(1) பக்கங்களின் எண்ணிக்கை 78
(2) புதுக்கித் திருப்பிய நாள் 8-88
(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம்

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

பொதுப்பணி துறை

அரசாணை எண். 2142.w
மு. கோப்புத் தாள் எண்.

அச்சகம்
பலவகை

நாள் : 29.8.1884. ~~198~~.

கவோ கண்டபடி கையாளவோ கூடாது

கா-1—18,006—15-6-87.

(1)

40

29th August 1884, No. 2142 W., Public Works.

2142

GOVERNMENT OF MADRAS.

PUBLIC WORKS DEPARTMENT.

General.
Establishment.

Read—the following papers :—

Despatch from the Right Honorable the Secretary of State for India, to His Excellency the Right Honorable the Governor in Council, Fort St. George, dated India Office, London, 10th July 1884, No. 14 (Public Works).

Mr. Thorowgood, who has lately arrived in England on special duty in connection with the restoration of the Madras Harbour, has recently addressed me on the subject of the pay which he should receive during his stay in this country.

2. Mr. Thorowgood states that on conferring with the Under Secretary, Public Works Department, and with the Examiner, Public Works Accounts, he "was led distinctly to believe" that all his expenses would be paid from the date of leaving Madras until the date of return, and that he would draw full pay during the intervening period.

3. Taking all the circumstances of the case into consideration, I have decided that Mr. Thorowgood should draw his full pay and be granted his *bonâ fide* travelling expenses for the period during which he may be detained in this country, but I wish to draw your Excellency's attention to the inconveniences arising from pledges of the nature indicated above being given by responsible officers to gentlemen in Mr. Thorowgood's position, relative to the amount of remuneration they will receive when on duty in England.

Note by the Examiner of Public Works Accounts, dated 4th August 1884.

As far as I remember, Mr. Thorowgood came to my office on or about the 15th May last, showed me a telegram ordering his immediate departure to England on special duty, and asked me generally about matters of pay, advances, passage, and so forth.

Mr. Thorowgood told me (or read to me, from what I understood to be a letter from Mr. Parkes) that Mr. Parkes had said "this will of course be on full pay," or words to that effect, and I replied to the effect that, apparently as it was for a short time and he had had short notice, he was not to be considered under the code rules for deputation to England. I also cited Major Coaker's case and said he would perhaps get an allowance at home besides pay. As to giving Mr. Thorowgood an assurance that he would actually get either full pay or full expenses, I can most distinctly say I did nothing of the sort. On his proffered remark that he would get full pay, I merely cited cases in which officers who had been on duty in England had received allowances besides.

If you will refer to the previous action on the part of this office, you will see that I have only provisionally passed ordinary pay for Mr. Thorowgood, that the cost of his passage to England has been held in suspense account pending some definite orders regarding the terms of his deputation, and that in my reference to Government (G.O., No. 1455 W., dated 11th June 1884) I drew attention to the rules bearing on the question of pay.

2142

Telegram from the Examiner of Public Works Accounts, to the Secretary to Government, Public Works Department, dated 14th August 1884.

Please see my letter, 24 W., 4th June 1884, and G.O., No. 1455 W., 11th June 1884. Full pay has been provisionally admitted.

From D. C. GORDON, Esq., Examiner of Public Works Accounts, to the Secretary to Government, Public Works Department, dated Madras, 16th August 1884, No. 47 W.

In reply to G.O., No. 474 E., dated 14th instant, I have the honor to explain that full pay for Mr. Thorowgood has been passed by me provisionally, pending final orders of Government on my reference printed with G.O., No. 1455 W., dated 11th June 1884.

2. I had received no information regarding the nature of Mr. Thorowgood's deputation, nor whether the circumstances attending it were such as would permit of its being brought under the note to rule 11 of section 17 of the Civil Leave Code.

3. The orders of Government passed on my reference above quoted gave me no information, nor objected to full pay being passed provisionally instead of the lesser pay which I pointed out the rules prescribed.

4. I therefore followed the usual procedure and passed ordinary pay provisionally, to be passed finally at such rate as might be communicated to me hereafter, as the result of the reference made by Government to the Secretary of State.

From the same Officer, dated Madras, 21st August 1884, No. 50 W.

I have the honor to reply to G.O., No. 508 E., of 19th instant, received this morning.

2. The usual procedure is that a claim is passed provisionally, if my office has no authority to give for disallowing it, for passing it in full, or for modifying it; also, if the claim, though evidently correct, cannot be passed finally, pending some official routine formality. Claims provisionally passed are reported to the officers concerned through the ordinary disallowance lists, requiring them to take action, or informing them of action taken by this office towards affecting final settlement. As soon as requisite authority is furnished to my office, claims would be passed finally, in accordance with the orders conveyed under that authority. If the amount passed provisionally were more than that passed finally, the excess would be deducted from the next claim submitted; if less, the deficiency would be added to the next claim submitted.

3. The accompanying extracts from disallowance lists show one or two practical instances in which this usual procedure has been adopted.

4. In regard to paragraph 2, it is of course impossible for me to state what Mr. Thorowgood may have been "led to believe." I can, however, positively state that I did not inform Mr. Thorowgood what pay he would get during his deputation, nor did I inform him that all his expenses would be paid from the date of his leaving Madras until the date of his return. As stated in my previous letter, I knew nothing whatever of the nature of the deputation, nor of the terms on which it was to be undertaken.

