 1877 he
was declared unfit for
further service of any
kind in the Dept to which
he belonged, within the
Islands, in consequence
of utter prostration of
the nervous system, induced
however by no fault of his.

Such being his case
The

FOR ORDERS.

John J. H. ...

12.50) ...
the applicant begs that he
may in some measure
be relieved the expendi-
ture he has incurred while
it coopers with the fees
alone at which cost to 4.50
and the charges incidental
to his stay. Home on
medical certificate for
16 months (all the pay
he drew during that
period being to 8.50)

I should this applica-
tion be entertained, it
will have to be reported
to

11/1/78
J. H. ...

to the Govt of India (Sec. 78)
with the request that it
may be favorably re-
commended to the
Secretary of State (Sec. 81)

It is desired that under
para 6 of Mr. Bury's
report the request be made
that if his leaving the service
of Govt. within 10 years from
date of appointment is
to ill health, he is entitled
to his passage home
free of charge -

17-5-77

6, 20 August 1877

Council

17-5-77

Copy of letter from E. C. Bowyer Smith,
Assistant Engineer D.P.W. to the
District Engineer Bellare dated
27th May 1877.
Sir,

I have the honor to request,
that you will forward for the
favorable consideration of Govern-
ment, the following facts, connected
with my having to quit the Public
Works Department from ill health.

I was sent out to this country
in November 1874 before I had fully
recovered from an attack of

fever, contracted in Manchester, -
while going through the third year's
course of Practical Engineering. The
following June I was ordered home
on sick certificate owing to illness,
having to pay my passages both
ways myself, and while in England

for a period of 18 months, only
received as pay, the sum of 85 £;
thereby being put to a very great
expense, and obliging me to
borrow money in England, to defray
the expenses of my Passage out to
the Country. On my arrival in
India, with my health not yet
fully restored, I was posted to
the Bellary District, to do duty
on the East Coast Canal.

While engaged on this Famine Relief
work, my health utterly broke down
from Fatigue, and Exposure to the sun;
and on May 19th I was passed by
the Medical Board in Madras,
as unfit for further service in India.

By the rules of the Civil Pensions
Code, I am only eligible to a
gratuity of one month's pay, i.e. Rs.
350, though I joined the service

in October 1874, after a three years⁹
training at the Royal Indian
Engineering College Coopers Hill
costing in fees alone £450.

Under these circumstances, and
taking into account the fact that
I was ruined in health while doing
my duty on a Famine work, I
humbly request that Government
will grant me a Gratuity,
which will recompense me in some
measure for the Outlay incurred
while at Coopers Hill, and in
England on sick Certificate.

I have &c.

Signed Edmund F. Bowyer Smyth.
/ True Copy /

No 758

Submitted to Government through
the Examiner P. W. McCormick, Esq.
Bowyer Smyth's case is a very hard
one. The illness which now makes

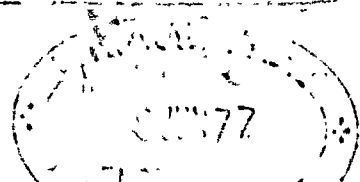
him incapable to continue, in the
service was if not induced probably
much aggravated by the nature
of the duty on which he was employed
since his return from sick leave
in December last, and for this
reason he seems to deserve some
special consideration from
Government.

Whinsbury
District Engineer
District Engineer's Office
Pellon
5th June 1877

MS
J.H.B.

See pp. 107 & 117

12 JUL 77
N. 5210



The District Engineer

Kallone

To

The Secretary to Government

P. W. Department

Through the Examiner of Accounts

Dated 5th June 1876

Received

No 758

M^r E. C. Bowyer Esq^t

Assistant Engineer

4022 August 11 1876

W. H. 10/10/76

Submits for the favorable

consideration of

Copy of a letter from

regarding his quitting

the P. W. Department

from ill health.

To be returned with reply on reverse.

