

- (1) பக்கங்களின் எண்ணிக்கை 8
 (2) புதுக்கித் திருப்பிய நாள் 12.3.90
 (3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் 609

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

(11)

P.W.D. துறை

அரசாணை எண்.	<u>3093</u>	அச்சகம்
மு. கோப்புத் தாள் எண்.		பலவகை
நாள் : <u>1-11-1889</u>		199

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

4 sheets

வண கா-1-18,006-15-6-87.

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J. P. Davidson's Case -

3093

4, SION HILL, BATH;
3rd June.

To the Under Secretary of State for India.

SIR,

I have the honour to most respectfully submit for the orders and decision of the Right Honourable the Secretary of State for India the following case:—

I entered the R.I.E. College, Cooper's Hill, by open competition in 1871, and having successfully completed the three years' course, I, in accordance with the terms of paragraph 3 of my prospectus, which guaranteed me an appointment as Assistant Engineer, 2nd grade, on Rs.4,200 (about £420) per annum, was appointed Assistant Engineer, 2nd grade, in the Madras P.W.D. on the 1st October, 1874.

The prospectus of 1870 or 1871, under which I entered the R.I.E. College, is my contract with the Secretary of State, and their prospectus necessarily bears date previous to 23rd November, 1871, inasmuch as I was in residence at the College in September, 1871; it (the prospectus) is, moreover, issued without any reservation on the part of the Secretary of State.

In the appendix to this prospectus, under the heading—

"Extracts from the Rules for the Grant of Leave of Absence and Pensions applicable to Civil Engineers in India," and in the portion relating to Leave and Absentee Allowance, one pound sterling is treated as the absolute equivalent of Rs.10; this will be evident on perusal of this portion of the prospectus, which I extract for easier reference:—

"Absentee Pay, if at half salary, shall in no case exceed Rs.6,000 or £600 per annum; if at quarter salary, shall not exceed £300 per annum; within these limitations Absentee Pay will be given as follows:—

"I.—To an officer on sick leave.

"II.—To an officer on private affairs.

"III.—To an officer proceeding on furlough whose salary does not exceed Rs.200 per month, one half of his salary; provided that it shall not exceed Rs.800 or £80 a year.

"If the absentee's salary shall be—

Above Rs.200...	and not exceeding	(Rs.400 per month
" Rs.400...		Rs.700 "
" Rs.700...		Rs.1200 "
" Rs.1200...		

"He may be granted allowance of—

- Rs.1300 or £130
- Rs.2000 or £200
- Rs.3000 or £300
- Rs.4000 or £400"

Again, Section 161 of the Civil Leave Code, exception 2 (b) reads as follows:—

"If in any covenant or contract dated before the 23rd day of November, 1871, with any officer for service in India, it is provided that in payments to be made under or in pursuance of the contract, a pound sterling shall be considered an equivalent or equal to and calculated after the rate of 10 Rupees, any leave allowance which the officer is under his covenant or contract entitled to receive in England shall be converted into sterling at that rate. But if in such contract no provision is made for the payment of any allowances during leave, the aforesaid rate of exchange will not apply to any leave allowances."

I am now in England on ordinary furlough, the first furlough taken by me. I left Madras (India) on the 29th January of this year, and landed at Plymouth on the 7th May last, and on the 16th of the same month my agents, Messrs. H. S. King and Co., intimated to me that they had drawn my absentee allowance from 29th January to 31st March, 1889, and this I found had been paid at the official rate of exchange for the year April 1888, to March, 1889, whereas under the terms of my prospectus and exception 2 (b) of Section 161 of the Civil Leave Code, I am clearly entitled to my leave allowance at the rate of one pound sterling for every Rs.10 (ten).

It may be noted that improved rules, both as to the extent of furlough admissible and the amount of furlough pay to be drawn, were issued in the prospectus of 1873—each officer being permitted to draw the half of the average of his previous three years' salary, while the maximum to be drawn was raised from Rs.6000 or £600 to Rs.8000 or £800. These improvements were the result of representations on the part of the students who entered in 1871. The footnote attached to paragraph 33 of prospectus 1871 and 1872, and to paragraph 32 of prospectus of 1873, gives, under the authority of the Secretary of State, the rate to be employed, in the case of each student entering the P.W.D. under these prospectuses, for deducing the sterling value of his salary at any period of his service.

The footnote runs as follows:—

"Note.—Ten rupees are nearly equivalent in value to one pound sterling."

And what a very near equivalent in value to one pound sterling Rs.10 is to be considered is shown conclusively by the absolute equating of Rs.10 to one pound sterling in the matter of furlough pay. I beg, under the circumstances stated above, to respectfully submit my claim to be paid my furlough pay at the rate of Rs.10 (ten) to one pound sterling.

I have the honour to be, Sir,

Your most obedient Servant,

J. P. DAVIDSON.

3093
No reply being received to letter of 3rd June, on the 8th July, I wrote to ask if it had by any mischance miscarried, and received the following:—

INDIA OFFICE, WHITEHALL;

9th July, 1889.