Despatch from the Right Honorable the Secretary of State for India, to His Excellency the Right Honorable the Governor in Council, Fort St. George, dated India Office, London, 31st July 1884, No. 15 (Public Works).

With reference to your Excellency's Public Works letter, No. $\frac{11}{1455}$ W., dated 11th June 1884, and my Public Works despatch, No. 14, dated 10th July 1884, regarding the pay of Mr. F. N. Thorowgood, Superintendent of the Madras Harbour

(2)

2142

Works, while on duty in this country, I have to inform you that, on a reconsideration of the circumstances connected with that officer's visit to England, I have decided on allowing him, during his absence from India, full Indian pay, together with subsistence allowance at the rate of £1 per day, instead of the rate of pay advised in my Public Works despatch above quoted.

ORDER—dated 29th August 1884, No. 2142 W., Public Works.

The despatches from the Secretary of State recorded above will be communicated to the Examiner of Public Works Accounts for information and guidance.

His Excellency the Governor in Council considers that the Examiner of Public Works Accounts was not justified in passing, even provisionally, full pay to Mr. Thorowgood without proper authority.

The correspondence will be forwarded for the information of the Secretary of State for India in reply to his Lordship's despatch, No. 14, dated 10th July 1884.

(Here enter No. $\frac{15}{2142\text{ W.}}$, dated 29th August 1884.)

(True Extract.)

(Signed) J. SHAW-STEWART, Colonel, R.E.,
Secretary to Govt., P.W.D.

To the Examiner of Public Works Accounts.
„ Superintendent, Madras Harbour Works.

Exd. A. Aubert.
Spare Copies

2142

GENERAL.
ESTABLISHMENT. 3

Govt. of (1884) Madras.
PUBLIC WORKS.

Dated August, 29th.

Recd. *Encl.*

G.O., 29th Aug. 1884, No. 2142 W.

AUGUST.

Mr. Thorowgood, Superintendent, Madras Harbour Works

Pay of — while in England.—Orders on correspondence on the subject of the —.

3

29th August 1884, No. $\frac{15}{2142\text{ W.}}$, Public Works.

2142

PUBLIC WORKS DEPARTMENT.

Letter—to

The Right Honorable the SECRETARY of STATE for INDIA.

My Lord,

In acknowledging the receipt of your Lordship's despatch of the 10th July 1884, No. 14 P.W., we have the honor to state that the assertion made by Mr. Thorowgood to the effect that he "was led distinctly to believe" by the Under Secretary, Public Works Department, and by the Examiner, Public Works Accounts, "that all his expenses would be paid from the date of leaving Madras until the date of return, and that he would draw full pay during the intervening period," is not borne out by those gentlemen, both of whom emphatically deny that they gave any pledge or assurance of the kind.

2. Your Lordship will, however, observe from the accompanying correspondence that the Examiner, Public Works Accounts, passed, provisionally, full pay to Mr. Thorowgood, contrary to rule, and without authority. The Examiner's attention has been called to this irregularity.

3. From your Lordship's later despatch, dated 31st July, No. 15 P.W., we learn that Mr. Thorowgood is to receive, during absence from India, subsistence allowance at the rate of £1 per day, in addition to his full Indian pay.

We have the honor to be,
My Lord,
Your Lordship's most obedient, humble servants,

(Signed) M. E. GRANT DUFF.
(„) FRED. ROBERTS.
(„) H. E. SULLIVAN.
(„) C. G. MASTER.

Ootacamund,
29th August 1884.

Exd. A. Aubert.

A3

④

2142

GOVT. OF MADRAS.

PUBLIC WORKS DEPARTMENT.

LETTER to the Right Honorable the Secretary of State for India.

No. $\frac{15}{2142\ W.}$, dated 29th Aug. 1884.

Affording information in regard to pay of Mr. Thorowgood, Superintendent, Madras Harbour Works.

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(13) [P. W. D. Form No. M 109.

PUB

INDIAN TELEGRAPH.

Class. I S

Local No. 532

To (Station) Ootacamund

From (Station) Triplicane Madras

Words	Day.	Hour.	Minute.	Official Instructions.
52/4	15	14	35	urgent (G)

To (Person) Madras Works

From (Person) Deputy Madras Works

1 On your telegram
2 to thorowgood brought
3 by him here
4 I have telegraphed
5 to bombay ordering
6 passage for him
7 by steamer 21st
8 return ticket to
9 be taken have
10 also sanctioned disburse=
11 =ment of his
12 current months pay
13 and one months
14 pay in advance
15 Is this correct

Recd. from L. N. At Hrs. Mts. By

Sent to L. N. At Hrs. Mts. By

Date OOTACAMUND, 15 5

Telegraph Master.

S P No. 4000—G. T Press.—No. 249.—23-6-82.—1000000.

Second Assistant
P. W. Deptt.

NAW

No 141 Ed of May 15th 1884

SECRETARY TO GOVERNMENT P.W. DEPARTMENT MADRAS
15 MAY 84

To Dy. Madras Works.
Madras.

Action in regard to Thorowgood is Correct.

Sd/ J. Shaw Stewart Col. R.E.
Secy. to Govt. P.W. Dept.

Despd. 15/5.

No 141 Ed of May 15, 188
The action taken
seems correct
Reply accordingly
M

15.5.84

2142

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(8)

of 1884/85 (13) [P. W. D. Form No. M 109.

PUBLIC WORKS DEPARTMENT.

POST COPY OF SERVICE MESSAGE.

From Madras

From Dy. Madras Works, Madras

To Ootacamund

To Madras Works, Ootacamund.

