

Government of Madras.

EDUCATIONAL DEPARTMENT.

Recd.

Regd.

} 1915.

Enclosures

Spare copies

G.O. No. 332, 23rd March 1915.

Mr. C. L. T. Griffith.

Accepting, with remarks, the resignation tendered by — Professor of Civil Engineering,
in the College of Engineering, Madras.

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Mr. C. L. T. Griffith.

Accepting, with remarks, the resignation tendered by — Professor of Civil Engineering,
in the College of Engineering, Madras.

GOVERNMENT OF MADRAS.

EDUCATIONAL DEPARTMENT.

READ—the following papers:—

I

Letter—from W. H. JAMES, Esq., B.Sc., Principal, College of Engineering, Madras.

To—the Director of Public Instruction, Madras.

Dated—the 11th April 1912.

No.—60-C.

I have the honour to submit herewith a petition from Mr. C. L. T. Griffith, Professor of Civil Engineering.

The following remarks seem called for in order to make the position clear, the letters denoting the parts of the petition to which they have reference.

A. The record of the appointments held by Mr. Griffith is as follows:—

(1) Appointed by the Secretary of State, Temporary Professor of Civil Engineering, in place of Mr. A. Chatterton, Professor of Civil Engineering, the permanent incumbent on special duty; joined the college on 23rd January 1905 and resigned on 5th June 1905 (G.O. No. 20, dated 16th January 1905).

(2) Appointed Engineer to the Corporation of Madras by the Government of Madras and joined for duty on 7th June 1905, thus involving a break of one day (G.O. No. 1089 M., dated 5th June 1905).

(3) Re-appointed temporarily to the Indian Educational Service as Professor of Civil Engineering for one year in place of Mr. A. Chatterton (Official Memorandum of the Director of Public Instruction Ref. on C. No. 7550/09, dated 9th August 1910); joined the College on 7th August 1910 and confirmed in the appointment later on with effect from 14th August 1910, the date on which Mr. A. Chatterton was transferred from the College staff to become Superintendent of Industrial Education (G.O. No. 196, Educational, dated 4th April 1911).

From the above, it will be noted that the appointment of Professor of Civil Engineering was not permanently vacant before 14th August 1910.

There is no information in this office in regard to the possible lien held by Mr. Griffith in his municipal appointment from 7th August 1910 to 13th August 1910.

B. The true extract from his original agreement as supplied by Mr. Griffith is as follows:—

“That the party _____ will submit himself to the orders of the Government and of the officers and authorities under whom he may from time to time be placed by the Government and that he will at all times obey the rules prescribed for the time being for the regulation of the branch of the public service to which he may belong.”

C. The reference here is apparently to Civil Service Regulations, article 418-B.

ENCLOSURE.

Petition—from Mr. C. L. T. GRIFFITH, A.M.I.C.E., Professor of Civil Engineering, College of Engineering, Madras.

To—His Excellency the Governor of Madras (through the Principal, College of Engineering, and the Director of Public Instruction).

Dated—the 2nd April 1912.

RESPECTFULLY SHEWETH—That the memorialist was first appointed under an agreement of the ninth day of December, one thousand nine hundred and four, A.D., as a temporary Professor of Civil Engineering in the College of Engineering, Madras, for a proposed period of about 18 months, and was directed in the said agreement to obey the rules prescribed for the branch of the public service to which he might belong.

2. That during the tenure of that temporary appointment he was transferred to the appointment of “the Engineer, the Municipal Corporation of the City of Madras” under orders of the Government of Madras, which appointment is an appointment vested in the Government by law* and which appointment your memorialist continued to hold from the sixth

* Act III, 1904.

day of June, one thousand nine hundred and five until the fourteenth day of August, one thousand nine hundred and ten when he was retransferred to the Indian Educational Service.

3. That your memorialist accepted the appointment of Engineer, Corporation of Madras, as he was bound by the terms of his agreement to accept any appointment to which the Government of Madras might think fit to transfer him, and he accepted it willingly believing that his whole service would be treated as a continuous one. This belief is strengthened by the fact that on his re-transfer to the Indian Educational Service, his pay was fixed at Rs. 750, taking into consideration his previous service which dates from the twenty-third day of January, one thousand nine hundred and five.

4. That your memorialist was required by the Accountant-General of Madras on the occasion of his transfer to the Corporation of Madras and again on his re-transfer to the Engineering College to submit “last pay certificates” which certificates would not have been called for and could not have been furnished had your petitioner not actually been in the service of the Government.

5. That your petitioner not only received the honour of appointment by the Government of Madras to the post of Engineer, Corporation of Madras, but while he held that post he was at all times subject to dismissal or removal or transfer from that post by the Government of Madras only, that his pay and increments of pay were regulated by the Government, and on each and every occasion that he applied for leave the application was made to the Government direct and the leave granted directly, by the Government, without the advice, knowledge or approval of the Madras Corporation.

6. That the Civil Service Regulations provide that change of service from one pensionable service to another pensionable service is not a break of service, and that your petitioner's service in the Corporation of Madras was pensionable service.

7. That your memorialist prays therefore that the privilege of reckoning for leave (and pension) may be accorded to him as from the twenty-third day of January, one thousand nine hundred and five, being the date of his first employment in Government service.

8. That your memorialist ventures to submit in this connection, that in the case of Mr. J. A. Jones, a former Engineer of the Corporation of Madras, his corporation and subsequent Government service were treated as one for leave and pension from general revenues with the sanction of the Right Honourable the Secretary of State for India in the year one thousand eight hundred and ninety-one or thereabouts.

9. That the grant of exchange compensation allowance may be allowed to him as in the case (as your petitioner believes) of all other officers of the Indian Educational service, to whom the privilege has been granted though they were, usually, employed temporarily in the first instance.

10. That your petitioner prays that, for the reasons set forth above, the Government will graciously reckon his, the petitioner's service as from the twenty-third day of January, one thousand nine hundred and five, and will also grant him exchange compensation allowance with retrospective effect as from the fourteenth day of August, one thousand nine hundred and ten; and that failing the power of the Government of Madras to grant the petitioner these his prayers, the Government of Madras will address the Government of India, or the Right Honourable the Secretary of State, on the petitioner's behalf, as the case may require.

11. For which act of grace, your petitioner will as in duty bound ever pray.

N. Ref. on Cur. No. 3057/12, dated 24th April 1912.

Submitted to Government.

A. G. BOURNE,
Director of Public Instruction.

II

Endorsement No. 1232-1, Educational, dated 14th May 1912.

Referred to the Accountant-General for remarks.

(By Order.)

M. S. MASCARENHAS,
Under Secretary to Government.

III

Letter—from J. F. GRAHAM, Esq., M.A., I.C.S., Officiating Accountant-General, Madras.

To—the Secretary to Government, Educational Department.

Dated—the 18th June 1912.

No.—G.A. 58-1/5965.

I have the honour to acknowledge receipt of your Memorandum No. 1232-1, dated the 14th May 1912, referring to me for remarks endorsement No. 3057, dated 24th April 1912, from the Director of Public Instruction on the petition of Mr. C. L. T. Griffith, Professor of Engineering, College of Engineering, Madras, requesting that his service from the 23rd January 1905 may be counted as qualifying for leave and pension and that he may be granted exchange compensation allowance with retrospective effect from 14th August 1910 and to state in reply as follows.

2. Mr. Griffith's service from the 23rd January 1905 to 5th June 1905 when he was appointed temporarily to the Indian Educational Service as Professor of Engineering, College of Engineering, Madras, *vice* Mr. A. Chatterton on special duty is not service in a temporary appointment fulfilling the conditions of article 370 of the Civil Service Regulations, and therefore cannot be counted as qualifying for pension or leave. Further, he resigned his professorship to take up his appointment under the Corporation of Madras.

3. The service rendered by Mr. Griffith from 7th June 1905 to 6th August 1910 under the Madras Municipal Corporation as their Engineer, and his service from 7th August 1910 to 13th August 1910 when he again held temporarily the appointment of Professor of Engineering, College of Engineering, with a lien on his permanent appointment as Engineer of the Corporation, can be counted towards pension as that portion of his pension earned by service under the Corporation is payable by that body under sections 12 (2) and 65 (2) of the Madras City Municipal Act, 1904. As regards the combination of the above periods of his service with his subsequent service under Government, I would invite the attention of Government to the Secretary of State's despatch No. 119, Financial, dated 18th June 1891, communicated with the Government of India, Financial Department Endorsement No. 2909, dated 10th July 1891, and the rule under article 801 of the Civil Service Regulations and to state that there is no audit objection to the grant of a single pension for his combined service and to its debit to Municipal and General Revenues according to the rule of proportion if Government consider that Mr. Griffith was transferred from his municipal employment in the interest of Government service—*vide* ruling 1 under Civil Service Regulations, article 803 on page 119 of the Madras Supplement to the Civil Service Regulations. The combined service will then qualify for leave under article 201 of the Civil Service Regulations.

4. As regards Mr. Griffith's claim to exchange compensation allowance from 14th August 1910, I would point out that the appointment of Professor of Engineering, College of Engineering, is an appointment included in the cadre of the Indian Educational Service and that under paragraph 30 of the Government of India Resolution, printed in G.O. No. 1081, Financial, dated 19th November 1898, Mr. Griffith is "officially" eligible for the allowance. It is for Government to decide whether he is "personally" eligible or not. There is no audit objection to the allowance being granted with retrospective effect from 14th August 1910 if Mr. Griffith is personally eligible for the allowance.

5. Mr. Griffith's petition and the Director of Public Instruction's endorsement thereon are herewith returned. The delay in the disposal of this reference is due to the service book of Mr. Griffith required for reference not having been received until the 5th June 1912 from the President of the Corporation.

IV

Letter—from the Hon'ble Mr. A. G. CARDEW, C.S.I., Acting Chief Secretary to the Government of Madras.

To—the Secretary to the Government of India, Finance Department.

Dated—Fort St. George, the 16th January 1913.

No.—Ref. 7227-1, Financial.

I am directed to request that the orders of the Government of India may be obtained on the following case which involves the interpretation of the words "whole pensionable service" in article 403 of the Civil Service Regulations.