AUDIT DEPARTMENT.

Fort Saint George,

Accountant General's Office,

13th June 1877.

FROM THE ACCOUNTANT GENERAL, MADRAS,

TO THE District Engineer Kallone
Through the Examiner of Public Works Accounts.

VIDE your Application for gratuity on behalf of M^r E. C. Bowyer Esq^t
late an Asst Engineer C. P. W. Kallone.

THE undersigned has the honor to return the manuscript

Copy of the Report of application
and to request that one in the
present printed form, copies of which
can be had from the Sup^t of
Stationary, Madras with reference
to para 3. of a Notification of 18 Oct 66
published in page 831. of official
Gazette of 26 Idem, may be
prepared & forwarded to this office
in time thereof at an early
date.

W. H. 10/10/76
J. H. 10/10/76

No 229
 From the Dist. Engr
 to the Acct. General

Madras
 I have the honor
 to forward the printed
 form of application
 for gratuity referred to
 within.

I have the honor to be
 Sir
 Your most Obedt Servt
 W. H. Gordon
 Dist. Engr

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FROM L. CONWAY-GORDON,
 EXAMINER, P. W. ACCOUNTS.
 TO THE ACCOUNTANT GENERAL,
 MADRAS.

FORT ST. GEORGE, 9TH. JUNE 1877.

No. 86.P

SIR,
 I HAVE THE HONOR TO FORWARD FOR TRANSMISSION TO
 GOVERNMENT AN APPLICATION FOR THE GRANT OF AN INVALID GRA-
 TUITY TO MR. E. C. BOWYER-SMYTH, LATE ASST. ENGINEER 2ND. GRADE
 PUBLIC WORKS DEPARTMENT NELLORE DISTRICT.

2. THE FOLLOWING ARE THE PAPERS THAT ACCOMPANY THE
 APPLICATION.

- I. MEDICAL CERTIFICATE.
- I. COPY OF G.O. NO. 3358.B.. DATED 27TH. NOVEMBER 1874.
- I. COPY OF LETTER DATED 29TH. AUGUST 1874 FROM THE SECRETARY OF STATE.
- I. COPY OF LETTER FROM MR. BOWYER-SMYTH DATED 27TH MAY 1877 WITH DISTRICT ENGINEER'S ENDORSEMENT NO. 75.P. OF THE 5TH. June 1877.

I HAVE, ETC., ETC.

L. Conway-Gordon

EXAMINER, P. W. ACCOUNTS.
 CD. E.H.M.
 8-6-77.

Accountant General's Office
 Recd 11 6 1877
 And

EXD. J.P.
 8-6-77.

1010

[Handwritten signature]

[Handwritten date:] Jan 10 1877

Extract from the Brit. Indian Code Chapter 100
Section 7. In a case falling clearly
and strictly within the letter of the rules,
the Local Government may grant the
pension or gratuity admissible. Whenever
such grant of a pension or gratuity is
communicated to an officer, he should
be at the same time informed that the
grant is subject to revision by the Govern-
ment of India in the Financial Depart-
ment, and that should the amount granted
be found to be in excess of that to which
the Government of India in the Financial
Department considers him entitled under
the rules, he will be called upon to refund
such excess. If any interpretation of the
rules is involved, or if any indulgence not
provided for by the rules is proposed, the
Local Government should submit the
case, with its opinion and recommendation

14
in the Government of India in the
Department in which the officer has served.
Until the reply of the Government of India
is received, a recommendation of this nature
should never be communicated, directly
or indirectly, to the Officer concerned.

1. The Government of Bombay and
Madras should, upon questions of pension
and gratuity, communicate with the Secretary
of State, through the Supreme Government,
and not directly.

2. An application in Form A or D,
Appendix A, as the case may be, should
accompany every special recommendation
made under this section.

3. The application should be accompanied by a
statement of the facts of the case, and by a
statement of the reasons for the recommendation.
The application should be accompanied by a
statement of the facts of the case, and by a
statement of the reasons for the recommendation.