15th May 1884.

On your telegram to Thorowgood brought by him here, I have telegraphed to Bombay ordering passage for him by Steamer 27th. return ticket to be taken x Have also sanctioned disbursement of his currents month's pay and one month's pay in advance x Is this correct. x

(signed) C. Bowen, Major R.E.
Under Secy. to Govt. P.W.D.

(True Copy)

Second Assistant
P. W. Deptt.

To
CJAW

2142

B 15/5/84

(9)

The papers in linked file need not be circulated.

7.8.82

214 W

2142

Kept back from Cir: & put up with No: 469 E.

To W

(8)

(13) [P. W. D. Form No. M 109.

C's No: 47 W d/ 16 Aug. 84.

Para 3 of C's letter JMcV recorded with G. O. 1455 W d/ 11 June 1884 certainly reads like a report of the action taken by him. Up to the present time he has received no authority to pass full pay. In fact the Madras Govt. have no power to give such authority. The matter is one for decision by the Secretary of State under the note to Section 17 - Rule 11 of the C. S. Code.

A. S.
18.8.84

(9)

Despatch from Sec: of State No. 14. of 10-7-84.

2442

To D.W.

For remarks - after communication with C. if necessary.

A d.o. note on same subject went today.

1-8-84

(13) [P. W. D. Form No. M 197.

B 1575/84

⑬ [P. W. D. Form No. M 107.

To W

⑩ 2442

Your note on despatch from Secy: of State, No 34, of 10th ~~June~~ July.

With reference to the above I put up the accompanying note by C in which he states what passed between himself & Mr Thorogood.

For my own part I must protest against Mr Thorogood's statement that I led him "distinctly to believe" that "all his expenses" would be paid & that he would draw full pay.

Mr Thorogood must, I think, be himself aware that I had no authority to give promises, assurances, or pledges of this sort on behalf of Govmt.

It is the invariable custom of this office to refer officers making personal enquiries as regards their pay, allowances, &c., to the Examiner.

On 15th May I telegraphed to you as follows: "On your telegram to Thorogood brought by him here I have telegraphed to Bombay ordering passage for him by steamer 27th — Have also sanctioned disbursement of his current month's pay and one month's pay in advance. Is this correct? C."

On 16th I telegraphed again:— "Thorogood has changed his mind and wants to go from Madras — I have wired to Bombay to cancel passage ordered yesterday and have engaged passage by steamer on Monday from Madras."

To the former telegram I believe you replied that my action was correct, but the reply + has been mislaid.

To the latter no reply was needed.

I think it may fairly be inferred from these telegrams that if Mr. Thorowgood had asked me what pay + allowances he was to draw I should have wired for orders. Or, if I had committed Government to any pledge, which Mr. Thorowgood distinctly believes I did, I should have asked for your endorsement thereto.

I submit all papers in connection with the case on record in this office

E.S.
4.8.84

+ But please see Ooty disposal No. 141 E dy 15.5.84

0.4.8.84

11

Note by the Govt. Pr. Mi
dy 4th Aug/84.

0.4.8.84

13

[P. W. D. Form No. M 109.

C.A.W.

It does not seem to me that any of the other cases quoted by C are analogous to the case of Mr. Thorowgood, — in which the amount "passed provisionally" is distinctly opposed to a rule in the Civil Leave Code.

I should like to know the view taken by you.

2142

22-8-82

To W/

C says - para 2 of his letter - that a claim is passed provisionally if his office has no authority to give for disallowing it. In the present case, he had authority for disallowing it - viz Sec. 17 rule 11 of the Civil Leave Code; and therefore did not follow the course which he assumes as the guide for auditing claims -

C is not supposed to finally pass any claim "the audit of which is not provided for clearly by the rules". Provisional audit is intended to meet claims in regard to which the rules are doubtful. When the rules are clear, as in the case under notice, I cannot find that C is allowed any discretion.

The quoting of precedents does not, I think, surmount the difficulty of infringement of rule. The precedents themselves may be unauthorised, and it may thus be inexpedient to discuss them.

C. S.
23.8.84

C.A.W.

Please draft G.O. dealing with all papers, - pointing out ~~that the Examiner appears to have acted without proper authority~~ & ordering that the Sec. of State be addressed

26.8.4

Paras. 2336 and 2338. (13) [P. W. D. Form No. M 107.

No. 106 of 1884/85

Madras Harbour works Circle, Division or Office. List of Disallowances from the Salary Bill for May 1884.

2142

Name and Rank.	Amount disallowed. RS. A. P.	Reason of Disallowance.	Explanation by Executive and Superintending Engineers.
(a). Mr. F. N. Thorowgood Superintendent Madras Harbour works. Pay for May /84 Rs 1250.		(a). Passed provisionally only pending reply to a reference made to Government as to rate of pay admissible to him while on special duty to Europe. (Signed) D. C. Gordon Examiner P. W. Accts	(a). Noted. (Signed) W. S. T. Beardsmore Acting Superintendent Madras Harbor works 4/6/84.
		Examiner's Rejoinder No 1 of 12th June 1884. (a). This Disallowance List may be retained in the Harbor works' office until the reply to reference made to Government	
Carried forward ..			

N.B.—This space should not be written upon as it is required for filing the list.

Name and Rank.	Amount disallowed. RS.	A.	P.	Reason of Disallowance.	Explanation by Executive and Superintending Engineers.
Brought forward ..				is received when it should be re-submitted for final disposal. (Signed) D. C. Gordon Examiner P. W. Accts. [True Copy] Asstt 1st grade. 21/9/84	

N.B.—This space should not be written upon as it is required for filing the list.

