

- (1) பக்கங்களின் எண்ணிக்கை 22
 (2) புதுக்கித் திருப்பிய நாள் 1929
 (3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் 109

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

பொதுப்பணித் துறை

அரசாணை எண். மு. கோப்புத் தாள் எண்.	141-142 (ய)	அச்சகம் பலவகை
தாள் :	18-1-1890	1929

(11)

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

செய்து

உவண். சுர-1-18,006-15-6-27.

111-42

141-42
The Supply Department, 141-42
6th Circle, Lucknow

Sir, I have the honor to
forward herewith a demand
to the Vicroy and Governor General
of India, and request you
will be so good, as to
forward it through the
Madras Government, as
soon as possible.

I have the honor to be

Sir,
Your most obedt. servt,

Wm. H. D'Almeida

9th December
1889

Execution Engineer
P. H. W.

141-42
2



No 867-2

From
J. Currier Doyle
Sect. Surg. Genl.
on furlough
Madras

Forwarded together
with the memorial
to the Chief Surgeon
P.W.D.

Dated 9th December 1893
Sect.

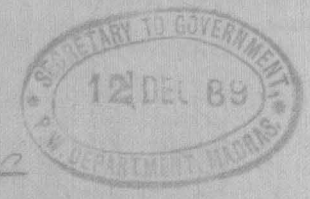
Regarding memorial
addressed to the Viceroy &
Gov. Genl. of India request-
ing to forward it through
the Madras Government.

Albion L. Collyer
Supt. & Chief Clerk
Trichinopoly
10th December 1893

P.S. No. _____

27 May 11900

From
The Supt. Engineer
W circle
To
The Chief Engineer
P.W.D.



No 867 + 2
Dated 10th 3 December 1889.
Recd 12.12.89
Eng

Forwarding memorial
from Mr. J. Guiness Esq.
Supt P.W.D. on furlough
addressed to the Viceroy
& Govt. of India -

- No. 3492W/7-12-89
- " 2987W - 21-10-89
- " 4813C - 21-10-89
- " 2774W - 4-10-89
- " 1798W - 6-7-89 ✓
- " 1797W - 6-7-89 ✓
- " 2015W - 26-7-89
- " 1193W - 6-5-89 ✓
- " 2147-50W - 16-7-88
- " 1407-8W - 14-5-88
- " 892W - 19-3-88
- " 2823W - 21-10-87
- " 2766W - 17-10-87

H.M. 6-1-90. R. 7-1-90

141-42
3
P. W. DEPARTMENT.

Read the following:-

Letter from the Subdy. Engineer to Circle No. 8673
of 10 December 1889. forwarding memorial
from Mr. J. Guiness Esq. Engineer on furlough,
addressed to the Viceroy & Governor General
of India.

FOR ORDERS.

I consider that Mr. Guiness' case
is a very hard one and that it
ought to be submitted to the
Govt. of India.

He was retired not because he
was unfit for work or inefficient
but because the Govt. of India, for
reasons of its own, thinks it inap-
propriate to retain in its service an
officer who has attained the age of
50 without being promoted to the
grade of Supt. Engineer. The reason
of the rules against the employ-
ment of pensioners in service paid
from local funds entirely fail in
such a case. They are intended to
prevent premature voluntary re-
tirement and the imposition on
public funds of whatever kind
of pensionary charges in addition
to salary. But where the retirement
is compulsory the reason does not
apply. The furlough pay granted
to Mr. Guiness for a certain period
after his relief from duty under

Mr. J. Guiness, Esq.
Engineer 2nd grade, applies
for the following con-
cessions:-

(1) That he may be per-
mitted to leave on till
he attains the age of 55
years, or that he may be
granted a bonus similar
to that granted to officers
who retired under the
Financial Resolution
of 1879.

(2) That he may be per-
mitted to draw his furlough
pay irrespective of the cir-
cumstances that he holds
the appointment of Local
Fund Engineer, Madras.

As regards the 1st
concession asked for
it has already been refused
by

by the Govt. of India. vide G.O. No. 1798 W of 6 July 1889, and as no new facts or circumstances are disclosed, this question cannot be reopened. (Clause (3) of para 3 of Section III of Indian Rules.)

3. The alternative concession of a bonus was not previously applied for, but should properly have been urged before Mr. Finnes accepted the indulgence of two years' preparatory leave.