Extract from the Civil Pension Code Chap. III

Section 59. The amount of compensation
and invalid pension and gratuity which
may be granted for superior service is
as follows:-

(a) After a service of less than fifteen
years:-

A gratuity not exceeding (except in
special cases, and under the orders of
the Government of India) one month's
emoluments for each completed year of
service; and not, under any circum-
stances, exceeding twelve months' emolu-
ments in all.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Under date the

Read the following: *Enclosure*

of the *Public Works Department* No 401, dated
11th July 1877.

The application
will be forwarded to
the Government of
India, and to the
Secretary of State.

I do not find that
Mr. B. applies for
an extension of time.
which has been
by Mr. B. to the
Secretary in case of the
No. 350 of the rules of the
Public Works Department.
The Commission has
been in receipt of a
letter from Mr. B. dated
the 11th July 1877.
The Commission has
been in receipt of a
letter from Mr. B. dated
the 11th July 1877.
The Commission has
been in receipt of a
letter from Mr. B. dated
the 11th July 1877.

to the Secy. of the Govt.
of India, P.W.D.

I am directed to
forward an application
from Mr. B. to the
Commissioner of the
Public Works Department.
The Commission has
been in receipt of a
letter from Mr. B. dated
the 11th July 1877.

Mr. B. is not
qualified to be
Assistant Engineer.

in the Madras Public
Works Establishment
for the grant of an
Invalid Pension.

2. I am to say that a
duplicate of the applica-
-tion has been ~~sent~~
~~sent~~ to the Secretary
of State.

ENT 13/7

* as to the nature of
application it is for
special grant by
that given by the
in pension

Recd. 24.7.77

at Madras Hill St.
Coll. upwards of
£450.

A commuted fine has
in similar cases, exclusive
of a fine of £500.

It is a commuted
C.S. fine which will
be paid with the fine.

£450.
The fact of the case
- that the amount of the
application is for a
fine in the case of the
two persons who are
- the same person in
- the same case.
- The same person in
- the same case.

I enclose

17/7/77
The fact of the case
- the same person in
- the same case.

16 Estate
No. 521 W Public Works Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the 2nd Augt 1877
Read the following :-

Endorsement in the } (H.E. No. 101 of 11th July 1877)
Pension Department

Ordered that, with
adherence to Section 78
of the Pension Code,
the following letter be
sent to the Government
of India.

H.E. No. 522 W of 2nd Augt 1877

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

Sir,
I am directed to
forward correspondence
relating to the proposed
the grant

Office 17
Govt of India 3
4 of India 7

30/7

A.P.

grant of a special
gratuity to Mr. Edmund
Bowyer Smijth, late
an Assistant Engineer
in the Madras Public
Works Department.

2. Mr. Smijth passed
out from Cooper's
Hall in 1874, from the
of 1st October in which year
his service begins.

Under the special per-
mission of the Secre-
tary of State, he was
allowed to remain in
England until the
end of the following
November. This in-

* -dulgence appears to
have been granted with
the view that Mr. Smijth
might recover from the
effects

3 17 6
effects of a typhoid
fever contracted at
Manchester during his
third year's course of
Practical Engineering.
His health would
appear, however, to have
been still impaired
at the time when he
proceeded to India,
and in the following
June, he was forced
to take leave home on
Medical Certificate. In
addition to the expenses
incident on a stay of
eighteen months in
England, he had
of course on this occa-
sion to pay his return
and outward passage
money;

money; and during all
this time only was able
to draw eighty five pounds.

4. On his re-arrival
in India, ^{in December 1876} Mr. Sawyer

Smith was placed on
the Relief ^{on the 1st of January} ~~at~~ ^{at} the
Nellore District. Where

the exposure and fatigue

to which he was subjected completely
shattered his consti-

tution - and a Medical

Board declared him

unfit for any further

service in the Tropics,

in consequence of entire

prostration of the

nervous system.