2. Mr. C. L. T. Griffith was appointed by the Secretary of State in December 1904 to be a temporary Professor of Engineering in the College of Engineering, Madras. He joined the appointment on 23rd January 1905 and held it until 5th June 1905 when he resigned it in order to take up the permanent appointment of Engineer of the Madras Corporation. After holding this post for about five years he was, with the sanction of the Government of India conveyed in Home department telegram No. 80, Education, dated 5th August 1910, appointed permanently to the Indian Educational Service as Professor in the Engineering College, Madras, with effect from the 14th August 1910. At the time of this transfer he was over 38 years of age and had put in a service of about 5 years and 2 months counting for pension from the Corporation revenues.

3. After consulting the Accountant-General who advised the Government of Madras that they were in order the following terms were formally offered to and accepted by Mr. Griffith prior to his appointment in 1910 to the Indian Educational Service:—

(1) that he would, under article 403 of the Civil Service Regulations, be entitled to add five years to his qualifying service if he retired on a superannuation pension; and

(2) that he would also be exempted from any reduction of pension under article 478 (a) of the Civil Service Regulations.

4. A question has now arisen as to whether Mr. Griffith can combine his service under the Corporation with his subsequent service in the Educational department for purposes of leave and pension. The present Accountant-General, while of opinion that this may be done under article 801 of the Civil Service Regulations, holds that if it is done Mr. Griffith will cease to be eligible for the special privileges of five years' additional service under article 403 of the Civil Service Regulations and for exemption from the reduction of pension under article 478 (a) of the regulations, as in his view the words "whole pensionable service" in article 403 of the regulations refer to service of any kind whatever whether the pension for it is paid by Government or by a local body and should not be taken as referring only to service the pension for which is paid by Government.

5. His Excellency the Governor in Council doubts whether the interpretation of the present Accountant-General is correct. He is disposed to think that the phrase "whole pensionable service" in article 403 of the Civil Service Regulations refers only to service under Government, the pension for which is paid by Government and does not include previous service under another employer. I am accordingly directed to request that the Government of India will be pleased to give a ruling in the matter.

6. I am directed to point out that Mr. Griffith on being appointed to the Educational department in 1910 was offered unconditionally the concessions of five years' additional service and of exemption from reduction of pension under article 478 (a) of the Civil Service Regulations and if as a consequence of the combination of the previous service under the Corporation, he should be deprived of those privileges, it would materially affect his pension and also the leave concessions which he would otherwise enjoy. In view of these circumstances I am directed to request that should the Government of India agree with the present Accountant-General as to the interpretation of article 403 of the Civil Service Regulations Mr. Griffith may be allowed to combine his service under the Corporation with his subsequent service in the Educational Department for purposes of leave and pension without losing the advantage of the concessions referred to above.

V

Letter—from the Hon'ble Mr. A. G. CARDEW, C.S.I., I.C.S., Chief Secretary to the Government of Madras.

To—the Secretary to the Government of India, Finance Department.

Dated—Ootacamund, the 23rd June 1913.

No.—Ref. 7227-2, Financial.

I am directed to invite a reference to letter No. 7227-1, Financial, dated 16th January 1913, from this Government regarding the interpretation of the words

"whole pensionable service" in article 403 of the Civil Service Regulations and to state that the Governor in Council will be glad to be favoured with information as to when a reply may be expected.

VI

Telegram—from the Secretary to the Government of India, Educational Department.

To—the Chief Secretary to the Government of Madras.

Dated—Simla, the 2nd July 1913.

No.—1204, Education.

Your letter 7227-1 of 16th January 1913 to Finance India. With permission of Governor in Council kindly wire whether local Government and Madras Corporation agree to rule of proportions being applied under article 801 (1) of the Civil Service Regulations, if Mr. Griffith is allowed to count his service under Corporation for pension.

VII

Telegram—from the Chief Secretary to Government.

To—the President, Corporation of Madras.

Dated—Ootacamund, the 5th July 1913.

No.—499, Financial.

Government propose [that] service of [C.L.T.] Griffith, Corporation Engineer, from 7th June 1905 to 13th August 1910, be combined with service under Government for purposes of leave and pension and [that] his pension be regulated according to [the] rule of proportion under article 801 (1) [of the] Civil Service Regulations kindly wire if Corporation has any objection to the proposal.

VIII

Letter—from P. L. MOORE, Esq., C.I.E., I.C.S., President, Corporation of Madras.

To—the Chief Secretary to Government.

Dated—the 9th July 1913.

No.—R.O. Govt. C. 224.

With reference to your telegram No. 499, dated 5th instant enquiring whether the Corporation has any objection to the proposal to combine Mr. Griffith's service as Corporation Engineer with his service under Government for purposes of leave and pension, I have the honour to state that I shall place the matter before the Corporation at their next general meeting to be held on the 15th instant and communicate their resolution by wire.

IX

Telegram—from the Chief Secretary to Government.

To—the President, Corporation of Madras.

Dated—Ootacamund, the 17th July 1913.

No.—540, Financial.

Reference your letter 224, 9th (instant), regarding Griffith. Please expedite reply.

X

Telegram—from the President, Corporation of Madras.

To—the Chief Secretary to Government.

Dated—the 18th July 1913.

Your telegram regarding Griffith, Corporation approve Government's proposal to combine his service under both for pension.

XI

Telegram—from the Chief Secretary to the Government of Madras.

To—the Secretary to the Government of India, Educational Department.

Dated—Ootacamund, the 21st July 1913.

No.—557, Financial.

Your telegram [number] 1204 [of] second [instant] regarding (Mr.) Griffith. This Government and [the] Madras Corporation agree to rule of proportions being

applied under article 801 (1) [of] Civil Service Regulations if Griffith is allowed to count his service under Corporation for pension.

XII

Letter—from P. L. MOORE, Esq., C.I.E., I.C.S., President, Corporation of Madras.

To—the Chief Secretary to Government.

Dated—Madras, the 21st July 1913.

No.—R.O. Govt. C. 224.

With reference to your telegrams Nos. 499 and 540, dated 5th and 17th instant, I have the honour to state that the Corporation, at their adjourned general meeting held on the 18th instant, agreed to the proposal of the Government to combine the service of Mr. Griffith as Corporation Engineer from 7th June 1905 to 13th August 1910, with his service under Government for purposes of leave and pension and to regulate his pension in accordance with the rule of proportion.

XIII

Telegram—from the Secretary to the Government of India, Educational Department.

To—the Chief Secretary to the Government of Madras.

Dated—Simla, the 14th August 1913.

No.—1511, Education.

Reference correspondence ending your telegram 557 of 21st July. With permission of Governor in Council please wire whether Mr. Griffith was definitely given to understand at time of his appointment to Indian Educational Service in 1910 that he would be allowed to count for pension his service under Corporation and at the same time to add five years under article 403, Civil Service Regulations and be exempted from reduction of pension under article 478 (a), Civil Service Regulations.

XIV

Telegram—from the Chief Secretary to the Government of Madras.

To—the Secretary to the Government of India, Educational Department.

Dated—the 22nd August 1913.

No.—696, Financial.

Your telegram number 1511 of 14th instant. Mr. Griffith was definitely told at time of confirmation in Indian Educational Service that he would be allowed to add five years under article 403, Civil Service Regulations, and be exempted from reduction of pension under article 478 (a), Civil Service Regulations. No stipulation made at the time regarding counting of his service under Corporation towards pension.

XV

Letter—from F. W. JOHNSTON, Esq., C.S.I., C.I.E., I.C.S., Deputy Secretary to the Government of India, Finance Department.

To—the Chief Secretary to the Government of Madras.

Dated—Simla, the 29th September 1913.

No.—941-C.S.R.

With reference to the correspondence ending with the telegram from the Government of Madras No. 696, dated the 22nd August 1913, addressed to the Education Department, on the subject of the pensionary service of Mr. C. L. T. Griffith, Indian Educational Service, I am directed to say that the Accountant-General is correct in holding that if Mr. Griffith's service from June 1905 to the 13th August 1910 under the Madras Corporation were treated as qualifying for pension in combination with Government service under article 801, Civil Service Regulations, the concessions of an addition to his service under article 403 of those Regulations and exemption from the operation of the rule in article 478 (a) *ibid*, would not be admissible to him. The Government of Madras, however, seem to have informed him definitely at the time of his confirmation, that he would be admitted to those concessions; while on the other hand, no stipulation was made, at the time, that his service under the Corporation would count towards pension.

2. The Government of India are of opinion that, in the circumstances, the requirements of the case would be met if Mr. Griffith were given the option of—

(a) either accepting from the Corporation such gratuity or pension as his five years' service entitled him to and starting his career as a Government servant from the 14th August 1910, with the privileges of addition to service under article 403, Civil Service Regulations, and exemption from the operation of article 478 (a); or

(b) of counting his service under the Corporation towards pension in conjunction with Government service under article 801, without the other privileges referred to above.

I am to request that if His Excellency the Governor in Council has no objection, Mr. Griffith may be given the option of selecting one of the two alternatives mentioned.

XVI

Memorandum No. 3081-1, Educational, dated 27th October 1913.

With reference to his Endorsement No. 3057, dated 24th April 1912, submitting a petition from Mr. C. L. T. Griffith, Professor of Civil Engineering, Engineering College, the Director of Public Instruction is informed that the Government of India have decided that the requirements of the case would be met if Mr. Griffith were given the option of—

(a) either accepting from the Corporation of Madras such gratuity or pension as his five years' service entitled him to and starting his career as a Government servant from 14th August 1910 with the privileges of addition to service under article 403 of the Civil Service Regulations and exemption from the operation of article 478 (a); or

(b) of counting his service under the Corporation towards pension in conjunction with Government service under article 801 without the other privileges referred to above.

2. The Director of Public Instruction is requested to ascertain and report which of the two alternatives Mr. Griffith would prefer to select.

W. FRANCIS,
Ag. Secretary to Government.

To the Director of Public Instruction.

XVII

Letter—from the Hon'ble Sir ALFRED GIBBS BOURNE, D.Sc., F.R.S., K.C.I.E., Director of Public Instruction.

To—the Secretary to Government, Educational Department.

Dated—Madras, the 6th January 1914.

No.—Ref. on Cur. 3057/12.