4. As regards the 2nd concession, the Govt. of India in their telegram of 17th Oct. 1889 (vide P.O. No. 2987 W of 21 Oct. 1889) have distinctly refused to grant it.

5. Mr. Finnes bases his claim on clause (b) of Art. 812 of the Civil Service Regulations, but the whole of this article refers to "services lent for employment out of India" and cannot therefore apply to Mr. Finnes' case as his services were not "lent," and Madras is not "out of India."

6. In clause (c) of the same article the expressions "employment of the above kind" and "such employment"

clearly show that employment

* G.O. No. 2987 W of 7-12-89

Government is not full pay of the ordinary kind but is merely a substitute for pensionary allowances, and ought to be treated on the same principles. The objection which the Govt. of India entertains to Mr. Finnes' employment in its own service does not apply to that of the District Board, and he is perfectly fit & competent to perform the duties of a local fund Engineer. Considering the hardship of his compulsory retirement under rules not in force when he entered the service his case in my opinion deserves every possible indulgence.

At any rate sanction must be obtained for his drawing the full pay in addition to local fund salary for the period during which he has been actually employed as local fund Engineer. He was appointed on an emergency when there was no time to get the sanction of his Station before he was put in.

Dec
7/Jan.

141-42
18

employment "out of India" is intended -

1
31.12.89

Recd
31.12.89

1172W 141-42
Ct 511900.
141-42
141W

141-42
141W

Mr. J. Grimes, Executive
Superior 2nd Grade, applies
for the following concessions:

The Secretary to the
Govt of India No.

1. That he may be permitted
to come on till he attains
the age of 55 years -
or
That he may be granted
a bonus similar to that
granted to officers who
retired under the Financial
Resolution of 1879.

2. I am directed to trans-
mit for the consideration of the
Governor General in Council
copy of a memorial from
Mr. J. Grimes, Esq. Engineer
2nd Grade, in which he claims
to be permitted to draw
his furlough pay irres-
pective of the circumstance
that he holds the appoint-
ment of Local Fund En-
gineer, Madras, on grounds
which I am instructed
to say commend themselves
to H. E. the Governor in Council
as just in the merits and
well deserving considera-
tion.

3. That he may be permitted
to draw his furlough pay
irrespective of the circum-
stance that he holds
an appointment of Local
Fund Engineer, Madras.

4. I am to urge that
as Mr. Grimes was re-
tired not because he
was unfit for work or
inefficient, but because
the Govt of India has con-
sidered it inexpedient
to retain in its service
an officer who has attained
the

As regards the 1st
concession asked for
it has already been refused
by the Govt of India, vide
No 1798W 36.7.89, and
as no new facts or
circumstances are
disclosed this question
must be reopened.
(Clause

Section III of Petition Rules.

The alternative concession of a bonus was not previously applied for, but should properly have been done before Mr. Guiness accepted the indulgence of two years' furlough preparatory to retirement.

As regards the 2nd concession, the Govt. of India in their telegram dated 17th October 1889,

(vide S.O. No. 2987 W.

dated 21-10-89) have distinctly refused to grant it.

Mr. Guiness bases his claim on clause (b) of Art. 872 of the Civil Service Regulations, but the whole of this article refers to "Services lent for employment

"out of India" and cannot therefore apply to Mr. Guiness' case as his services

were not lent, and Madras is not "out of India".

141-42
b
In clause (b) of the same article the expression "employment of the above kind" and "such employment" clearly show that employment "out of India" is intended.
For orders.

W.
22/12

Note for order by W.M.
Note to be repaired.

W.M.
23/12/89

Please copy above in the manual for order form. J.P.

23-12-89

141-42
7
P.W. 3

To

The Secretary to the
Govt of India No. 2.

Sir,

I am directed to trans-
mit for the orders of the
Governor General in Council
copy of a memorial from
Mr. J. Gaines, Esq. Engineer
in charge, in which he claims
to be permitted to draw
his full strength pay in re-
spective of the circumstances
that he holds the appoint-
ment of Local Fund En-
gineer, Madras, on grounds
which I am instructed
to say commend themselves
to H. E. the Governor in Council
as just in themselves and
well deserving considera-
tion.