N.B.—The explanations by Executive and Circle Officers should always be given on this paper, the one under the other in the col. provided for the purpose

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Paras. 2330 and 2338.

[P. W. D. Form No. M 109.

(14)

No. 156 of 1884.85

Circle. Madras H. Works Division or Office. List of Disallowances from the Salary Bill for June 1884

2142

Name and Rank.	Amount disallowed. RS.	A.	P.	Reason of Disallowance.	Explanation by Executive and Superintending Engineers.
(a) Mr F. N. Thorowgood Supdt. Madras H. Works. Pay for June/84 = 1250—				(a) Passed provisionally only pending reply to a reference made to the Secretary of State Vide G.O. No 1455W d/11 June 1884. (Sigd) D. C. Gordon Exr: P. W. accounts	(a) Noted (Sigd) B. Beardmore Ag: Supdt. M. H. Works

Examiner's Rejoinder No 1 dated 15 July/84.

				(a) This Disallowance List may be retained in the Harbour Works Office until the reply is received from the Secretary of State with reference to G.O. No 1455W of 11-6-84 when	

N.B.—This space should not be written upon as it is required for filing the list.

Carried forward ..

28

Name and Rank.	Amount disallowed. RS.	A.	P.	Reason of Disallowance.	Explanation by Executive and Superintending Engineers.
Brought forward ..				when it may be resubmitted for final disposal	
				(Sig^d) D.C. Gordon Exr. P.W. Accounts.	
				(True Copy)	

[illegible] Asstt 1st Grade

21/8

N.B.—This space should not be written upon as it is required for filing the list.

N.B.—The explanations by Executive and Circle Officers should always be given on this paper, the one under the other in the col. provided for the purpose

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Paras. 2336 and 2338.

[P. W. D. Form No. M 109.

No. 290 **of 1883.84**

Circle. Chief Engineer's ~~Division or~~ *Office.* *List of Disallowances*

from the Salary *Bill for* September 1883.

2142

Name and Rank.	Amount disallowed. RS.	A.	P.	Reason of Disallowance.	Explanation by Executive and Superintending Engineers.
(a) Colonel J. Shaw Stewart R.E. Chief Engineer 1st Class and Secretary to Government, Public Works Department Pay from 16th to 30th September 1883 @ Rs 2743.8.0 = Rs 1371.12.0.				(a) Passed provisionally pending approval by Government of India of the transfer of Colonel J. Shaw Stewart R.E. from under the Railway Establishment under the Government of India to the regular Establishment of the Madras P.W.D. vide para 2 of Office Note No. 622, dated 18th September 1883.	No. 1866C Noted
				(Sig^d) D.C. Gordon Examiner, P.W. Accounts	(Signed) C. Bowen Major R.E. Under Secy to Govt. P.W.D. 4.10.83.

Examiner's Rejoinder No. 1 of 22d October 1883.

				This Disallowance List may be retained in the Secretariat Office until the approval of the Government of India is received when it should be	Vide Gazette notification No. 91 published in Fort St. George Gazette dated 18 September 1883. and No. 240 Part I dated 30th October 1883.
Carried forward ..					

N.B.—This space should not be written upon as it is required for filing the list.

Name and Rank.	Amount disallowed. RS.	A.	P.	Reason of Disallowance.	Explanation by Executive and Superintending Engineers.
Brought forward ..				returned to this Office for final disposal. /Sigd/ D. C. Gordon Examiner, P.W. Accounts.	

Examiner's final Remarks of 12 November 1883

(a) The charge is finally admitted with reference to the Gazette notification quoted.

No further remarks being necessary this Disallowance List is returned for final record in the Chief Engineer's Office.

/Sigd/ D. C. Gordon
Examiner, P.W. Accounts.

21.8. 21/8.

(True Copy)

Donald Calder
Asst 1st Grade

21/9/29

N.B.—This space should not be written upon as it is required for filing the list.

N.B.—The explanations by Executive and Circle Officers should always be given on this paper, the one under the other in the col. provided for the purpose

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Paras. 2336 and 2338.

(10)

[P. W. D. Form No. M 107.

No. 83. of 1883/84

I. Circle Superintending Engineer's ~~Division or~~ Office. List of Disallowances

from the Salary Bill for April 1883.

2142

Name and Rank.	Amount disallowed. RS.	A.	P.	Reason of Disallowance.	Explanation by Executive and Superintending Engineers.
(a). Mr G. T. Walch, Superintendent of Works Temporary rank Officiating allowance. as claimed from 1st to 16th April/83 at Rs 220 = 117-5-4. as passed for the above period at Rs. 100 = 53-5-4. Difference = 64-0-0. Retrenched difference between Rs. 220 and Rs. 100 per mensem from 19th February to 31st March/83 at Rs. 120 = 162-13-9 226.13.9	226	13	9.	(a). Disallowed with reference to P.W. Notification No. 43 published in part I of the Fort Saint George Gazette of the 1st May/83 as Superintendent of Works. Mr Walch is entitled only to an allowance of Rs. 100 per mensem vide G. O. No. 1170W of 19th April/83 (Copy herewith) which is passed provisionally pending sanction of the Secretary of State to the grant of the allowance. The excess amount passed for February and March/83 is now retrenched for the same reason. (Signed) D. C. Gordon Examiner P. W. Accts	(a) Accepted but see my No 93 of 1st June/83 attached to Salary Bill for May/83. (Sigd) J. T. Walch Offg: Supg: Engr:
Carried forward ..					