With reference to your reminder, dated 12th December 1913, calling for an early reply to Memorandum No. 3081-1, Educational, dated 27th October 1913, regarding the leave, pension and exchange compensation allowance to Mr. C. L. T. Griffith, Professor of Engineering, College of Engineering, I have the honour to submit herewith for favour of orders a letter from Mr. Griffith, dated 12th December 1913, and to state that in a separate communication he requests to be allowed two months' time to enable him to arrive at a final decision in the matter.

ENCLOSURE.

Letter—from Mr. C. L. T. GRIFFITH, A.M. I.C.E., Professor of Civil Engineering, College of Engineering, Madras.

To—the Principal, College of Engineering, Madras.

Dated—the 12th December 1913.

In continuation of correspondence ending with your letter No. 2244-C, dated 5th December 1913, I have the honour to request that you will apply to the Director of Public Instruction to request the Government of Madras to pass orders on the requests contained in paragraph 9 and the middle part of paragraph 10 of my petition, dated 2nd April 1912, relating to exchange compensation allowance.

XVIII

Official Memorandum No. 74-1, Educational, dated 30th January 1914.

The Director of Public Instruction is requested to obtain from Mr. Griffith an application for exchange compensation allowance in the form prescribed in G.O. No. 432, Financial, dated 21st March 1899 (copy enclosed), and submit it to Government.

W. FRANCIS,
Ag. Secretary to Government.

To the Director of Public Instruction.

XIX

Letter—from the Hon'ble Mr. J. H. STONE, M.A., C.I.E., F.R.H.S., Acting Director of Public Instruction.

To—the Secretary to Government, Educational Department.

Dated—Madras, the 6th March 1914.

No.—Ref. on C. 3057/12.

In continuation of this office letter Ref. on Cur. No. 3057/12, dated 6th January 1914, I have the honour to submit herewith Mr. Griffith's reply to the alternative suggestions contained in Government Memorandum No. 3081-1, Educational, dated 27th October 1913.

ENCLOSURE.

Letter—from Mr. C. L. T. GRIFFITH, A.M. I.C.E., Professor, College of Engineering, Madras.

To—the Principal, College of Engineering, Madras.

Dated—the 11th February 1914.

In reply to your endorsement No. 2173-C, dated 20th November 1913, I have the honour to state that I am unable to express a preference for either of the options (a) or (b) set out in the Proceedings of the Director of Public Instruction, R.C. No. 3072/12, dated 17th November 1913.

2. Option (a) does not even propose to count my service from the date I re-commenced work in the College of Engineering and apparently defers the date of my furlough till on or after the 15th August 1918 when I shall have had 13½ years' continuous service in Madras city. I am advised by Medical officers that such a lengthy residence in Madras, combined with the fact that I get no holidays from work, is dangerous.

3. Option (b) tacitly admits my contention that I have been a Government servant since I arrived in India and I note this with satisfaction, and it also allows of my taking furlough at once or as soon as I can afford to, but by denial of the privilege of article 403, Civil Service Regulations, and by the imposition of penalties under article 478 (a), Civil Service Regulations, my pension would appear to be Rs. 300 or less—a poor return for the 22 years' work I shall have done by the time I am 55.

4. I purposely asked for my service to count from 23rd January 1905 so as to avoid having to bring up the question of the date of my commencement of my work in the Corporation of Madras, but as it is possible that the Government may decide that my service is to count from either the 6th or 7th of June 1905, and as the deduction under article 478 (a) will be dependant on which of those dates is adopted, I find it necessary to make the following statement.

5. I joined duty at the Municipal office at about 11-30 A.M. on 6th June 1905, which was my 33rd birthday, and signed the usual take-over paper to the effect that I had joined in the forenoon. This document was subsequently tampered with the word "fore" erased and the word "after" inserted, thereby throwing the date of my joining into my 34th year and increasing the penalty under article 478 (a).

6. I asked the President of the Corporation of Madras on 1st January 1914 for facsimile copy or photograph of the document to put up with this, but have been favoured with no reply. The Government will no doubt be able to obtain the original and verify my statement. I trust, however, that this irregularity will not have to be enquired into, and that my original request that my service be counted from the 23rd January 1905 will be granted.

XX

Letter—from Mr. C. L. T. GRIFFITH, Professor of Civil Engineering, College of Engineering, Madras.
To—the Director of Public Instruction (through the Principal, College of Engineering, Madras).
Dated—the 3rd June 1914.

I have the honour to request that I may withdraw my letter, dated 11th February 1914, which was sent in reply to your letter R.C. No. 3057/12, dated 17th November 1913 and instead of it to state that I accept the alternative proposal (A) made by the Government of India and communicated to me in your letter quoted above.

My reasons for making this change are of a personal and extremely private nature, but I shall have no objection to stating them in full for the consideration of the *ultimate deciding authority* in strict confidence.

I understand that if my present application is admitted by the Government, I shall be entitled to draw from the Corporation of Madras a sum of about Rs. 4,500 as a retiring gratuity. I have seen the President of the Corporation who has kindly consented to have the necessary papers prepared for me to sign in anticipation of sanction, but payment would of course be withheld until sanction be obtained.

As I am under orders to leave India, under medical certificate, and as my wife is so ill that it is impossible for her to accompany me and as the principal object of this application is to provide funds for my wife and children while I am on half pay, I request that the order sanctioning payment of whatever sum may be due to me may sanction the payment being made to—

Charles E. Odgers, Esq., M.A., Bar-at-law, and
Captain E. A. Roberts, I.M.S. of Coonoor,

who have kindly consented to act, and have been made legal trustees for my wife, by deed, during the time that I am out of India.

I request that the matter may be treated as one of *extreme urgency*.

N.R.C. No. 360/14, dated 9th June 1914.

Submitted to the Director of Public Instruction, Madras, in continuation of this office letter No. 257 C., dated 26th February 1914.

W. H. JAMES,
Principal, College of Engineering, Madras.

Ref. on Cur. No. 3057-12, dated 16th June 1914.

Submitted to Government in continuation of this office letter R.C. No. 3057/12, dated 6th March 1914.

J. H. STONE,
Director of Public Instruction.

XXI

Memorandum No. 764-2, Educational, dated 19th June 1914.

With reference to the correspondence ending with the letter from the President, Corporation of Madras, R.O. Govt. C. No. 224, dated 21st July 1913, regarding Mr. Griffith's services to the Corporation, the President is informed that the Government of India, to whom the question was referred for orders, have decided that the requirements of the case would be met if Mr. Griffith were given the option of—

(a) either accepting from the Corporation of Madras such gratuity or pension as his five years' service entitled him to and starting his career as a Government servant from 14th August 1910 with the privileges of addition to service under article 403 of the Civil Service Regulations and exemption from the operation of article 478 (a); or

(b) of counting his service under the Corporation towards pension in conjunction with Government service under article 801 without the other privileges referred to above.

2. Mr. Griffith has in his letter to the Director of Public Instruction, dated 3rd June 1914, definitely accepted the first of the above alternatives on the understanding that the Corporation will sanction him a gratuity for the services rendered by him to the Corporation in his capacity as Engineer. The President is requested to state whether the Corporation is prepared to sanction a gratuity and, if so, of what amount.

3. As Mr. Griffith proceeds very shortly on leave, an early answer to this reference is requested.

W. FRANCIS,
Secretary to Government.

To the President, Corporation of Madras.

XXII

Telegram—from the President, Corporation of Madras.
To—the Secretary to Government, Educational Department.
Dated—the 29th June 1914.

Your Memorandum No. 764/2, dated 19th regarding gratuity Griffith. Standing Committee do not see how gratuity can be paid in accordance with Civil Service Regulations.

XXIII

Letter—from P. L. MOORE, Esq., C.I.E., I.C.S., President, Corporation of Madras.
To—the Secretary to Government, Educational Department.
Dated—the 30th June 1914.
No.—R.O. Govt. Cur. 235.

With reference to Government Memorandum No. 764-2, dated 19th June 1914, enquiring whether the Corporation is prepared to sanction a gratuity to Mr. Griffith for his service in the Corporation as Corporation Engineer and, if so, of what amount, I have the honour to report that the Standing Committee before whom the matter was placed do not see how a gratuity can be paid to Mr. Griffith in accordance with the Civil Service Regulations. Under these regulations, which are applicable to the officers of the Corporation, the term pension includes gratuity and an officer is entitled to pension only under any one of the following circumstances:—

- (1) if he is over 55 years of age;
- (2) if he has put in 30 years' service;
- (3) if he is declared physically unfit for service; or
- (4) if he is discharged on account of reduction of establishment

None of these circumstances exist in the case of Mr. Griffith and he does not therefore seem to be entitled to any gratuity from the Corporation at present.

XXIV

Memorandum No. 2068-4, Educational, dated 5th September 1914.

The Government, while accepting the statement made in the President's letter, No. 235, dated 30th June 1914, that Mr. Griffith will not be immediately eligible for a gratuity for his service under the Corporation, consider that, in view of its exceptional circumstances, his case may justify a special treatment being accorded to him. Under section 12 of the Madras City Municipal Act, 1904, the Local Government is empowered to prescribe rules for the payment of pension or gratuity to the officers mentioned in that section, and under this power the Government have chosen to declare that the provisions of the Civil Service Regulations shall be applicable to the officers concerned. The Government consider that they are also competent to sanction departures from those provisions on special occasions. Under this authority the Government will be prepared to sanction a gratuity to Mr. Griffith for his service under the Corporation, if the Standing Committee would grant it. The President is accordingly requested to report whether, in the above circumstances, the Standing Committee will be prepared to sanction a gratuity, and if so, of what amount.

P. RAJAGOPALA ACHARIYAR,
Secretary to Government.

To the President, Corporation of Madras.

XXV

Letter—from Mr. C. L. T. GRIFFITH, Professor of Civil Engineering, College of Engineering [on leave, care of Dr. T. GUTHRIE, Colonial Sugar Refining Company (Limited), Sydney, New South Wales].

To—the Chief Secretary to Government.

Dated—the 8th September 1914.

I had the honour of an interview with you on about June 23rd, 1914, respecting the two offers made me by the Government of India in reply to my petition of April 1912. You informed me that you would communicate with Mr. P. L. Moore, I.C.S., regarding his statement to me that no gratuity or pension was payable to me by the Corporation of Madras.