5. Under these cir-

cumstances Mr. Smith

was compelled to vacate his

appointment & return to England.

* Section 59a

5 16 7
He now begs that in
lieu of the gratuity
of Rs 350 to which only
by the rules he is
entitled, he may be
granted such a gratuity
as will be, in some
measure, a set off,
to the expenses which
the payment of the
heavy fees at Cooper's
Hill, and his forced
return to England
on eighteen months
sick certificate, entailed.

6. Mr. Smith's agree-
ment entitled him
to a free passage home,
in case he should
be compelled by ill-
health to leave the
service in

service, and, as I have
already stated, he is
eligible for a gratuity
equivalent only to one
month's pay, namely
Rs 300. But this case
appears to His Grace
the Governor in Council
as exceptionally hard
to seeing that his pros-
pects have been ruined
by no fault of his
own, but, through the
ultimate effects of a
fever caught while
engaged on what was
practically State service
that I am instructed
to forward the corres-
pondence to the Govt
of India for consideration in the Civil Dis-
patch and to request
that it may be
transmitted

I am
Yours
faithfully
J. C. [Signature]

he is eligible
service, and for a gratuity
equivalent only to one month's
pay, namely Rs. 350. The cir-
cumstances of this case, how-
ever appear to His Grace
the Governor in Council
somewhat exceptional, in
as much as the applicants
prospects have been ruined
by no fault of his own, but
apparently from his having
been sent out immediately
after suffering from fever
caught during the prosecu-
tion of his studies in the
required course of instruc-
tion in practical engineer-
ing I am therefore instruc-
ted to forward the corres-
pondence to the Government
of India for consideration
in

in the Financial Depart-
ment and to request
that it may be transmitted
to the Secretary of State
for consideration whether a
gratuity of, say, £250 may
not be specially granted
to Mr. Bowyer Smyth.

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Secre.
~~the~~
fund
becom.
the
will
I, say,
specially
your

transmitted to the Secre-
tary of State ~~in the~~
~~Divisional Department~~
with an earnest recom-
mendation by the
Viceroy in Council
that a gratuity of, say,
£250 may be specially

Sept 10-8-77 with granted to Mr. Bowyer
the following 4 En. Smyth.

Closures & predecessors No 2

- 1 Medical Certificate No 7 Endorse - 24/7
- 1 application for Gratuity - 2 ---
- 1 copy of letter from Secy of
State of 28 Aug/74 - 5 ---
- 1 S O No 3358 B - 2)
Nov/74 --- 6 ---

W. A. B.

P. D. D.

To the Most Honourable
the Secy. of State
for India.

My Lord Marquis

Procs of Govt of 2nd Aug 1777
no: 52/W.

We have the honor
to forward for your
Lordship's consideration
an application from
Mr Edmund Bowyer
Smith, late an Assistant
Engineer on the Madras
Public Works Estate.
- in request for the grant
of a ^{sum of} ~~sum of~~ Pension.
2. A similar application
has been forwarded by
us to the Government
of India.

ELT 17/7

L. M. P.



Govt. of India
PUBLIC WORKS.



to be sent to the Secy of Public Works

Dated

Issued

Recd

Encl

G. O., 2nd August 1877, No. 521930240

Nos. 15-16-17

*Mr. E. Bowyer. Engineer,
Late an Asst. Eng. in the
Madras P.W. Dept. Forwarded
to the Engr. Secy in connection
with a letter relating to an application
for the grant of a special
gratuity to —*

*Application for the grant
of special gratuity to Mr.
Bowyer. Engineer. Late
an Asst. Eng. in the
P.W. Dept.*

*Forwarded an application
from Mr. E. Bowyer. Engineer. Late
an Asst. Eng. in the Madras
P.W. Dept. for the grant of a
special Invalid gratuity*

to be sent to the Secy of Public Works