Madras
7th September 1894

From

J. P. Davidson,
Offg: Supty: Engineer

To
The Chief Engineer and Secretary
to Government, P.W.D.
Madras.

Sir,

I have the honour to respectfully submit for the consideration and disposal of the Rt. Honourable the Secretary of State for India the following case

2. My attention has very recently been drawn to a statement, made in the House of Commons, on the 1st August 1893, by the Under Secretary of State for India, Mr. Russell.

3 Speaking in reply to a Question put by Sir George Chesney, Mr. Russell is reported to have said, "Civil Engineers who joined the College before the prospectus of 1875 was issued are allowed to have their furlough pay at the rate of 2 shillings to the rupee, because the Secretary of State was advised that their having paid the College fees and passed the Examination had given them a legal right thereto."

4 Under my prospectus, which, in the light of the reply above quoted, is clearly acknowledged by the Rt. Honourable the Secretary of State to be my legal contract, I am entitled in the event of

of taking furlough, to payment of my furlough pay in India in rupees; in England in Sterling at the rate of Rs 10 to the £ Sterling. The option both as to the currency and the Country in which I will receive payment rests with me. In my prospectus and the appendix attached thereto there is no clause which makes the acceptance of rupees in India binding on me, even if it should so happen that furlough is taken in India.

5. This prospectus and appendix have now been declared to be my Contract.

6. I last took furlough on the 24th November 1888 at which time a ruling of the Secretary of State under which payment of their furlough pay to Coopers Hill Engineers of 1871-74, inclusive, was made in England at the Official rate of exchange of the year and not at Rs 10 to the £ Sterling, was enforced against me.

7. This ruling the Secretary of State himself in the House of Commons, speaking through Mr. Russell, Under Secretary of State, acknowledged to be illegal. Under this ruling my right of electing to receive payment in England at Rs 10 to the £ Sterling was denied to me, and I therefore, virtually under compulsion, accepted in rupees the furlough pay for the period, 24th November 1888 to 28th January 1889 inclusive, passed by me in India.

8. At the time of taking furlough, I had completed 14 years actual service, but on the pittance payable

Furlough pay
Rs 347-14-10 per mensem

Received
24th to 30th November 1888 inclusive Rs 81-2-11.
1st to 31st Decr 1888 Rs 347-14-10
1st to 25th January 1889 inclusive Rs 314-4-1
Rs 743-5-10
Deduct Income tax 19-5-10
Net receipts 724-0-0.
Rs 724 at 2/- to the rupee = £ 21-2-4

payable to me, at the rate of exchange, long leave to England was quite out of the question. I therefore allotted for 15 months and apportioned it as follows:- 2 months at sea, 2 months in India 2 months in Ceylon and 9 months in England. My residence in India was forced on me by what, I may say, with all respect, describe as the illegal action of the Secretary of State.

9. The net sum received by me in rupees as furlough pay (vide details in margin) was Rs 724- and I now respectfully request that the difference between this sum in sterling, at the rate at which I received it, viz 1/5d. to the rupee, and the rate 2 Shillings to the rupee, at which I was entitled to receive it, that is £21-2-4 may be paid to my agents in England, Messrs. Henry S. King & Co. 45 Pall Mall.

10. I have delayed submitting this claim as I was aware that at least one claim of a similar nature had been rejected, and I had, in consequence, doubts as to its legality; these doubts the Right Honourable the Secretary of State through Mr. Russell has now set at rest; of Mr. Russell's reply to Sir George Chesney I had, as I have already stated, till quite recently, no knowledge.

I have to
'ed J. L. Davidson
Esq: Supdg Engr
Madras Circle

Copy

N.B.—In any future communication on this subject, the number and date of this letter should be quoted; and the communication should be addressed to the Examiner, Public Works Accounts, Madras, and not to any officer by name.

EXAMINER
17 SEP 1894
P. W. ACCOUNTS

[E. No. 23.]
4,000—1-8-94.

From I. S. SHERLOCK-HUBBARD, Esq.,

EXAMINER OF P. W. ACCOUNTS, MADRAS,

To

The Superintending Engineer,

5th.Circle.

No. 3633 D / E *Madras,* 6 September 1894.

Sir,

With reference to your No.239 C.dated 31st.August 1894,I have the honour to state that you drew furlough pay amounting to Rs.743-5-10 from 24th.November 1888 to 28th.January 1889 inclusive at the rate of Rs.347-14-10 per mensem.

I have the honour to be,

Sir,

Your Most Obedient Servant.

7/9/94

for Examiner,P.W.Accounts,Madras.

C.S. 5/9.

P. W. CURRENT No. ~~6901~~ 7132

From L.P. Davidson.
Offg Subdl Engineer
Madras. P.W.D.

To The Chief Engineer
& Secretary to Government
P.W.D. Madras.

Sir,

Dated: ~~13-9-94~~ 21.9.94

Subject

Subdl-claim to certain arrears of furlough pay.

No. 2882 C. dy 14 September 1894.

1.

To C

For favour of remarks.

CH 10/9/94

No. 3857 D/E dy 20-9-94

To W.

Under C.S.R. article 346 furlough pay, if paid in India, is payable in rupees & not in pounds sterling.

2. Mr. Davidson having drawn his furlough pay in India, he was, under the above rule, paid in rupees. His application for arrears of furlough pay calculated on the basis of 2 s. to the rupee is not covered by any rule and should therefore be submitted to the Government of India for orders.

C.
19.9.

Ans 346

Government of Madras.

DISPOSAL.

1894.

P. W DEPARTMENT.

No. dated

CURRENT No. 7132

From

The Examiner of
P. W. accts.

ENCLOS./

No. 3851/D

Dated 20.9.94

Received 24.9.94

SUBJECT.

Mr. J. P. Davidson Offg:
Supty: Engineer:

Remarking on letter
from —— submitting
his claim to certain
arrears of furlough pay.

Nr 2882 c 24.9.94.

29—2,000—6-2-94.

O.L.5377

PUBLIC WORKS DEPARTMENT.

Lo. 2856 W. dy 8th November 1894

P/

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

Application from Mr. J. P. Davidson, Offg: Supty: Engineer, V Circle. } A.E. dy 7 September 1894.

Office Note from the Exr. P.W. Accts:- " dy 20 September 94, Nr. 3851/D

RECEIVED 8 NOV

Ordered to be forwarded to the Government of India.

S.E. V Circle.

A.E. No 2857 W. dy 8th Nov: 1894

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

Sir,

I am directed to forward for the orders of the Government of India an application from Mr: J. P. Davidson, Executive Engineer, claiming certain arrears of furlough pay for the period from 24th Novr: 1888 to 28 Jany: 1889

*P.G. No 2856 W dy 8th Nov: 1894

(40—2,000-22-3-94)

1889, which period of leave he spent in India.

I have &c

S W

Mr J P Davidson's application for extension of furlough to

DESPATCHED
12 NOV. 94

No. 2856-7 W dy 8 November 94

INDEXED

D. C.C.