As I have not heard from you, and as I believe Mr. Moore's statement is correct, I hereby withdraw my letter to the Director of Public Instruction, dated 3rd June 1914, accepting the Government alternative A and notify you that I accept the alternative B which counts my service in the Corporation as Government service.

Please acknowledge receipt of this letter to above address.

XXVI

Letter—from J. C. MOLONY, Esq., I.C.S., President, Corporation of Madras.

To—the Secretary to Government, Educational Department.

Dated—the 29th October 1914.

No.—R.O. Govt. C. 396.

With reference to Government Memorandum No. 2068-4, dated 5th September 1914, I have the honour to report that the Corporation at their meeting held on 23rd October 1914, approved of the recommendation of the Standing Committee that a gratuity of £200 be paid to Mr. C. L. T. Griffith, as a special case, with the sanction of Government, for his services under the Corporation.

XXVII

Memorandum No. 3332-1, Educational, dated 3rd November 1914.

With reference to his letter of the 8th September 1914, Mr. C. L. T. Griffith is informed that the Corporation of Madras is willing to pay him, as a special case, and subject to the sanction of the Government, a gratuity of £200 for his services under that body. He is requested to report finally which of the two alternatives suggested by the Government in Memorandum No. 3081-1, Educational, dated the 27th October 1913, he would now prefer.

P. RAJAGOPALA ACHARIYAR,
Secretary to Government.

To C. L. T. Griffith, Esq., through the Director of Public Instruction.

XXVIII

Letter—from Mr. C. L. T. GRIFFITH, Professor of Civil Engineering, College of Engineering, Madras.

To—the Director of Public Instruction, Madras (through the Principal, College of Engineering, Madras).

Dated—the 1st January 1915.

In reply to Memorandum No. 3332-1, Educational, dated 3rd November 1914, I have the honour to state that if the Government will recommend or sanction two years' furlough, from the end of the next college vacation, being about June 25th 1915, I would prefer to accept alternative B which counts my service in the Corporation as Government service and entitles me to claim two years' furlough, as my joint service without a break amounts to more than eight years.

But in the event of the Government being unable or unwilling to grant me furlough, as requested, I would accept alternative A and the gratuity of £200 referred to in the memorandum just quoted above.

N. Ref. on Our. No. 3057/12, dated the 11th January 1915.

Submitted to Government with reference to Memorandum No. 3332-1, Educational, dated 3rd November 1914.

J. H. STONE,
Director of Public Instruction.

XXIX

Memorandum No. 117-1, Educational, dated 16th January 1915.

The Accountant-General is requested to state whether Mr. C. L. T. Griffith, Professor of Civil Engineering in the College of Engineering, Madras, will be eligible for furlough for two years in continuation of the summer vacation of the college, i.e., from the 26th June 1915, if his services under the Madras Corporation from the 7th June 1905 to the 13th August 1910 are allowed to count towards pension in conjunction with his service under the Government under article 801 of the Civil Service Regulations.

P. RAJAGOPALA ACHARIYAR,
Secretary to Government.

To the Accountant-General.

XXX

Letter—from Mr. C. L. T. GRIFFITH, Professor of Civil Engineering, College of Engineering, Madras.

To—the Chief Secretary to Government.

Dated—the 27th February 1915.

I request you will be good enough to urge the Government of Madras to make a very early decision as to whether my time in the Corporation of Madras is to count as Government service or not. The matter has been "under consideration" (!) for nearly 4 (?) years. My reason for writing to you is that I do not wish to put the Government or the College of Engineering to the inconvenience of having to find a substitute for me in a hurry. My health will not permit me to take up my college work next term (June 25). If I cannot get the furlough I have asked for it will be necessary for me to resign. By law I need only give one month's notice, and this is intended as a preliminary advice of my intentions. I advised Mr. James to this effect last December, and I think I told you the same when I saw you in Ootacamund last June.

XXXI

Letter—from K. L. DATTA, Esq., M.A., Accountant-General, Madras.

To—the Secretary to Government, Educational Department.

Dated—Fort St. George, the 3rd March 1915.

No.—G.A. 58/27150.

With reference to Memorandum No. 117-1, Educational, dated 16th January 1915, regarding the eligibility of Mr. C. L. T. Griffith for furlough for two years in continuation of the summer vacation of the College of Engineering, i.e., from 26th June 1915, I have the honour to state that the period of his service under the Corporation will not without express orders from the Government of India count for leave, although the Local Government may allow it to count for purposes of pension under the provisions of article 801, Civil Service Regulations.

2. Mr. Griffith is not entitled to furlough without medical certificate in continuation of the summer vacation of 1915, as he would not have rendered three years continuous service since his return from furlough in December 1914 (Article 308, Civil Service Regulations). He may however be granted furlough on medical certificate for a period not exceeding one year under article 311 (b) of the Civil Service Regulations.

XXXII

Letter—from C. L. T. GRIFFITH, Esq., Professor of Engineering College of Engineering, Madras.

To—His Excellency the Governor in Council, Madras.

Dated—the 14th March 1915.

There appear to be insuperable difficulties in my obtaining confirmation of the office of the Government of India to count my Corporation service as Government service and consequent furlough due to an officer of over 10 years' service, so I am compelled to tender my resignation of my post as Professor of Civil Engineering, College of Engineering, Madras, which I hereby do.

I request I may be informed before the next English Mail leaves Madras, the date on which the Government will permit me to depart.

C. No. 234-15, dated 15th March 1915.

Submitted to the Director of Public Instruction with copies of correspondence.

I would wish for the sake of the College to retain the services of Mr. Griffith, but I gather he has definitely made up his mind to sever all connection with India.

2. I understand he wishes to leave as soon as possible, and as far as the College is concerned he can be relieved when the sessional examination work is completed, about a month from now.

W. H. JAMES,
Principal, College of Engineering, Madras.

ENCLOSURES.

(1)

Letter—from C. L. T. GRIFFITH, Esq., Professor of Civil Engineering, College of Engineering, Madras.

To—the Principal, College of Engineering, Madras.

Dated—the 14th March 1915.

With reference to your E. C. No. 360/14, dated 13th March 1915, I have the honour to state that in my correspondence with the Government regarding furlough I have not asked for leave on medical certificate, but I have asked for ordinary furlough due to officers of 8 years service or over.

I have, however, called on the Surgeon of the 4th District, my official Medical Officer (Col. Donovan, I.M.S.) but he declined to examine me without some demand document from yourself; and he further informed me that in the event of his considering that medical leave was requisite, I should have further to be examined by a Medical Board. In view of my past experience, I am extremely loath to submit myself to a Medical Board and all this would cause further delay. My mother is extremely ill, I must leave India as soon as possible and I, therefore, enclose my resignation of my post.

(2)

Letter—from W. H. JAMES, Esq., Principal, College of Engineering, Madras.

To—the Professor of Civil Engineering.

Dated—the 15th March 1915.

[Reference.—Your letter, dated 14th March 1915.]

If asked, I must, of course, furnish you with a letter to the District Medical Officer.

As you have communicated to me the statement of that officer, it will regularise matters if you will let know your desire in this connection.

Either that you wish to have a letter or that you have no intention of applying for one.

(3)

Letter—from C. L. T. GRIFFITH, Esq., Professor of Civil Engineering, College of Engineering, Madras.

To—the Secretary to Government, Educational Department.

Dated—the 15th March 1915.

I do not wish to submit myself to examination by any member of the Indian Medical Service and do not apply for an order accordingly.

Office-note.

I pointed out on personal delivery of this that it was open to Mr. Griffith to take leave without pay, but he again re-iterated his desire to be quite a free agent.

W. H. JAMES.

15th March 1915.

N Ref. on Cur No 2036 of 1915, dated 17th March 1915.

Submitted to Government together with the declaration signed by Mr. Griffith under rule 10 of Appendix A to the Government Servants' Conduct Rules, 1904, and recommended.

2. The Principal, College of Engineering, considers that Mr. Griffith can be relieved when the Sessional Examination work is completed which will be about the middle of next month. The reason for keeping him after the 9th proximo, the date on which it is proposed to close the College for the ensuing summer vacation, is to give him a week extra to clear up his valuation work which is usually done during the vacation.

3. Government will be addressed separately regarding the recruitment of a successor to Mr. Griffith.

H. S. DUNCAN,
Ag. Director of Public Instruction.

ENCLOSURE.

Certificate under rule 10 of Appendix A of Government Servants' Conduct Rules.

I hereby state that I understand the consequence of the resignation of my appointment as Professor of Civil Engineering at the College of Engineering (i.e.) the forfeiture of my past service and of any retiring allowance to which I would otherwise become eligible.

COLLEGE OF ENGINEERING,
Madras, 15th March 1915.

C. L. T. GRIFFITH,
Professor of Civil Engineering.

Order—No. 332, Educational, dated 23rd March 1915.

The Government accept the resignation tendered by Mr. C. L. T. Griffith of his appointment in the Indian Educational Service as Professor of Civil Engineering in the College of Engineering, Madras, and they approve the proposal to relieve him about the middle of April 1915 when the sessional examination work is completed.

(True Extract.)

P. RAJAGOPALA ACHARIYAR,
Secretary to Government.

To the Director of Public Instruction.

„ Accountant-General.

„ Local and Municipal Department with notes.

EDUCATIONAL DEPARTMENT.

NOTES CONNECTED WITH G.O. No. 332, EDUCATIONAL,
DATED 23RD MARCH 1915.

[SUBJECT.—Application from Mr. C. L. T. Griffith for counting his temporary service and service under municipality for leave and pension and for the grant of exchange compensation allowance.]

