

Proceedings of the Madras Government, Revenue Department,
12th January 1872.

No. 150. Read the following letter from the Acting Chief Secretary to the Government of Bombay, to the Secretary to the Government of Fort St. George, Revenue Department dated Bombay Castle, 4th January 1872, No. 36 :—

With reference to your telegram of the 27th ultimo, I am directed to transmit the accompanying Articles of Agreement made on the 18th October 1871 between Mr. Peet and the Secretary of State for India in Council.

No. 151. ORDER THEREON, 12th January 1872, No. 76.

Forests, No. 7.

COMMUNICATED to the Conservator of
Forests and to the Acting Accountant-
General.

(True Extract.)

(Signed) W. HUDLESTON,
Secretary to Government.

To the Conservator of Forests, with Articles of Agreement.
,, the Acting Accountant-General.

Exd. F. R. Bantleman.

Articles of Agreement made the eighteenth
day of October in the year of our Lord 1871,
between Arthur William Peck of the first
part (hereinafter referred to as the party
heirs of the first part) and the Secretary of
State for India in Council of the second part,
whereas the Secy of State in Council has retained
& engaged the party heirs of the first part,
to serve Her Majesty as an Officer in the
Forest Dept. in any part of Her Majesty's
dominions in India:

1 - Now these Presents witness, that
for and in consideration of a first-class
passage to Bombay being provided for him,
and all necessaries for his accommodation at
sea, including the expenses of transit, through
Egypt, of himself & his personal baggage, and
also in consideration of the salary agreed to be
paid to him, as hereinafter mentioned, he,
the party heirs of the first part, for himself,
his executors and administrators, doth hereby
promise and agree to, and with, the said Secy
of State in Council, in manner following, that
is to say: -

2 - That he, the party heirs of the first part,
shall and will, at such time, and in manner,
as he shall be directed by the Secy of State in
Council

Council, proceed to Bombay, for which purpose the Secy of State in Council shall provide him with a first-class passage and accommodation at sea, and defray the expenses of the transit thro' Egypt of himself and his personal baggage, but not of hotel accommodation, or any other expenses which may be incurred on land in the course of his transit to India

3. As soon as he shall arrive at Bombay, he shall report his arrival to the Secy of the Govt. of Bombay, in the Revenue Department, and submit himself to the orders of the said Govt., or of the Officer or Officers under whom he shall, from time to time, be placed by the authority of the said Govt.

4. He shall continue in the service of Govt. at any place, or places, to which he may be sent by the Officer placed over him, as hereinafter mentioned, subject to the provisions hereinafter contained.

5. And he shall, during all the time of his service, employ himself wholly, efficiently, and diligently, under the orders and instructions of the said Govt., or of the Officer, or Officers, who may be placed over him in the improvement, care, and general management of Forests, and in the formation of nurseries, and plantations,

plantations; and for that purpose shall, to the best of his skill and knowledge, superintend all operations and work connected with the said forests, and take the charge and management of the forests, as he may be directed by the said Govt., or by such Officer, or Officers, and shall do all other acts, matters, and things, & discharge all duties which may be required of him by the said Govt., or by such Officer, or Officers, to be done in his capacity as an Officer of the Forest Dept., and shall, in addition thereto, make himself in other respects generally useful in his calling, as may be required by the Govt., or by such Officer, or Officers, aforesaid, and also shall, to the utmost of his skill, instruct and train the natives and others who may be placed under him, and as he may be required by the Govt., or such Officer, or Officers, in forestry, and all duties connected with the management of the forests.

6. During his said service, he shall not, on any pretence, absent himself therefrom, without having first obtained the permission of the Officer, or Officers, under whom he shall be placed, or in case of sickness, or inevitable accident, without obtaining, whenever possible, a sufficient medical

Certificate

Certificates, that he is unable to perform the duties of his office, and he shall not during the said service, on his own account, or otherwise, either directly, or indirectly, carry on, or be concerned, in any trade, traffic, or business whatsoever, but shall devote his whole time, and attention, to the duties for which he is engaged.

7. He shall at all times during the said service well, truly, and faithfully, account for, and pay over, or deliver to the agent or agents of the Govt. authorized to receive the same, all monies, goods, wares, merchandizes, materials, and effects, documents, and reports, which shall at any time, come to his hands, or be under his charge, or account of the said Govt.; and shall also during his continuance in the service, well, and truly, conform to all the rules and regulations of the Dept. of the Service to which he shall belong, and also conform to, and obey, all such orders and directions as he shall from time to time receive from Govt. or such officers, or officers, as aforesaid, at the place where he shall from time to time be stationed.