N.B.—This space should not be written upon as it is required for filing the list.

36

Name and Rank.	Amount disallowed. RS.	A.	P.	Reason of Disallowance.	Explanation by Executive and Superintending Engineers.
Brought forward ..					

Examiner's Rejoinder No. 1 of 24th July 83.

Name and Rank.	Amount disallowed. RS.	A.	P.	Reason of Disallowance.	Explanation by Executive and Superintending Engineers.
				(a). The Sanction of the Secretary of State awaited. (Signed) D. C. Gordon Examiner P.W. Accts.	(a). Noted (Signed) G. F. Wale Offg. Supdg. Eng. I Circle. 7-8-83

Examiner's final remarks of 6th September/83.

Name and Rank.	Amount disallowed. RS.	A.	P.	Reason of Disallowance.	Explanation by Executive and Superintending Engineers.
				(a). The Sanction of the Secretary of State having been communicated in G. O. No. 2162 W of 7th August/83, the charge is finally admitted. (Signed) D. C. Gordon Examiner P.W. Accts. (True Copy) Acctt 1st Grade File 21/8/84	

N.B.—The explanations by Executive and Circle Officers should always be given on this paper, the one under the other in the col. provided for the pur

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Paras. 2336 and 2358. [P. W. D. Form No. M 109.

No. 385 of 1883-84 (17)

V Circle. Superintending Engineer's ~~Division or~~ Office. List of Disallowances from the Salary Bill for November 1883.

Name and Rank.	Amount disallowed. RS.	A.	P.	Reason of Disallowance.	Explanation by Executive and Superintending Engineers.
(a) Colonel H. L. Prendergast R.E. Difference of pay between Superintending Engineer 1st Class and that of 2nd Class for November 1883 Rs 50-0. Do for 30th and 31st October/83 @ 50 = Rs 3.3.7.				(a) Passed provisionally only pending orders of Government regarding the reversion of Officers in consequence of the return of Colonel J. Mullins R.E. from furlough. (Signed) D. C. Gordon Examiner, P.W. Accounts	(a) Rs 53.3.7 have been deducted in the pay bill for January 1884. 2142 (Signed) H. L. Prendergast Col. R.E. Superintending Engineer 5th Circle 4th February 1884.

N.B.—This space should not be written upon as it is required for filing the list.

Examiner's final remarks dated 4 March 1884.

Name and Rank.	Amount disallowed. RS.	A.	P.	Reason of Disallowance.	Explanation by Executive and Superintending Engineers.
				(a) Necessary adjustments having been made in the bill for January 1884, the charge is finally admitted in this bill. No further remarks being necessary this	
Carried forward ..					

Name and Rank.	Amount disallowed. RS.	A.	P.	Reason of Disallowance.	Explanation by Executive and Superintending Engineers.
Brought forward ..				Disallowance List is returned for final record in the ~~Divisional~~ Office of the Supg. Engineer 5th Circle. (signed) D.C. Gordon. Examiner, P.W. Accounts 21.8. 21/8. (True Copy) Donald Calder Acctt 1st Grade. 21/8/84	P.W. 2/724

21424

N.B.—The explanations by Executive and Circle Officers should always be given on this paper, the one under the other in the col. provided for th

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Circ

(18)

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

UNDER date the

READ the following

Despatch from the Rt. Honble The Secretary of State for India } (H.E. No. 14 P.W. d/ July 10, 1884)

2142

Ordered that the following reply be addressed to the Secretary of State

(H.E. No. — d/)

To,
The Right Honourable
The Secretary of State for India.

My Lord,

In acknowledging receipt of your Lordship's Despatch of the 10th July 1884 No. 14 P.W., we have the honour to state that the assertion made by Mr Thorowgood to the effect that he "was "led distinctly to believe" by the Under Secretary Public Works Department, and by the Examiner P.W. Accounts "that all "his expences would be "paid from the date of "leaving Madras until "the date of return, and "that he would draw "full pay during the "intervening period," is not borne out by those gentlemen, both of whom emphatically deny that they gave any assurance

But do they deny they" w to believe" — 9 & 10 why the expressions para 3 in Mr Gordon's letter.

of the kind.

Our despatch dated 11th June 1884, No. 11/1455 W, contained a specific inquiry as to the rate of pay which should be passed to Mr Thorowgood during his absence on special duty in England, and the Proceedings of this Government which formed an accompaniment to that despatch will show that the inquiry was made in the first instance by the Examiner of P.W. Accounts, who pointed out that the existing rules admit only of pay being drawn at two-thirds of the Indian rate.

These facts do not appear to be consistent with the statements ~~alleged~~ ~~[illegible]~~ bye. ~~to have been made to Mr Thorowgood.~~

M.
7.8.84

The Hon: H. E. Sullivan

The Rt. Hon: The Governor

stated
~~alleged by Mr Thorowgood as having been given to him~~

made by Mr Thorowgood as to what he was led distinctly to believe"

Bring to Council
Why was it admitted provisionally at all?

Ex. JHL
PWD 1/8. Cir 7/8.

PW Dept

2142

(2C)

Telegram

Urgent State

To,

Ex. Works.

What amount of pay has been admitted to Mr Thorowgood while absent in England & If full pay state authority

(Sd) J.S.S.

W

Tel: despd. 13/8/84

D.R.S.