Previous papers :

G.O. Nos.	291-2, Financial,	dated 10th April	1890.
" No.	432	" 11th June	"
" "	1006 M.	" 7th July	"
" "	785, Financial	" 4th November	"
" Nos.	925-26	" 8th December	"
" "	240-241 M.	" 21st February	1891.
" No.	762 M.	" 21st May	"
" "	670, Financial	" 31st July	"
" "	1992 L.	" 17th August	"
" Nos.	1273-74, Financial	" 3rd December	"
" No.	1282	" 5th "	"
" "	138	" 3rd February	1892.
" "	408	" 2nd April	"
" Nos.	522-23	" 11th May	"
" "	634-35	" 16th June	"
" No.	638	" "	"
" "	1197 M.	" 9th July	1892.
" "	371, Financial	" 11th April	1893.
" "	13	" 6th January	1898.
" "	1081	" 19th November	"
" "	432	" 21st March	1899.
" "	20, Educational	" 16th January	1905.
Letter	140	" 9th March	"
G.O. "	563 M.	" 15th "	"
" "	1089 M.	" 5th June	"
" Nos.	489-490, Educational	" 15th July	"
" No.	602	" 6th September	"
" "	827	" 16th December	"
" "	1619 M.	" 8th September	1906.
" "	265, Educational	" 3rd April	1908.
" "	736 M.	" 30th "	"
" Nos.	1302-1302-A. M.	" 3rd August	"
" No.	207, Educational	" 18th April	1910.
" "	459	" 5th August	"
" "	196	" 4th April	1911.
" "	686	" 28th September	"
" "	297, Financial	" 23rd April	1913.
" "	1222, Educational	" 20th December	"
" R. "	201	" 26th June	1914.
" "	1067	" 11th September	"
" "	101	" 1st February	1915.

From the Director of Public Instruction, dated 24th April 1912, No. 3057.

Mr. Griffith's petition may in the first instance be referred for remarks to the Accountant-General through whom it should have been submitted. The draft below is for approval.

T.K.—13-5-12.

C. RAMANUJA ACHARI—14-5-12

M. S. MASCARENHAS—14-5-12.

[Memorandum No. 1232-1, Educational, dated 14th May 1912.]

From the Accountant-General, dated 18th June 1912, No. G. A. 58-1-5965.

In his petition Mr. Griffith, Professor of Civil Engineering, College of Engineering, makes two requests, namely—

(1) that his service from the 23rd January 1905 may be counted towards leave and pension, and

(2) that he may be granted exchange compensation allowance with retrospective effect from the 14th August 1910.

2. (1) *Counting of previous service towards leave and pension.*—Mr. Griffith was appointed by the Secretary of State in December 1904 to be temporary Professor of Civil Engineering in the College of Engineering for a period of 18 months during the absence on other duty of Mr. Chatterton. He joined the appointment on the 23rd January 1905 and held the post till the 5th June 1905, when he resigned the appointment on being appointed by Government to be Engineer to the Madras Corporation. He was Corporation Engineer from the 7th June 1905 to 6th August 1910, when he was again appointed acting Professor of Civil Engineering in the College of Engineering. He has since been confirmed as Professor of Civil Engineering with effect from the 14th August 1910.

G.O. No. 20, Educational, dated 16th January 1905.
Letter No. 140, dated 9th March 1905.
G.O. No. 489, Educational, dated 15th July 1905.
G.O. No. 1089 M., dated 5th June 1905.
G.O. No. 459, Educational, dated 5th August 1910.
G.O. No. 196, Educational, dated 4th April 1911.

3. The Accountant-General states that the service rendered by Mr. Griffith from 23rd January 1905 to 5th June 1905 cannot be counted towards pension or leave, as it was not temporary service fulfilling the conditions of article 370 of the Civil Service Regulations, but that his service from 7th June 1905 to 13th August 1910 can be counted towards pension, as that portion of his pension earned by service under the Corporation is payable by that body under sections 12 (2) and 65 (2) of the Madras City Municipal Act, 1904, and that a single pension for his combined service can be granted to Mr. Griffith and debited to the municipal and general revenues according to the rule of proportions, if Government consider that Mr. Griffith was transferred from his municipal employment in the interest of Government service. The Accountant-General further states that Mr. Griffith's combined services will then qualify for leave also under article 201 of the Civil Service Regulations.

4. Please see G.O. No. 459, Educational, dated 5th August 1910, and the notes therewith for the circumstances under which Mr. Griffith was appointed Professor of Civil Engineering. Though Mr. Griffith first moved in the matter and applied for the post, his appointment appears to have been in the interest of Government service. If the Government accept this view Mr. Griffith may be informed, with the concurrence of the Pension Department, that his service under the Corporation from 7th June 1905 to 13th August 1910, will be counted towards leave and pension.

L.D. A

5. (2) *Exchange compensation allowance.*—As Mr. Griffith is holding an appointment included in the cadre of the Indian Educational Service, the Accountant-General states that he is eligible for the allowance officially (paragraph 30 of the Government of India Resolution printed with G.O. No. 1081, Financial, dated 19th November 1898) and that if the Government consider Mr. Griffith to be personally eligible, he may be granted the allowance. As Mr. Griffith is not a native of India there can be no question as to his being personally eligible for the allowance. Mr. Griffith may therefore be told with the concurrence of the Financial Department

L.D. B to submit an application in the prescribed form for the allowance.

T.K. -11-7-12.

There seems to be no doubt about Mr. Griffith's ineligibility to count his temporary service in the Educational department from the 23rd January to 5th June 1905 for leave and pension. Though his appointment as Corporation Engineer was made "unsolicited by Mr. Griffith" and

Vide letter to India No. 490, Educational, dated 15th July 1905 on page 4 of G.O. No. 489, Educational, dated 15th July 1905.

was considered to have been made "in the public interest," no continuity of service could be claimed, as there was

a distinct termination of the former appointment under Government by a resignation which was accepted. Mr. Griffith's arguments in paragraphs 3 to 5 of his letter do not seem to be valid.

2. As regards his service under the Corporation, section 65 (2) of the Madras City Municipal Act, 1904, makes the payment of contribution by the Corporation incumbent in the case of its officers transferred to Government service. The rules of the Governor-General in Council in this behalf referred to in the section are those contained in the Civil Service Regulations. Note 1 to article 801 of the Civil Service Regulations authorizes the Local Government to sanction the application of the rule of proportions.

3. The only condition then for the application of this rule is whether Mr. Griffith's retransfer to the Educational department was in the interests of the service. Though Mr. Griffith was anxious to quit Corporation service and re-enter Educational service on the ground of health, the Government were at that time

equally anxious to secure a successor to Mr. Lobban who had relinquished his appointment in the Engineering College. It is therefore submitted that it may be taken that Mr. Griffith's retransfer was on public grounds.

4. It does not seem necessary to consult the Corporation in the matter. The appointment of the Engineer vests in Government and the provisions of section 65 (2) are obligatory.

5. The remarks of the Local and Municipal, Pension and Financial Departments may be invited on the disposal suggested at "A and B" *supra*.

C. RAMANUJACHARI—16-7-12.

Yes. I endorse A and B.

L. DAVIDSON—17-7-12.

To the Local and Municipal }
" Financial } Department.
" Pension }

LOCAL AND MUNICIPAL DEPARTMENT.

It is submitted that Local and Municipal may agree that the transfer of Mr. Griffith to the Indian Educational Service was made on public grounds. This

Vide Secretary's note *supra*.

being so the Corporation is bound to pay, under section 65 (2) of the Madras City Municipal Act, 1904, such contribution as is under the Civil Service Regulations and the rule of proportions payable by it towards the pension and leave allowances of Mr. C. L. T. Griffith. As observed by Educational at Z *supra* it does not appear to be necessary to consult the Corporation at this stage.

2. Attention is in this connection invited to G.O. No. 1619 M., dated 8th September 1906, in which the question of considering Mr. Griffith as having taken charge of the office of Engineer to the Corporation of Madras from the 6th June 1905

The 6th June 1905 was his 33rd-birth day and if he was considered to have taken charge on the 7th his pension would be subject to a further reduction of one-fortieth.

P. T. THARYAN—30-7-12.

Regulations—*vide* paragraph 1 (iii) of memorandum No. 615-1, Educational, dated 22nd March 1911, on page 3 of G.O. No. 196, Educational, dated 4th April 1911.

T.B.R.—30-7-12.

P. T. THARYAN—30-7-12.

L. DAVIDSON—1-8-12.

To the Financial }
Pension } Department.

PENSION DEPARTMENT.

(I have removed the note put up by the Pension Superintendent as it was lengthy, it repeated what was stated in Educational and Local and Municipal and it was not quite correct.)

Reference is invited to—

G.O. No. 1282, Financial, dated	5th December 1891.
" " 408 " "	2nd April 1892.
" " 635 " "	16th June "
" " 371 " "	11th April 1893.

Paragraph 4 of the Government of India Resolution recorded in the last order requires that when it is proposed to transfer an officer already earning pension under a municipality to service under Government, care should be taken beforehand to settle the liability for his pension. In the case of Mr. Griffith, the conditions upon which it was proposed to take him with Government service were intimated to him in memorandum No. 615-1, Educational, dated 22nd March 1911, and he accepted them unconditionally. Mr. Griffith is therefore bound by these conditions and he is not entitled to go behind them.

Does he want to.

A. G. CARDEW.

2. Rule (1) under article 801, Civil Service Regulations, quoted by the Accountant-General seems to refer to cases of transfer of Government servants to service under Local funds and not to cases of transfer of local fund servants to Government service. There does not, however, appear to be anything in chapter XLII, Civil Service Regulations to prevent Government from applying the Rule of Proportions (article 45, Civil Service Regulations) to the case of Mr. Griffith, and allowing him to combine his service under the corporation with that under Government for the purpose of pension. If this is done, the Corporation is bound to contribute to his pension and leave allowances under section 65 (2) of Madras Act III of 1904.

3. The Accountant-General states that the combined service will qualify for leave under article 201, Civil Service Regulations; but this article refers to temporary and officiating service which counts for pension. But Mr. Griffith's service under the Corporation was neither temporary nor officiating. He held a permanent pensionable appointment under the Corporation and would seem to be governed by articles 390 and 800, Civil Service Regulations, and section 65 (2) of Act III of 1904.

M. S. MASCARENHAS—22-8-12.

FINANCIAL DEPARTMENT.

Service from the 23rd January 1905 to the 5th June 1905 as temporary Professor of Civil Engineering.—As pointed out by the Accountant-General there is no case for any concession—*vide* article 370, Civil Service Regulations.