8. In case he shall be guilty of any insubordination, drunkenness, or other intemperate, misconduct, or disobedience of orders, or shall be guilty of any breach, or non-observance,

or non-performance, of any of the matters herein contained, then, and in any of such cases, it shall be lawful for the said Govt. or any of their officers, having authority from the said Govt. for that purpose, to discharge him from the said service, and he shall and will thereupon, forthwith, upon being so discharged, peaceably and quietly, in an orderly manner, leave the service.

9. And the Secy of State in Council agrees that, upon condition that the party hereto of the first part shall keep the several matters herein contained on his part, and shall be able to perform and actually perform the said service, but not otherwise, there shall be paid to him, during his service, a salary, at and after the rate of 250 Rs per month, to be paid, monthly, in India commencing from the day of his signature of this agreement, provided he embarks for India within the time specified by the Secy of State in Council for his so doing. And it is further agreed that the party hereto of the first part shall, on joining the station to which he may first be posted in India, become entitled to all the rights and privileges, in respect of pay and promotion, accorded to officers of the Forest Department.

Department, by the rules and regulations for the time being, and to leave of absence and retiring pension, or gratuity under the leave and pension rules of the Unconquered Service for the time being, and that the time of his service shall be computed from the day of his joining the said station.

10. And it is agreed that the party hereto of the first part, shall and will, on his arrival in India, diligently study those native languages which may be prescribed by the Govt. under which he is serving, and no rise of his pay, or promotion, will take place previous to his passing an examination, in one of these languages, as may be prescribed by Govt.

11. In case the party hereto of the first part shall be discharged from the said service on account of insubordination, drunkenness, or other intemperance, or misconduct, or by reason of any breach, or non-compliance of any of the matters herein contained, he shall repay to the said Secy of State in Council, any sum which he may have received, or which may have been expended by the Secy of State in Council by way of passage money and otherwise, as mentioned in

Clause

Clause 2, and in case he shall absent himself from his said service without obtaining permission as aforesaid, or in case of sickness, without forwarding the requisite medical Certificate to the Officer, or Officers, under whom he shall be placed, he shall pay to or for the use of the said Secy of State in Council, a sum equal to one day's pay, which would then have accrued due, had he performed his duty for every day he shall be so absent.

12. - All such sums as may be due from the party hereto of the first part, under the presents, to Govt., shall be paid by him as, and by way of, liquidated damages, and he shall, and will, upon demand, forthwith pay the amount to any person to whom he may be directed by the said Govt., or it shall be lawful for Govt. to deduct the same out of any money which may be due to him on any account whatever.

13. And it is also agreed by, and between, the parties to these presents, that the proceedings, letters, and reports of the Govt. Genl. of India in Council, or any of the Governors in Council, or other Governor, or Govts. in India, or any of them, or any of their agents, or officers, or any copies, or extracts thereof, which shall be sent to the Secy of State in Council, or

officially

officially, to any of the officers or servants on
the Establishment of the Secretary of State in Council
in England, or to any officers in the Indian Service
of Her Majesty in the East Indies, or elsewhere,
in any way relating to the sums of money paid
or to be paid to the party hereto of the first part
under these presents, or relating to his conduct
in the East Indies, or to any matter in any way
relating to the premises, shall be received as
conclusive evidence of any matter therein
contained, or referred to, in any action, or suit at
law, or in equity, or in any legal proceedings,
by or between the parties to these presents, or
in any way relating thereto.

In witness whereof the party
hereto of the first part, and Sir Frederic Currie
Baronet, and Sir Robert Montgomery B.C.L.
G. C. I. S., being 2 members of the Council of
India, have hereunto set their hands, the
day and year first above written
Signed by the above named Arthur } /s/ Arthur William Peet
William Peet in the presence of }
/s/ S. W. Pike
India Office

Signed by the above named }
Sir Frederic Currie, and Sir Robert } /s/ F. Currie
Montgomery, being 2 members of }
the Council of India, in the presence } - R. Montgomery
of } /s/ Robt Wickenden
Deacons Hall
London

Ed. S.

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No 36 of 1872
Revenue Department
Bombay Castle 4th January 1872.

To
The Secretary to the Government of
Madras
Revenue Department

Sir,

With reference to your telegram
of the 27th ultimo, I am directed to transmit
the accompanying articles of Agreement
made on the 18th October 1871 between Mr.
Peet and the Secretary of State for India
in Council.

I have the honor to be,
Sir,

Your most Obedient Servant

W. E. Leach
For Acting Chief Secy to Govt

Dec: 1872: 24th

No 63

From

Ap. Ch. Secy to Genl
Assembly.

Dated 4. 1. 72

Dec 8 - 1 - 72

Transmitting Article
of Agreement between the
Genl and the Secy of State.

With Order

1870-1871

No 76

Communicated to the
Conservator of Forests
and to the Secy of State.

To
13. Conservator of Forests - Dec 13/72
with Article of Agreement - Dec 13/72

By Secy of State

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