Sir, I am directed to acknowledge the receipt of your letter of the 4th ultimo and 8th instant, which are now before the Secretary of State for India in Council for his consideration.

I am, Sir,

Your obedient Servant,

CHAS. FRANKS.

For Sec. P.W. Dept.

On the 19th July I received the following letter:—

INDIA OFFICE, WHITEHALL;

P.W. 1079.

18th July, 1889.

Sir, I am directed by the Secretary of State for India in Council to acknowledge the receipt of your letters on the 3rd ultimo and 8th instant, and in reply to inform you, in regard to the rate at which your furlough allowance should be converted into sterling, that under the circumstances stated in your letter he has authorized the issue of your furlough pay at the rate of 10Rs. to the pound sterling, and the Accountant-General will be instructed to issue your furlough pay at that rate.

I am, Sir,

Your obedient Servant,

JOHN E. GORST.

In reply I sent the following:—

4, SION HILL, BATH;

20th July.

To the Under Secretary of State for India.

Sir, I have the honour to acknowledge, with thanks, letter P.W. 1079 of 18th instant, in which I am informed that (1) the Secretary of State for India in Council has authorized the issue of my furlough pay at the rate of Rs.10 to the pound sterling, and (2) the Accountant-General will be instructed to issue my furlough pay at that rate. I presume that under these instructions I shall receive my furlough pay for the quarter ending September 30th at the rate now sanctioned at the next issue of pay, but I should be obliged by information as regards the payment of the arrears due to me for the period 29th January to 30th June, both dates inclusive; these arrears being the difference between the rate at which I have up to date received payment and the rate at which payment is now overdue, and I would respectfully request that they may be paid either direct to me or to my agents, Messrs. H. S. King, 45, Pall Mall, as early as may be convenient.

I am, Sir,

Your obedient Servant,

J. P. DAVIDSON.

I received a reply, under date 24th July, informing me the arrears claimed had been paid to my agents, Messrs. H. S. King & Co.
25-7-89.

J. P. D.

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20/10/89.

Admitted
in King

5847
21-10-89



No 3883.

Dajore Division Office
Dajore
20th October 1889
A/24/10

From

A. H. Garrett Esq
Executive Engineer, Dajore Division

To

The Superintending Engineer
Bairhole

Sir,

Enc: 1.

I have the honor to inform you that when I was at home on furlough in 1883-85, I received my pay at the rates of exchange which had been fixed by the Secretary of State for those years.

2. The Secretary of State has recently decided that Mr Davidson who is now at home on furlough is entitled to receive his furlough pay at the rate of Rs 10 to one pound sterling.

3. As I entered Coopers Hill in the same year as Mr Davidson I come under the same rules, and should when at home on furlough in 1883-85, have been paid at par, instead of which I lost more than £100 by exchange.

4. On instructing my agents Messrs H. S. King & Co to claim on my behalf the difference

difference between the amount actually received by me when on furlough, and the amount I was entitled to under the Rules. They advised me that as I am now in India, the application should be made to the authorities out here.

5. I addressed the Examiner P.W.A. on the subject and he requested me to refer the claim for the orders of Government through the usual channel.

6. I therefore request you will be good enough to lay the matter before Government, and inform me of the decision arrived at.

7. I enclose printed copies of the correspondence which passed between Mr Davidson and the Under-Secretary of State for India.

I have the honor to be

Sir

Your most obedt Servt

Admitted

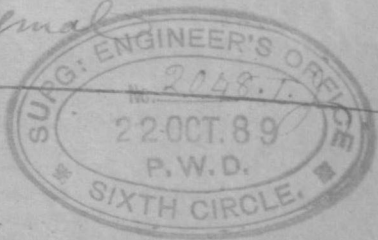
Executive Engineer
Lancashire Division

3093

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From

The Executive Engineer

Tanjore Division

To, The Superintending Engineer

Sixth Circle

No 3883

Dated 20th October 1889

RE

Enclosed 1.

Recd 28.10.89

Requesting to refer for the orders of Government his case relative to the subject of payment of difference of furlough allowances between the amount of pay he drew when on furlough in 1885-86 and the amount he should have drawn had he been paid at the rate of Rs 10 to one pound sterling as in the case of Mr J.P. Davidson now on furlough in England.

AMV 7

B S No 166378 to E.W.
23.10.89

With order

Ends!

No 166378

submitted to the Chief Engineer P.W.D. for favorable consideration & orders of Government.

Al Smith Esq
Supt. Engineer Mysore

Trichinopoly 2
23 October 1889
578/3093 Wd. November 1889



The Govt is unable to take any action on this application. If Mr Barrett submits a memorial on the subject to the address of the Secy of State for India it will be forwarded to its destination through the Govt of India.

2. Attention is invited to the rules in para 821 of the P.W. Code.

Quoted 20.10.89
J. H. Barrett
thru the D.E. Mysore