2. *Service from 7th June 1905 to 6th August 1910 under the Madras Corporation as Engineer and service from 7th August 1910 to 13th August 1910 when he held temporarily the appointment of Professor of Engineering, with a lien on his permanent appointment as Engineer of the Corporation.*—The pension for this is admissible as a charge on the Corporation.

3. *Service from the 14th August 1910* is service under Government and the pension is ordinarily payable from general revenues.

4. The terms on which Mr. Griffith was confirmed from the 14th August 1910 as Professor of Civil Engineering in the College of Engineering, will be found in memorandum No. 615-1, Educational, dated 22nd March 1911. It would appear that Mr. Griffith should not be allowed

to depart from those terms. Among those terms were that he would be entitled to add 5 years to his qualifying service if he retired on a superannuation pension—article 403 of the Civil Service Regulations, and that he would also be exempted from any reduction of pension under article 478 A of the Civil Service Regulations. Article 403 above referred to requires that the *entire* pensionable service should be in the Educational Department and under note 5 under article 478 A the reduction in the superannuation pension will not operate in such cases. If the two concessions mentioned above are to be availed of, Mr. Griffith can count service for pension only from the 14th August 1910 and cannot combine with this service his previous municipal service. The position is that Mr. Griffith should either abide by the terms above mentioned and count service from the 14th August 1910 or elect to combine the municipal and Government service, in which case the two concessions will not hold good and his pension will be liable to reduction under article 478 (a). There is, however, this point to be noted that by the combination of the two services Mr. Griffith becomes eligible to better leave concessions than otherwise. If the position is made clear to him, Mr. Griffith is not likely to ask for the combination of the two services.

5. *Paragraph 2 of Under Secretary's note, dated 22nd August 1912.*—It is submitted that the Accountant-General in paragraph 3 of his letter refers particularly to the second sentence in note 1 to article 801, Civil Service Regulations, under which sanction of Government is necessary to the application of the rule of proportion—to service partly under local fund (here Corporation of Madras).

6. *Paragraph 3 of Under Secretary's note, dated 22nd August 1912.*—It is submitted that the Accountant-General had apparently in view particularly the temporary service of the officer from 7th August 1910 to 13th August 1910 as no remarks are necessary about permanent service. Please see also the note under the article (article 201 of Civil Service Regulations). If the last sentence "the combined service . . . regulations" in paragraph 3 of Accountant-General's letter had appeared as the second sentence, the meaning would have been made clearer.

7. *Exchange compensation allowance.*—The view expressed in paragraph 5 of the Educational note on page 2 *ante* may be accepted.

S.D.S.—10-9-12.

T. HARI RAO—10-9-12.

Chief Secretary—

C. REILLY—12-9-12.

Will the Accountant-General be so good as to advise whether, if Mr. Griffith is allowed to count towards pension his service under the Corporation of Madras from 7th June 1905 to 6th August 1910, he will thereby cease to be eligible for the privileges secured to him by Memorandum No. 615, Educational, dated 22nd March 1911. I am inclined to think that the

effect of the terms granted by that Memorandum (which Mr. Griffith expressly accepted) was to give him unconditionally the advantage of five years' additional service and to exempt him from reduction of pension under article 478-A, Civil Service Regulations; and that those concessions will not be affected if he is now allowed, under article 801, Civil Service Regulations, to count towards pension his service under the Corporation in accordance with the rule of proportions. The words "pensionable service" in article 403 refer, I am inclined to think, to service under Government, and do not include previous service under another employer which under article 801, Civil Service Regulations, is allowed to qualify for pension paid by that employer.

A.G.C.—15-9-12.

To the Accountant-General.

ACCOUNTANT-GENERAL'S OFFICE.

It is a question of the meaning of the words "whole pensionable service" in article 403 of the Civil Service Regulations. The Civil Service Regulations speak of service under Government which qualifies for pension and of service under local funds which also qualifies for pension—the difference between these two being that the pension for the former service is paid by Government, and for the latter service by the local bodies concerned. Both services are however treated in the Civil Service Regulations as services qualifying for pension, i.e., pensionable service.

2. Unless therefore Government of India state that in article 403 the words "pensionable service" refer only to service under Government—the pension for which is paid by Government—in my opinion they must be taken as referring to pensionable service of any kind whatever. This being the case, if Mr. Griffith's service under the Corporation be combined with that under Government so as to count for pension, he will cease to be eligible for the special privileges of five years' additional service and exemption from the reduction of pension secured to him by Memorandum No. 615, Educational, dated the 22nd March 1911.

Page 3 of G.O. No. 196, Educational, dated 4th April 1911.

J. F. GRAHAM—26-9-12.

To the Financial Department.

FINANCIAL DEPARTMENT.

Submitted for orders.

2. The file may perhaps be returned to the Educational Department with reference to A in paragraph 3 of the Financial Department note, dated 12th September 1912, on the previous page.

S.D.S.—1-10-12.

T. HARI RAO—1-10-12.

C. REILLY—3-10-12.

To the Educational Department.

A. G. CARDEW—4-10-12.

EDUCATIONAL DEPARTMENT.

The questions dealt with in the file are (i) whether Mr. Griffith's service under the Corporation from 7th June 1905 to 6th August 1910 can be combined with his service under Government from the 7th August 1910 for purposes of pension, and (ii) whether Mr. Griffith is eligible for exchange compensation allowance.

2. As regards (i) the Accountant-General points out that if Mr. Griffith's service under the Corporation were combined with his service under Government he would cease to be eligible for the addition of five years' service under article 403 of the Civil Service Regulations and would further become liable for reduction of pension under article 478-A. The Accountant-General's objection is based on the expression "whole pensionable service" in article 403 of the Civil Service Regulations which, he states, means pensionable service of any kind whatever whether under Government or a local body. If the Accountant-General's interpretation is correct Mr. Griffith's first request cannot be granted. It is for consideration whether the Accountant-General's view may be accepted and Mr. Griffith's request refused or whether any reference may be made to the Government of India as regards the interpretation of the expression in question. If the latter course is to be adopted the references will have to be made by the Financial department.

Rule 10 of the Inter Departmental rules.

3. With reference to the second question Mr. Griffith's eligibility for exchange compensation allowance has been admitted. He may therefore be asked to submit an application for it in the prescribed form.

T.K.—15-11-12.

The Financial Department do not state whether they accept or not the interpretation put up on article 403 by the Accountant-General. Apparently they do: at any rate they do not dispute it. It is, however, submitted that the Accountant-General's interpretation does not appear to be convincing. The words "whole pensionable service" should not be construed independently of the context; the succeeding words limit their application. They are "has been passed in one or other of such offices" and these eight * offices are enumerated in the article. None of these appointments can ever come under the service of a local board. Though the services of some of the incumbents of these offices † may occasionally be lent to local fund service, such service cannot be taken as service in one or the other of the offices specified. It thus seems plain enough that service under Government only was meant by "whole pensionable service" in article 403; and local fund service cannot have any reference to it, though generally speaking "pension service" may admit of the wider interpretation suggested by the Accountant-General. The matter is important and it affects Mr. Griffith's prospects. It is submitted that the Accountant-General may be requested to re-examine the position. If he does not accept, a reference to "India" may be desirable.

* Deputy Legal Remembrancer Assistant Secretary, Bengal Legislative Council, Presidency Magistrates, Small Cause Court Judges, the Government Astronomer, Observatory Director, Superintendent, Government Museum, and Members of the Indian Educational Service.

† Probably in the case of Indian Educational Service officers.

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In case it is considered unnecessary to pursue the question of interpretation further, the next point for consideration is

(i) whether any special representation (to go beyond the Civil Service Regulations) should be made to the Government of India to give Mr. Griffith the benefits of article 403 and exemption from article 478 (a) in addition to the permission to combine ‡ municipal service, or

(ii) whether Mr. Griffith may be asked to decide which of the two alternatives he will have, as suggested by Financial at A on page 6 *supra*.

In paragraph 10 of his petition Mr. Griffith requests that the Government may address the Government of India or the Secretary of State if need be, and secure him the concessions he asks for. If those referred to in (i) above are not granted, Mr. Griffith's prospects will be affected as shown below:—

Page 4 of notes with G.O. No. 196, Educational, dated 4th April 1911.

He was born on the 6th June 1872.
He will be 55 on the 6th June 1927.

- (1) With the combination of municipal service which began on 7th June 1905, he would have on that date put in 22 years of service eligible for pension.
- (2) Without the municipal service, his pensionable service should be taken to have begun on 7th August 1910 and he would have put in 1927 a total service of about 17 years.

If the concession provided in article 403 is given,

Article 474 of Civil Service Regulations.	under (1) he will have 27 years of service and be entitled to a pension of Rs. 416 $\frac{2}{3}$.	under (2) he will have 22 years of service and be entitled to a pension of Rs. 366 $\frac{2}{3}$.
On the assumption that he will then draw a salary of Rs. 1,000 per mensem.		

No reduction under article 478 (a) will then be made in either case.

If the concession is denied, he will—

under (1), be entitled to a pension of Rs. 366 $\frac{2}{3}$ for 22 years' service and his pension will be liable to a reduction of Rs. 27-8-0, being 3/40ths under article 478 (a):

He will not have the leave concessions.

Thus:—

	RS.
(i) Combination and concession will give him a pension of..	416 $\frac{2}{3}$
(ii) Combination alone	339
(iii) Concession alone	366 $\frac{2}{3}$

Attention is invited to article 915 of the Civil Service Regulations which prevents premature applications for orders of questions affecting pension of officers. The circumstances of the case may, however, be taken as justifying an exceptional treatment.

C. RAMANUJACHARI—20-11-12.

I do not think any reference should be made to Mr. Griffith until we are certain what the rules mean. The Accountant-General's view differs from that taken in the first instance by the Chief Secretary, and the point, as it seems to me, is of sufficient importance to demand an authoritative ruling. Educational would, therefore, be obliged if Financial would kindly make a reference to the Government of India.

L. DAVIDSON—20-11-12.

To the Financial Department.

FINANCIAL DEPARTMENT.

Attention is solicited to the Chief Secretary's notes, dated 15th September 1912, and the Accountant-General's note, dated 26th September 1912. The latter officer held that the words "pensionable service" in article 403 of the Civil Service Regulations refer to pensionable service of whatever kind and not only to pensionable service under Government as stated by the Chief Secretary. It appears that the Accountant-General's interpretation has been accepted in Financial.

