

No. 443
62

D. P. W.

NORTH ARCOT, DIVISION OFFICE,

Camp 14 Feb 1886

From

THE EXECUTIVE ENGINEER,

North Arcot Division,

To

The Superintending Engineer, 5th Circle -
Madras.

SIR,

Enclosure

I have the honor to draw your attention to the facts stated below and request that you will ask the Chief Engineer to urge upon Government a reconsideration of their decision in the case.

2. In the Gazette of 16th October 1885 I was promoted to Executive Engineer, 3rd Grade, Substantive promotion from 1st August 1883; accordingly acting on this Gazette as a bona fide announcement, I drew the extra pay after it had been duly audited in October's Salary Bill.

3. Again in the Gazette of 27th January, I was reverted to Executive Engineer, 4th Grade, with effect from 1st August to 16th September, or in other words some months after I have drawn and spent money which was duly passed to me as my proper pay, I am ordered to refund it on the grounds that the Gazette containing my promotion was a mistake.

4. I would respectfully submit that though Government by thus ordering a refund are enabled, as far as they are concerned, to save their own money

Officers, who taking the Gazette as a bona fide publication, have accepted and spent the pay passed.

5. I am encouraged to ask for a reconsideration of this order by the fact, that, in 1879 an exactly similar case of mistaken promotion took place, and on that occasion the Government decided that it would be unfair to the officers concerned to revert them with retrospective effect. The cases being the same, what was considered unfair to the officers concerned in 1879, should be considered unfair to those mentioned in the Gazette of 27 January 1886.

6. The cases I refer to may be found in the Gazette of 8 April 1879 and 30 June 1879; in the former Gazette certain officers (3 in number) were promoted to Executive Engineer, 1st Grade, temporary, 3 temporary vacancies being created by considering Captains Dornward, Rawson & Dobson who were on field service, as removed temporarily from P.W.D.; similarly 4 assistant Engrs 2nd Grade were given temporary promotion to 1st Grade, viz Lieut Henderson, Boddy, Langley & Hamilton, also on field service. These promotions were dated from 1st April 1879.

7. On the Government of India pointing out that Royal Engineer Officers on field service were not removed from the strength of the P.W.D. and did not create vacancies, the Royal

A reference to the Establishment list up to October 1878 will show 16 Executive Engineers, 1st Grade, while the sanctioned scale was 11; of these 16 Mr Bricker will retire, and Captains Dornward, Rawson & Dobson, on field service, were treated as out of the Department, thus reducing the actual number to 12. On first April 1879, 5 of these 12 were given temporary promotion to 3rd Grade, thus making 7 vacancies in the 1st Grade if Captains Dornward, Rawson & Dobson be omitted.

Engineers on field service to be at once reverted from date of their promotion, the Government of Madras reverted them, but only from date of Gazette notifying the reversion, viz Gazette of the 30 June 1879; each and all of these officers were permitted to retain the pay that they had drawn during the time of their erroneous promotion, as I presume it was considered unfair to recover it.

8. As far as I can understand, my case is exactly similar to that of the officers in 1879, and I submit that, if this is so, I am entitled to the same treatment.

I have the honor to be

Sir,

Your most obedient servant

W. Davidson
Executive Engineer

No 4607

Submitted to the Chief Engineer
Public Works Department.

Chapault
6 February
1886

W. L. Underhill
Coll. P.W.
Superintending Engineer P.W.D.

D. P. W.

PUBLIC WORKS DEPARTMENT.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

From

THE EXECUTIVE ENGINEER,

North Arcot Division.

Under date the

Read the following

Dated

Despatched

Received

4th February 1886.

ENCLOSURE.

No. 443
S.E.

Subject.

Mr. J. P. Davidson.

Requests that he be permitted to retain the pay drawn during the period of his temporary promotion from 1st August to 16th September 1885.

From
The Supt Engineer
I Circle

(H. No: 4607 of 6th Feb 86)

Mr Davidson
will be informed
that the provisions
ordered in the Fort
St. George Gazette
of the 27th Jan: 1886
were due to the fault
of Captain Kensington
R.E. having been
arched under
the orders of the Govt
of India.

The Govt of India

were requested,
under date the 21st
Decr 1885, to permit
this Govt. to waive
the preexisting pretench-
-ments; but they
declared their inability
to comply with the
proposal.

3. The Govt. therefore
regret that they are
unable to meet Mr.
Davidson's wishes.

In fo no: 2874 dated
2nd July 1886, the pre-
-trenchments were
ordered to be effected
by instalments.

No 384 W. P. B. 11. 11. 11.

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14.2

L. E. T. C. in B.

12-2-86

W 8/1/86
C. 11. 11. 11.