I am to urge that
as Mr. Gaines was re-
sisted not because he
was unfit for work or
inefficient, but because
the Govt of India has con-
sidered it inexpedient
to retain in its service
an officer who has attained
the

This is far too meagre in details
and it does not bring out the fact
that the reason for the ordinary
rules against employment of
pensioners does not apply in this
case. Revised draft is necessary.

W.S.
9 Jan

the age of 50 without being promoted to the grade of Subj. Engineer. His case does not come under the ordinary rules of the service and deserves therefore every possible indulgence.

3. The furlough pay granted to Mr. Grimes for a certain period after his relief from duty under Post. is considered by His Excellency in Council not furlough pay of the ordinary kind but merely a substitute for pensionary allowances and ~~which~~ ought therefore to be treated on the same principle, especially as the retirement is a compulsory one and under a rule not in force when Mr. Grimes entered the service.

4. I am to add that if Mr. Grimes' requests ^{are} ~~is~~ not granted he might be allowed to draw furlough pay in addition to Local Fund salary for the period he has been actually employed as Local Fund Engineer.

141-11
as he was appointed on urgent necessity which did not allow time for the question of his status being referred before a sanction was given.

I have the

Wm
8.1.90

Pres
8.1.90

Ans

*141-42
9*

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

*The Supt. Engineer &
VI Circle*

(H.C. No. 867 S.C. 27/10 Dec 1889)

*Ordered to be forwarded
to the Govt of India for
consideration*

*J. Prince Esq.
(through the S. & C. Circle)*

18/11

(H.C. No. 112 18/11 1889)

*To the Secretary to the
Govt of India
P. W. Dept.*

Sir

*With reference to your
telegram No. G. 428 dated
15/10/17 October 1889, I am directed
to forward for the con-
sideration of the Govt.
of India, a memorial
from Mr. J. Prince, Executive
Engineer, in which he prays
for the following concessions.*

Superseded

(1) That he may be permitted to remain in the services until he attains the age of 55 years or

(2) That he may be granted a bonus similar to that allowed to officers who were compulsorily retired under the reduction scheme of 1879, or

(3) That he may be permitted to draw full pay allowances additional to the pay of appointment of local and Engineer, Madras.

2. The first request has already been refused by the Govt. of India, vide your letter No: 1812 G, dated 22nd June 1889, and I am directed to say that this Govt. is not disposed to recommend a reconsideration of the question. The second request is not one on which this Govt.

is able to offer any recommendation, but with regard to the third point I am to state that in the opinion of His Excellency the Governor in Council the refusal of the Govt. of India cannot be regarded in your telegram above quoted makes Mr. James case a very hard one.

3. Mr. James is to be retired, not because he is unfit for work or inefficient, but because the Govt. of India considers it inexpedient to retain in its service an officer who has attained the age of 50 years without being promoted to the grade of Deputy Engineer. The reasons of the rules against the reemployment of pensioners in

Service paid from local
Funds entirely fail in such
a case; they are intended
to prevent premature
voluntary retirement,
and the impositions on
public funds, of pen-
sionary changes in addition
to salary. The furlough
pay granted to Mr. Grimes
for a certain period
relieves his relief from
Duty under Government,
is not furlough pay of
the ordinary kind, but
is merely a substitute
for pensionary allowances
and ought to be treated
on the same principles.
The objections to the employ-
ment of Mr. Grimes
under Government cannot
be held to apply to service
under the District Board.

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perfectly fit & competent
to perform the duties of
the local Fund Engineer.
Having in view the hard-
ship of his compulsory
retirement under rules
not in force when he
entered the service, his
case in the opinion of
His Excellency in Council
deserves every possible
indulgence.

4. For these reasons
I am to express a hope
that the Govt of India will
be fit, on reconsideration
to grant the third request
made by Mr. Grimes
but in any case I am
to request that sanction
may be given to his
drawing furlough allow-
ance in addition to local
Fund pay for the period
he has been actually

employed as local Lumber
Engineer. He was appointed
on an urgent vacancy
and there was no time to
have the question of his
status settled before
he assumed charge
of the appointment.

Wm

Mr. Finney's case

Revised Draft

Wm
11.1.90

Ans
11.1.90

D 197

Low 11.1.90 to 11.1.90
11.1.90
J. Finney

Cu

Am. 14-1-90 R. 16-1-90

See 21/11- 22/11-