2. With reference to the further notes in Educational the old editions of the Civil Service Regulations have been looked up to see whether any clue could be found to clear the point, but without success.

3. It may be noted that while in article 403 of the Civil Service Regulations which, among others, deals with members of the Indian Educational Service who entered that service after 23rd July 1896 the words used are "whole pensionable service .. .

Who were in the department on 23rd July 1896? .. .", in article 404 of the Civil Service Regulations which deals with the other members of the Educational Service the

words used are "whose service for which pension is claimed .. . has been passed wholly in one or other of the following offices." Here the view taken by the Accountant-General appears to be clearer.

4. It is for orders whether, as desired by the Educational Secretary, a reference should be made to the Government of India to ascertain the meaning of the words used in section 403 of the Civil Service Regulations.

P. GOVINDA MENON—6-12-12.

C. REILLY—7-12-12.

It seems necessary to refer to the Government of India as Mr. Griffith was offered and accepted certain definite terms.

A. G. CARDEW—9-12-12.

Very well.

H. A. S[UART]—11-12-12.

A draft letter is submitted. It may go to Educational before issue.

P. GOVINDA MENON—2-1-13.

C. REILLY—10-1-13.

Issue.

A.G.C.—12-1-13.

[Issued as Letter No. 7227-1, dated 16th January 1913.]

No reply has yet been received from the Government of India to the letter referred to on page 7 ante. A draft reminder is submitted for approval.

C.K.—18-6-13.

T. HARI RAO—18-6-13.

C.R.—26-6-13.

A.G.C.—31-6-13.

[Issued as No. 7227-2, Financial, dated 23rd June 1913.]

Telegram from the Government of India (Education Department), dated 3rd July 1913, No. 1204.

The Government of India now enquire whether the local Government and the Corporation of Madras agree to the rule of proportions being applied under article 801 (1) of the Civil Service Regulations, in case Mr. Griffith is allowed to count his service under the Corporation for pension.

2. So far as this Government are concerned there can be no doubt on this point. Please see paragraphs 2-4 of Educational Department note, dated 17th July 1912, on page 2 ante and Chief Secretary's note, dated 15th September 1912, on pages 5 and 6 ante.

3. As regards the Corporation it has been pointed out in paragraph 1 of the Local and Municipal note, dated 1st August 1912, that that body is bound to pay under section 65 (2) of the Madras City Municipal Act, 1904, such contribution as is under the Civil Service Regulations and the rule of proportions payable by it towards the pension and leave allowances of Mr. Griffith's. They did not, however, think it necessary to consult the Corporation then. As, however, the Government of India particularly desire its agreement to the proposal, a reference may be made to the Corporation by telegram. Draft submitted, which may issue with the concurrence of the Local and Municipal Department.

C.K.—3-7-13.

T. HARI RAO—3-7-13.

C.R.—5-7-13.

A.G.C.—5-7-13.

To the Local and Municipal Department.

LOCAL AND MUNICIPAL DEPARTMENT.

Accepted in Local and Municipal.

W. FRANCIS—5-7-13.

To the Financial Department.

FINANCIAL DEPARTMENT.

Issue.

C.R.—5-7-13.

[Issued as telegram No. 499, dated 5th July 1913.]

From the Corporation of Madras No. R.O. Govt., C. 224, dated 9th July 1913.

The current may, it is submitted, lie over, till the 15th July 1913.

V.V.—12-7-13.

V. GOPALAKRISHNAN—14-7-13.

C. REILLY—14-7-13.

No reply has yet been received from the Madras Corporation although they promised to wire on 15th July 1913. (The Government of India in their telegram of 2nd July 1913 wanted reply by wire.)

2. Draft telegram (reminder) to the Corporation is submitted for approval.

V.V.—17-7-13.

V. GOPALAKRISHNAN—17-7-13.

Issue.

C. REILLY—17-7-13.

[Issued as telegram No. 540, dated 17th July 1913.]

Telegram from the President, Madras Corporation, dated 18th July 1913.

The Corporation of Madras accepts the proposal in this Government's telegram of 5th July. They evidently have no objection to the proposal that Mr. Griffith's pension should be regulated according to the rule of proportion under article 801 (1), Civil Service Regulations, although they do not explicitly say so.

2. Draft telegram to the Government of India is submitted for approval which may issue with the concurrence of the Local and Municipal Department.

V. GOPALAKRISHNAN—19-7-13.

C. REILLY—19-7-13.

A. G. CARDEW—19-7-13.

To the Local and Municipal Department.

LOCAL AND MUNICIPAL DEPARTMENT.

Accepted in Local and Municipal Department.

W. FRANCIS—21-7-13.

To the Financial Department.

FINANCIAL DEPARTMENT.

Submitted that the draft telegram may now issue.

V. GOPALAKRISHNAN—21-7-13.

Issue.

C. REILLY—21-7-13.

[Issued as telegram No. 557, dated 21st July 1913.]

*From the President, Corporation of Madras, dated 21st July 1913,
No. R.O. Govt. Cur. 224.*

In continuation of their telegram, dated 18th July 1913, the Corporation of Madras, in accepting the proposal in this Government's telegram of 5th July, now state definitely that they agree to the proposal to regulate Mr. Griffith's pension in accordance with the rule of proportion.

2. The current may, it is submitted, lie over pending the final orders of the Government of India.

V.V.—25-7-13.

V. GOPALAKRISHNAN—28-7-13.

Lie over.

C. REILLY—28-7-13.

*From the Government of India, Education Department, No. 1511,
dated 15th August 1913.*

Please see memorandum No. 615-1, Educational, dated 22nd March 1911, on page 3 of G.O. No. 196, Educational, dated 4th April 1911, which contains the terms on which Mr. Griffith was confirmed in the Indian Educational Service. Among those terms were—

(1) that he would be entitled to add five years to his qualifying service, if he retired on a superannuation pension, article 403 of the Civil Service Regulations, and

(ii) that he would be exempted from any reduction of pension under article 478 (a) of the Civil Service Regulations.

There was, however, no stipulation that he would be allowed to count for pension his service under the Madras Corporation.

2. Submitted that the Government of India may be informed to the above effect. Draft telegram is submitted, which may go to the Educational and the Local and Municipal Departments for acceptance.

C.K.—18-8-13.

T. HARI RAO—18-8-13.

C. REILLY—20-8-13.

A. G. CARDEW—20-8-13.

*To the Educational
,, Local and Municipal } Department.*

EDUCATIONAL DEPARTMENT.

Office—verify statement in last sentence of the draft telegram.

W. FRANCIS—20-8-13.

Verified. There were no stipulations except those contained in memorandum, dated 22nd March 1911, printed on page 3 of G.O. No. 196, Educational, dated 4th April 1911. The draft telegram may be accepted and the file passed on to Local and Municipal Department u o.

B.G.—21-8-13.

C. RAMANUJACHARI—21-8-13.

Yes.

W.F.—22-8-13.

To the Local and Municipal Department.

(I can't see that Local and Municipal can help any further. Don't send to Madras but examine briefly here).

W.F.—22-8-13.

LOCAL AND MUNICIPAL DEPARTMENT.

Submitted that the draft telegram may be accepted in Local and Municipal and the file returned to Financial.

K. GANAPATHI AYYAR—22-8-13.

W.F.—22-8-13.

To the Financial Department.

FINANCIAL DEPARTMENT.

Issue.

C.R.—22-8-13.

[Issued as telegram No. 696, dated 22nd August 1913.]

From the Government of India, Finance Department, No. 941 C.S.R., dated 29th September 1913.

The Government of India say that the Accountant-General is correct in holding that if Mr. Griffith's service from June 1905 to the 13th August 1910 under the Madras Corporation were treated as qualifying for pension in continuation with Government service under article 801, Civil Service Regulations, the concessions of an addition to his service under article 403 of those regulations and exemption from the operation of the rule in article 478 (a) *ibid* would not be admissible to him.

2. They, however, are of opinion that the requirements of the present case would be met if Mr. Griffith were given the option of —

(a) either accepting from the Corporation such gratuity or pension as his five years' service entitled him to and starting his career as a Government servant from the 14th August 1910, with the privileges of addition to service under article 403, Civil Service Regulations, and exemption from the operation of article 478 (a); or

(b) of counting his service under the Corporation towards pension in conjunction with Government service under article 801, without the other privileges referred to above.

* The grant of leave to him will be reckoned only from 14th August 1910 and not from the period he began under Corporation service.

3. It is submitted that it is most likely that Mr. Griffith will select alternative (a) as it is more favourable to him than the other. But in that case he will not * be given the benefit of full leave concessions.

4. The file may, it is submitted, be now passed on to Educational for taking necessary action on the Government of India's letter.

S. D. SUNDARAM—10-10-13.

T. HARI RAO—10-10-13.

C. REILLY—13-10-13.

W. O. HORNE—14-10-13.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

A draft reference to the Director of Public Instruction is submitted for approval.

B.G.—23-10-13.

C. RAMANUJACHARI—24-10-13.

Approved.

W. FRANCIS—25-10-13.

[Memorandum No. 3081-1, Educational, dated 27th October 1913.]

*Letter—*from C. L. T. GRIFFITH, Esq., Professor, College of Engineering, Madras.
*To—*the Secretary to Government, Educational Department (through the Principal, College of Engineering, Madras).
*Dated—*the 13th December 1913.

I have the honour to request that you will grant me a personal interview so that I may obtain your advice and explanation as to my prospects in the event of my accepting either of the proposals offered me by the Government of Madras in their order on my petition, dated 2nd April 1912, contained in the Proceedings of the Director of Public Instruction, R.C. No. 3057/12, dated 3rd December 1913.

Submitted to the Secretary to Government, Educational Department, for favour of orders.

W. H. JAMES—17-12-13.

Papers please.

W. FRANCIS—17-12-13.

Submitted.

B.G.—17-12-13.

C. RAMANUJACHARI—17-12-13.

*Demi-official—*from the Hon'ble Mr. W. FRANCIS, I.C.S., Acting Secretary to Government, Educational Department.

