Madras
7. January 1895.

From. V.P. Davidson.
Executive Engineer
P.W.D. Madras.
and Ag. Principal
College of Engineering.

To. The Secretary to Government
P.W.D. Madras.

Sir-

I have the honour to acknowledge receipt of
G.O. No 3197 W. of 13th Decr 1894, communicating to
me the disposal of the Government of India on my
letter of 7th September 1894-

2. In reply I would respectfully point out that,
as stated in paragraph 10 of my letter of the 7th
September, I was fully aware that the Secretary of
State had already decided against the claim
preferred by me, but I would appear not to have
made it clear that this decision of the Secretary
of State was acquiesced in by the Corps Hill Engineers
concerned, because they, at the time, had no certain
knowledge of the grounds on which payment to
them, as a body, of personal pay at Rs 10 to the
1£ Sterling, had been sanctioned-

3. In support of this Statement I would respectfully in-
vite perusal of the evidence tendered by me before
the Committee of the House of Commons, appointed
in 1890, to enquire into the grievances of the Uncove-
nanted Services of India, it will be there seen that
Sir John Gorst, at that time Under Secretary of State
for India

for India, and Chairman of the Committee, was most careful to avoid giving any clear indication of the grounds on which payment home of any furlough pay at Rs10 to the £ sterling had been authorised. Since that date, however, the Secretary of State himself, on the 17th August 1893, speaking through Mr Russell, Under Secretary of State has, in reply to Sir George Chesney most clearly & explicitly declared in the House of Commons that, payment at Rs10 to the £ sterling is made because Civilians, who joined the College before 1875, have a legal right to payment at that rate -

4. The ruling of the Government of India contained in para 4 of their letter P. & O. No 1203 G of 6th May 1891 is without doubt based on that portion of Article 346. C.S. Regulations, which implies that furlough pay paid in India will be paid in rupees. But before this Article can in justice be applied to the case of any Civilian who entered the R.I. College in the years 1871 - 74 inclusive, it should be capable of proof that this officer at the time of taking furlough was in full possession of his legal right to elect between taking payment

payment of his furlough pay at the Home Treasury in Sterling at the rate of Rs10 to the £, and taking payment in India in rupees, and further that in exercise of this legal right he voluntarily elected in preference to taking Sterling money at home at Rs10 to the £ sterling, to take payment in India in rupees -

5. It is a well known and undisputable fact that, during the period, October 1874 to July 1889, which is covered by the Government of India ruling of 6th May 1891, both the Secretary of State and the Government of India agreed in denying absolutely the existence, on the part of Covenanted Civilians who entered the College before 1875, of any legal right to receive payment at the Home Treasury of their furlough pay at the rate of Rs10 to the £ sterling; it follows therefore that no Civilian officer who took furlough during the period October 1874 to July 1889 was in a position to exercise that legal right, since admitted to be his, of electing between furlough pay at the Home Treasury at the rate of Rs10 to the £ and furlough pay in India in rupees; the only choice permitted to him was that between furlough pay in India in rupees,

and

and furlough pay at the Home Treasury con=
verted at the official rate of Exchange of the
year. The difference, in Sterling value, between
rupees received in India, and converted by
the recipient at the market rate of Exchange,
and the same rupees converted for him by the
Secretary of State at the official rate of Exchange,
was so small, and the fact also so fluctuating
that, in electing in favor of rupees in India,
or rupees converted at the official rate of
Exchange at the Home Treasury, each officer
was guided solely by the convenience of the moment.
Cases can be instanced of officers who spent
a long leave in England & yet drew their
furlough pay in India, through their Indian
Agents, in rupees —

6. While all officers, who for the sake of con=
venience or otherwise took payment of their
furlough pay at the Home Treasury, have
been paid the difference between their fur=
lough pay at R10 to the £ Sterling and the
official rate at which it was originally
disbursed to them; those officers, who
took

payment in India, have, under the ruling of
the Government of India of 6th May 1891, been
denied the election between payment in India
in rupees & payment at the Home Treasury in
Sterling at R10 to the £, an election which
under the declaration of the Secretary of State
is clearly their legal right; in other words these
officers have throughout their service been possess=
=ed denied the exercise of that legal right
which the Secretary of State must distinctly state
to be theirs means. This ruling of the Government of
India of 6th May 1891, would, I must respectfully
submit, appear to be somewhat at variance
with the more recent declaration of the
Secretary of State —

7. To particularize, in my own case, aware that
on the pittance to which my furlough pay
by the denial of my legal right to payment at
R10 to the £ Sterling was reduced, it would
be impossible for me to reside for any furlough
period in England, I, after 14 years continuous
service in this country, was compelled to limit
my furlough to 15 months, and to arrange

for spending 4½ months of this in the Presidency
& later, on arrival in England, when my claim
to payment at Rs 10 to the £ was admitted, I
extended this furlough to 24 months, but this
in no way compensated me for the 4½ months
enforced residence in India & Ceylon.