No 469 Exp Aug 15th

2142 W

GOVERNMENT OF MADRAS. ㉑

2142

PUBLIC WORKS DEPARTMENT.

Service Message despatched by Electric Telegraph.

From Madras. To Ootacamund

From Exr. Works. To Madras Works.

Urgent

Please see my letter 24 W 4th June 1884, and G.O. No. 1455 W 11th June 1884. Full pay has been provisionally admitted.

N 45 W

Copy forwarded by Post for information.

J. P. Gordon

Examiner P. W. Accts.
Madras.

Station Madras.
Dated 14th August 1884.

E.P. 14/8

C.H. 14/8.

Mr Examiner P.W. Accounts

R.S.

Urgent [illegible]

P. W. Department.

2142

Memo

Telegram from the Examiner P. W. Accounts of 14th August 1884.

With reference to the Telegram read above, the Examiner P. W. Accounts is requested to explain, fully, the reasons why full pay was passed provisionally to Mr. Thorowgood, while the °rules admit of two-thirds only being drawn.

A reply by return post is requested.

W

14. 8. 84

W

° Vide section 17, rule 11 of the Civil Leave Code.

To

The Examiner P. W. Accounts

No. 1614 Ed/Regd. [illegible]

Memorandum:

㉓ Letter from C. Wo. 47. W dated 16.6.82. - 2142 ✓

With advertence to para 4 of letter above quoted, the Examiner P. W. Accounts is requested to explain what is meant by the words —

"I therefore ~~passed~~ followed "the usual procedure, and "passed ordinary pay provisionally"

In the Civil Leave Code it is distinctly laid down that a Civil Officer, "who, with the sanction "of the Sec: of State, is deputed to "Europe on special civil duty, is "entitled, from the date on which "he makes over charge of his office "in India to the date on which he "resumes it, to an allowance "not exceeding two-thirds of the "amount which he would draw "were he on duty in India": — to which a Note is appended — "Under very special circumstances, "the Sec: of State may relax this "Rule." Looking to the words of the Rule, the Govt. do not understand what the Examiner means by "usual procedure".

2. The Examiner is also requested to state whether he

in any way led Mr. Thorowgood to believe "that all his "expenses would be paid from "the date of leaving Madras "until the date of ~~his~~ return, "and that he would draw full "pay during the intervening "period".

Mr. Thorowgood has informed the Sec: of State that he was "led to believe" as above stated, and the Govt. desire to know whether they can ~~correctly~~ inform the Sec: of State that Mr. Thorowgood's statement to that effect is altogether incorrect.

W

19.8.84

An early reply is requested.

No. 508 E. of Augt. 19. 18

2142 W 29/8/84

To
The Exr. P.W. Accounts
Madras

desp. 19/8/84

1201.

Read the following papers:-

h1

India Office.
London, 10th July, 1884

(24)

2142

Public Works

No. 14

25th Augt/84 No. 2142 [illegible]

Sir,

1. Mr. Thorowgood who has lately arrived in England on special duty in connection with the restoration of the Madras Harbour, has recently addressed me on the subject of the pay which he should receive during his stay in this Country.

2. Mr. Thorowgood states that on conferring with the Under Secretary Public Works Department, and with the Examiner, Public Works Accounts, he "was led "distinctly to believe" that all his expenses would be paid from the date

of

His Excellency
The Right Honorable
The Governor in Council
Fort St George.

75

of leaving Madras until the date of return, and that he would draw full pay during the intervening period.

3. Taking all the circumstances of the Case into consideration I have decided that Mr Thorowgood should draw his full pay, and be granted his bonâ fide travelling expenses for the period during which he may be detained in this Country, but I wish to draw your Excellency's attention to the inconveniences arising from pledges of the nature indicated above being given by responsible Officers to gentlemen in Mr Thorowgood's position, relative to the amount of remuneration

they

143

㉖

they will receive when on duty in England.

2142

I have the honor to be,
Sir,
Your most obedient
humble Servant
Kimberley

2142

11/8 EXAMINER F. W. ACCOUNTS 16-4

B. No 1236/d W. 14-5-84
" 1284 W. 23-5-84
No 926 D. 15-5-84
" 929 D. 15-5-84
B. No 1288 W. 23-5-84
G. G. No 1655 W. -6-84.

No. 5. P.W.C. 643/

Public Works
10th July 1884

The
Letter to Fort St. George
No. 14.

No. 469 Ed Aug 13th 1884

Recd. 31/July/84
Rev 4/8/84

A.G.S. 1/7
Resubmitted 4.8.84

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(28) k5

Memo. to W. thro' Dy. W. on the S. of S.'s Despatch regarding Mr. Thorowgood's pay &c during his stay in England.

2142

As far as I remember, Mr. Thorowgood came to my Office on or about the 15th May last, showed me a telegram ordering his immediate departure to England on Special duty, & asked me generally about matters of pay, advances, passage, & so forth.

Mr. Thorowgood told me, (or read to me, from what I understood to be a letter from Mr. Parkes), that Mr. Parkes had said "This will of course be on full pay". or words to that effect. I replied to the effect that apparently, as it was for a short time, & he had had short notice, he was not to be considered under the Code rules for Deputation to England. I also cited Major Coatts's case & said he would perhaps

1/8

D. C. Gordon
EXAMINER P. W. ACCOUNTS.
Ch
16-5

B. M. 1236/A W. 14-5-86

get an allowance at Home besides pay. As to giving Mr. Thorowgood an assurance that he would actually get either full pay or full expenses, I can most distinctly say I said nothing of the sort. On his professed remark that he would get full pay, I merely cited cases in which officers who had been on duty in England had received allowances besides.

If you will refer to the previous action on the part of this Office you will see that I have only provisionally passed ordinary pay for Mr. Thorowgood, that the cost of his passage to England has been held in suspense account pending some definite orders regarding the terms of his deputation, & that in my reference to Govt. [G.O. 1455 W – 11.6.84] I drew attention to the rules bearing on the question of pay.

DCE
C.

4-8-84

Resubmit W.E. 6.4.8.86

No. 47 W.

(35)

From

THE EXAMINER,

BU-1883-6A

– 6
– 5
– 2

Class. XS (69) **INDIAN TELEGRAPH.** 26 Local No. 382

To (Station) Ootacamund

From (Station) Fort St George Madras

Words.	Day.	Hour.	Minute.	Official Instructions
33/14	14	13	15	Urgent

To (Person) Madras Works.

From (Person) [illegible]

2147

1 Please see my
2 letter 24 / W
3 fourth June 1884
4 and G. O.
5 no 1455 W
6 eleventh June 1884
7 full pay has
8 been provisionally
9 admitted
10
11
12
13
14
15

~~24~~

RECD. FROM L. N.
AT Hrs. Mts., By

SENT TO L. N.
AT Hrs. Mts., By

J. Cumpley

Date OOTACAMUND 14-8-84 Telegraph Master.

S. P. No. 4000—G. T. Press, No. 780—27-4-82—170000.

11/8

B. No 1236 W. 14-5-86

No 1455 W d/11. 6. 84
" 1455 W d/ — —
" 469 Ed/13. 8 84

C. called for
14/8

14 AUG 84

No 474 Ed

I think C should be called on to explain fully the reasons why full pay was admitted provisionally to Mr Thorowgood, while the rules admit of two thirds only being drawn.

14. 8. 84

O. H. S. 70/8.

Resubmitted 4. 8. 84

4. 8. 84

C.

No. 47 W. (35)

2142

From

THE EXAMINER,
PUBLIC WORKS ACCOUNTS,
MADRAS,

To

THE SECRETARY TO GOVERNMENT,
PUBLIC WORKS DEPARTMENT,

~~Madras,~~ OOTACAMUND. 16th AUGUST 1884.

SIR,

IN REPLY TO G.O. NO. 474 E. DATED 14TH. INSTANT, I HAVE THE HONOR TO EXPLAIN THAT FULL PAY FOR MR. THOROWGOOD HAS BEEN PASSED BY ME PROVISIONALLY, PENDING FINAL ORDERS OF GOVERNMENT ON MY REFERENCE PRINTED WITH G.O. NO. 1455 W. DATED 11TH. JUNE 1884.

2. I HAD RECEIVED NO INFORMATION REGARDING THE NATURE OF MR. THOROWGOOD'S DEPUTATION, NOR WHETHER THE CIRCUMSTANCES ATTENDING IT WERE SUCH AS WOULD PERMIT OF ITS BEING BROUGHT UNDER THE NOTE TO RULE II OF SECTION 17 OF THE CIVIL LEAVE CODE.

3. THE ORDERS OF GOVERNMENT PASSED ON MY REFERENCE ABOVE QUOTED GAVE ME NO INFORMATION, NOR OBJECTED TO FULL PAY BEING PASSED PROVISIONALLY INSTEAD OF THE LESSER PAY WHICH I POINTED OUT THE RULES PRESCRIBED.

4. I THEREFORE FOLLOWED THE USUAL PROCEDURE AND PASSED ORDINARY PAY PROVISIONALLY, TO BE PASSED FINALLY AT SUCH RATE AS MIGHT BE COMMUNICATED TO ME HEREAFTER, AS THE RESULT OF THE REFERENCE MADE BY GOVERNMENT TO THE SECRETARY OF STATE.

I HAVE THE HONOR TO BE,
SIR,
YOUR MOST OBEDIENT SERVANT.

J. C. Gordon

EXAMINER P. W. ACCOUNTS.

JJ. 16/8

D Ch 6[illegible]

FROM THE EXAMINER P.W.ACCOUNTS,

MADRAS.

TO THE SECRETARY TO GOVERNMENT,

P.W.DEPARTMENT,

OOTACAMUND.

18/8

No. 469 Ed/13.8.84
" 11/1455 Wd/11.6.84
" 1455 Wd/11.6.84
" 474 Ed/14.8.84

18 AUG 84

NO. 47 W

DATED 16th AUGUST 1884.

RECD.

MR. THOROWGOOD-----.
AFFORDS INFORMATION REGARDING FULL PAY BEING PASSED TO-----PROVISIONALLY.

O.F.L 100/8. Cir 18/8.

No. 50 W

h 9

(32)

21142

From

THE EXAMINER,
PUBLIC WORKS ACCOUNTS,
MADRAS,

To

The Secretary to Government,
Public Works Department,
Ootacamund.

Madras, 21st August 1884.

Sir,

I have the honor to reply to G.O. No. 508 E. of 19th. Instant received this morning.

2. The usual procedure is, that a claim is passed provisionally, if my Office has no authority to give for disallowing it, for passing it in full, or for modifying it; also, if the claim though evidently correct, cannot be passed finally, pending some official routine formality. Claims provisionally passed are reported to the Officers concerned through the ordinary disallowance lists, requiring them to take action, or informing them of action taken by this Office, towards effecting final settlement. As soon as requisite authority is furnished to my Office, claims would be passed finally, in accordance with the orders conveyed under that authority. If the amount passed provisionally were more than that passed finally, the excess would be deducted from the next claim submitted, if less, the deficiency would be added to the next claim submitted.