8. It is impossible for me to believe that the
acceptance of my furlough pay in rupees under
the circumstances described in this letter can
in any way prejudice my right to elect to
receive payment of this furlough pay in sterling
at the rate of Rs 10 to the £, in preference to
taking it in the depreciated rupees in which
it has been paid, a right of election which
has so far never been permitted time; nor
can I believe that it is the intention of
the Secretary of State to urge the acceptance
by me of rupees, at a time when the
alternative of taking payment at the Home
Treasury at the rate of Rs 10 to the £ Sterling
was absolutely denied me, to be a satis-
faction of that legal right which he has
himself declared me to possess.

9. The ruling contained in para 4 of Government of
India letter P.L.D. No 1200 G of 6th May 1891
appears to be so opposed both to the letter &
the spirit of the statement made in the House
of Commons on the 17th August 1893 by the Under
Secretary of State, Mr Russell, that, as one of
the officers affected by this ruling I most respectfully
submit I am fairly entitled to ask that the
matter be laid before the Secretary of State
with a view to a reconsideration of the ruling
in question.

10. I request most respectfully therefore that the Govern-
ment of India may be asked to reconsider
their decision on my letter of the 7th September
1894, and to submit my claim for the
orders of the Right Honourable the Secretary of
State for India.

I have the honour to be
Sir.
Your most obedient Servant
J R Davidson
Lt: Surgeon
Madras P. W. D.

From J.P. Davidson
Executive Surgeon

To The Secretary to Government
P.W.D.

Regarding claims to
certain arrears of
furlough pay.

Dust
95/95

Madras.
8 January 1895

From J.P. Davidson.
Executive Surgeon
Madras.

To The Secretary to Government
P.W.D. Madras.

Sir. I have the honor to acknowledge receipt of G.O. No 3302 W. of 28th Decr 1894 and in accordance with the order therein contained I resubmit my letter regarding arrears of furlough pay revised & modified —

2. I regret that in trying to explain my position I should have used expressions which have been considered objectionable — I need hardly say that I had no intention of using either disrespectful or disrespectful. I have the honor to be Sir.

Your most obedient Servant

J.P. Davidson
Ex: Surgeon

PUBLIC WORKS DEPARTMENT. No. 95

No. 1412 W of 25-5-91
" 2856-7 W - 8-11-94
" 3197 W - 13-12-94
" 3302 W - 28-12-94

From J.P. Davidson
Ex: Engineer
P.W.D.

To the Secretary Government
P. W.D.
Date: 9.1.95
Encl:

Reforming letter regarding furlough pay revised & modified.

PUBLIC WORKS DEPARTMENT.

No 117 W dy 17 January 1895

PROCEEDINGS OF THE MADRAS GOVERNMENT.

READ the following

Letter from Mr J. P. Davidson, Executive Engineer. P. W. D. Madras. } H. E. No – dated 8th January 1895.

Mr Davidson's letter will be for-
W warded to the Government of India
15 Jan

J. P. Davidson Esquire.

H. E. No 118 W dated 17 January 1895

To

The Secretary to the
Government of India
P. W. Department.

Sir,

W With reference to your letter No
3632 G dated 5th December 1894, I
am directed to forward copy of
a letter from Mr J. P. Davidson,
Executive Engineer, requesting that
his claim to arrears of furlough
pay for the period from 24th Novem-
18

(40—1,000—26-11-94.)

1888 to 28th January 1889 may be submitted for the orders of the Secretary of State for India.

I have tea

S

W

Mr J. R. Davidson's claim to arrears of furlough pay.

1895

DESPATCHED
18 JAN 95

Copies 12-95

Rs 117-8 W dy 17 Jany 1895

Sd Cr
E.J.

No reply yet.
S.D.
11-3-95.

(Returned for
amendment.
S.D.
13/3

Cr

I.E. 12/1 R 16/1.

J.C.
20/3