3. The accompanying extracts from Disallowance Lists shew one or two practical instances in which this usual procedure has been adopted.

4. In regard to para 2, it is of course impossible

25

for me to state what Mr. Thorowgood may have been "led to believe". I can however positively state that I did not inform Mr. Thorowgood what pay he would get during his deputation, nor did I inform him that all his expenses would be paid from the date of his leaving Madras until the date of his return. As stated in my previous letter, I knew nothing whatever of the nature of the deputation, nor of the terms on which it was to be undertaken.

I have the honor to be,

Sir,

Your Most Obedient Servant.

D. C. Gordon

Examiner P. W. Accounts.

From,

The Examiner P.W. Accounts,
Madras.

To,

The Secretary to Government,
P.W. Department.

Secretary to Government P.W. Department 22 AUG 84

No. 50W

Dated 21st August 1884.

Recd.

No. 2142 W a/29th Aug/84

Enclos. 5

Mr Thorowgood. Explains why full pay was passed to------ during his deputation.

O.L.S. 122/8

1343.

p. 11

(34)

India Office,
London, 31st July, 1884.

Public Works

2142

No. 15.

Sir,

With reference to Your Excellency's Public Works Letter, No. $\frac{11}{1456}$ W., dated 11th June, 1884, and my Public Works Despatch No. 14 dated 10th July, 1884, regarding the pay of Mr. J. R. Thorowgood, Superintendent of the Madras Harbour Works, while on duty in this Country, I have to inform you that, on a reconsideration of the circumstances connected with that officer's visit to England, I have decided on allowing him, during his absence from India full Indian pay, together

His Excellency,
The Right Honorable,
The Governor in Council,
Fort St. George.

together with subsistence allowance at the rate of £1 per day instead of the rate of pay advised in my Public Works Despatch above quoted.

I have the honor to be,

Sir,

Your most obedient,

humble Servant,

Kimberley

Nos 1455W - 11.6.84
Des No: 11 & 1455W. 11.6.84

No 7.
Nlke 7242
Public Works
31st July 1884

The
Letter to Fort St. George
No. 15.
Ed 29/8/84.

R: 2142 W d/ 29th August/84

To W/
Submitted in continuation of previous papers.
SA 25-8-84

W

Public Works Department

No: 2142 W (39) 2142

Proceedings of the Madras Government
Under date the 29th August/84
Read the following:—

Despatch from the Right Hon'ble the Secy: of State for India (Dt: No 14 P.W. d/ July 10. 1884)
Note by the Examiner P.W. Accts (" " d/ Augt 4th ")
Tel: from the do (" " d/ " 14th ")
Letter from the do (" 47W d/ " 16th ")
Do from do (" 50W d/ " 21st ")
Despatch from the Rt Hon: the Secy: of State for India (" 15 P.W. d/ July 31st ")

W 13

The Despatches from the Secretary of State recorded above will be a communicated to the Examiner P.W. Accounts for information and guidance.

H.E. the Governor in Council considers that the Examiner P.W. Accounts was not justified in passing, even provisionally, full pay to Mr. Thorowgood without proper authority.

The correspondence will be forwarded for the information of the Secretary of State for India, in reply to his Lordship's despatch No. 14 of 10th July 1884.

(H.E. No. $\frac{15}{2142W}$ d/ 29th August/84)

W

To,

Examiner P.W. Accts.

Suptt. Madras Harbour W.

No 59

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p14

W $\frac{15}{2142W}$ 29-8-84

To,

The Right Honourable
The Secretary of State
for India.

(3)

2142

My Lord,

In acknowledging the receipt of your Lordship's despatch of the 10th July 1884 No. 14 P.W., we have the honour to state that the assertion made by Mr. Thorowgood to the effect that he "was led distinctly to believe" by the Under Secretary P.W. Department and by the Examiner P.W. Accounts "that all "his expenses would be

38

"paid from the date of "leaving Madras until the "date of return, and that "he would draw full "pay during the intervening "period," is not borne out by those gentlemen, both of whom emphatically deny that they gave any pledge or assurance of the kind.

Your Lordship will however observe from the accompanying correspondence that the Examiner P.W. Accounts passed, provisionally, full pay to Mr Thorowgood, contrary to rule, and without ~~proper~~ authority. The Examiner's attention

No 15

has been called to this irregularity.

39

2142

From your Lordship's later Despatch dated 31st July, No 15 P.W., we learn that Mr Thorowgood is to receive, during absence from India, subsistence allowance at the rate of £1 per day, in addition to his full Indian pay.

27.8.84

Copied to India Office with 3 spare copies & together with copies of Proceedings No 2142W 6/9/84.

Copy of Despatch & Pg No: 2142W sent to Simla 9/9/84

2142

Print 1000

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2142

6580

Govt. of (1884) Madras.

PUBLIC WORKS.

387

Dated 24/5/84

Recd. Encl.

G.O. 29 Aug 1884, No. 2142 W

Mr. Thorowgood

Supdt. Madras Harbour

Works.

Pay of — while in England

Orders on correspondence

on the subject of the —

40/3

Affording informa-

tion in regard to pay of

Mr. Thorowgood, Supdt.

Madras Harbour Works

G.O. 29

9d 29/