*To—*C. L. T. GRIFFITH, Esq., A.M.I.C.E., Professor, College of Engineering, Madras.

*Dated—*Fort St. George, the 19th December 1913.

*No.—*3860-1.

In reply to your letter of the 13th instant, I write to say that while, if you wish to press it, I should be very glad to see you about your case, I think you would advance things more if you would put in writing any doubts or difficulties you may have so that they may be formally examined and an authoritative reply sent to you. The case is one which has to be dealt with by the Government of India and by other Departments of the Secretariat besides Educational (which, indeed, is less the deciding authority than the channel of communication) so that I could give you no final answer myself to any points which may have suggested themselves to you.

*Demi-official—*from C. L. T. GRIFFITH, Esq., A.M.I.C.E., Professor, College of Engineering, Madras.

*To—*the Hon'ble Mr. W. FRANCIS, Acting Secretary to Government, Educational Department.

*Dated—*the 19th December 1913.

I am in receipt of your letter No. 3860-1, Educational, dated 19th December 1913, and note what you say, but all the same request you will see me *before* I put any questions in writing. I think that the advice I really want is what will be proper to ask for officially.

As I have to go in camp on 2nd January, I should be much obliged if you would fix any time and place for an interview before that date.

Fix 21st December between 11 and 5 and let me have the file please.

W. FRANCIS—19-12-13.

The following demi-official may go to Mr. Griffith:—

"Dear Sir,

"In reply to your letter of the 19th instant, I write to say that I shall be glad to see you at any time between 11 A.M. and 5 P.M. on the 22nd December at the Secretariat, Fort St. George.

Yours truly.

W. FRANCIS—19-12-13."

C. RAMANUJACHARI—19-12-13.

From the Director of Public Instruction, dated 6th January 1914.

Please see paragraph 5 on page 2, paragraph 7 on page 5 and paragraph 3 on page 6 *ante*, from which it will be seen that Mr. Griffith's eligibility for exchange compensation allowance has been admitted and that he may be asked to submit an application for it in the prescribed form. As he now solicits orders as regards his request for exchange compensation allowance, he may be told to submit the necessary application.

A draft memorandum is accordingly submitted for approval.

2. As regards the other question raised in these papers, please see memorandum Mr. Griffith wants two months' time to arrive at a decision. No orders can therefore at present be passed on that question.

W. FRANCIS—24-1-14.

B.G.—21-1-14.

C. RAMANUJACHARI—22-1-14.

Why is it necessary for Mr. Griffith to apply in a prescribed form?
He has asked for the exchange compensation allowance in his memorial.
What is the prescribed form?

W. FRANCIS--24-1-14.

Please see G.Os. No. 13, Financial, dated 6th January 1898, and No. 432, Financial, dated 21st March 1899.

B.G.—24-1-14.

C. RAMANUJACHARI—26-1-14.

Memorandum approved.

W. FRANCIS—29-1-14.

[Memorandum No. 74-1, Educational, dated 30th January 1914.]

*From the Director of Public Instruction, dated 6th March 1914, R.O.C.
No. 3057/12.*

Mr. Griffith submits his reply to Memorandum No. 3081-1, Educational, dated 27th October 1913. The facts of the case are given in paragraphs 1 and 2 of office-note on page 2 *ante*. The Government of India, who were requested to sanction to Mr. Griffith the benefit both of counting the Corporation service *and* of the privilege of adding five years to his service, are not disposed to sanction both the concessions but give him the option of —

(a) either accepting from the Corporation such gratuity or pension as his five years' service entitled him to and starting his career as a Government servant from the 14th August 1910 with the privileges of addition to service under article 403 of the Civil Service Regulation and exemption from the operation of article 478 (a); or

(b) of counting his service under the Corporation towards pension in conjunction with Government service under article 801 without the other privileges referred to above.

2. Mr. Griffith states that he is unable to express a preference for either of the options, but re-iterates his original request that his service should be counted from 23rd January 1905, the date on which he joined his first appointment in the Engineering College. He is unwilling to choose the first alternative alone as his furlough will be affected; he is not prepared to accept the second alone as that will affect his pension. It has been definitely decided that his temporary service prior to employment under the Corporation, that is, from 23rd January to 5th June 1905, should not be counted at all as he definitely resigned his appointment under Government to take services under the Corporation. In the letter to the Government of India on Mr. Griffith's behalf this portion of the service was also left out. The question is therefore only with reference to his service from 6th June 1905. From Mr. Griffith's letter it will appear that he is more inclined to accept the former alternative than the latter, namely, counting the Corporation service without the concessions. But as, however, he has not committed himself to any side, it does not appear to be for Government to give him the benefit of one alternative in preference to the other. The Government of India have left the matter entirely at the hands of the Local Government to adopt one or the other of the alternatives at Mr. Griffith's

Please see below.

W. FRANCIS.

with a view to their re-considering their decision. If this course is not acceptable, Mr. Griffith must be definitely told that his original request cannot be complied with and that he *should* choose one or the other of the alternatives.

3. In this connection, Mr. Griffith raises two points, namely—

(a) that his service under Government in the second instance should begin from 7th August instead of 14th August 1910, and

(b) that his service under the Corporation should be counted from the forenoon of 6th June 1905 and not from the afternoon of that date.

As regards the first the question was definitely raised and dealt with in G.O. No. 196, Educational, dated 4th April 1911. The Accountant-General who was consulted in the matter stated Mr. Griffith's temporary service from the 7th August 1910 up to the date of confirmation could be allowed to count for leave, pension and increment provided Mr. Chatterton's lien on his appointment of Professor of Civil Engineering was suspended by Government under article 89 of the Civil Service Regulations. Accordingly an application was made to the Government of India but that Government sanctioned the confirmation of Mr. Griffith as Professor of Civil Engineering with effect from 14th August 1910, the date of receipt of the Secretary of State's order appointing Mr. Chatterton, permanent Superintendent of Industries. This condition of confirmation was formally offered to Mr. Griffith in Memo. No. 615-1, Educational, dated 22nd March 1911; and he definitely accepted it in his

Any how it is only 7 days' service.

W. FRANCIS

letter to the Director, dated 29th March 1911. It does not therefore seem to be open to him now to raise the question again.

4. As regards the other question whether Mr. Griffith should be taken to have assumed charge of the post of Corporation Engineer from the forenoon or afternoon of 6th June, it was definitely raised and dealt with in G.O. No. 1619 M., dated 8th September 1906. The question is important in that it affects Mr. Griffith's pension. Mr. Griffith actually joined before the midday on the 6th, but on account of the

(There is no tampering with the record as stated by Mr. Griffith).

President's (Mr. Pears) instructions he signed the revised transfer of charge form with the word 'afternoon' substituted for

'forenoon'. This was made with a view to benefit Mr. Nowroji who had accordingly drawn pay for the 6th June 1905. Mr. Griffith should have definitely objected to that course at that time. Probably he

"Certainly" would be more appropriate.

W. FRANCIS.

did not know the effect of it on his pension, and when he subsequently learned

that, he brought it to the notice of Mr. Lloyd, the then President. The Government did not however definitely decide the question but left it to the President, pointing out that if it was to be taken that Mr. Griffith assumed charge on the 6th

This might be done later, but it seems pretty clear that nothing was done or Mr. Griffith would not now be urging the point.

W. FRANCIS.

forenoon Mr. Nowroji must refund the excess allowance drawn by him. It is not known what further action was taken by the President in the matter. A reference may perhaps be made to President in Local and Municipal on that subject.

C. RAMANUJACHARI—26-4-14.

It is submitted that this is a very hard case and that Mr. Griffith has been tripped up by account rules of which he could hardly have been expected to know. He was transferred from the College of Engineering to the Madras Corporation service because Government were hard put to it to find an Engineer for the Corporation and back again to the College of Engineering in the interests of Government. He practically worked for Government in both posts and it is hard that he should be done out of five years of that service on account of some academic interpretation of some article in the Civil Service Regulations.

2. It is submitted that this Government may now go to the Government of India again and say that Mr. Griffith declines either of the two alternatives offered him; that this Government are not surprised, as the one does him out of leave and the other out of pension; and that the case seems to be a special one in which the literal meaning of the Civil Service Regulation may be put second to the equities of the

case and Mr. Griffith be allowed to count his service under the Corporation and get the concessions awarded him in the memorandum of 22nd March 1911 on page 3 of G.O. No. 196, Educational, dated 4th April 1911.

W. FRANCIS—5-6-14.

To the Financial Department.

From the Director of Public Instruction, No. 3057, dated 16th June 1914.

Mr. Griffith now definitely accepts the first of the alternatives offered by the Government of India in paragraph 2 of their letter, dated 29th September 1913. His pensionable service under Government will therefore begin from 14th August 1910 and he will be entitled to the concession of adding service under article 403 of the Civil Service Regulations and will be exempt from the operation of article 478 (a). A draft order declaring this is submitted for approval. If approved, it may be sent to the Pension and Local and Municipal Departments for acceptance. The latter department will have to take action with reference to paragraph 4 of the office-note overleaf.

C. RAMANUJACHARI—18-6-14.

But Mr. Griffith only accepts this alternative because he thinks the Corporation will give him a gratuity and he wants the money at once. Better first ask the Corporation what they will do for him. If they won't do anything, we must begin again at the point where matters rested before this latest letter.

W. FRANCIS—19-6-14.

A draft memorandum to the President of the Corporation is submitted for approval.

C.R.—19-6-14.

Approved.

W. FRANCIS—19-6-14.

[Memorandum No. 764-2, dated 19th June 1914.]

Telegram from the President, Corporation of Madras, dated 29th June 1914.

The President, Corporation of Madras, wires that the Standing Committee do not see how gratuity can be paid to Mr. Griffith in accordance with the Civil Service Regulations. The President's meaning is not clear. The rules of the Civil Service

G.O. 563 M., 15th March 1905.

Regulations relating to pensions have been declared applicable to the gazetted officers under the Madras Corporation, among whom the Engineer is included; and under article 474 (a) of the Civil Service Regulations, Mr. Griffith appears to be entitled to a gratuity at a rate not exceeding one month's emoluments for each completed year of service under the Corporation. The President is probably thinking of section 65 (2) of the Madras City Municipal Act, 1904, under which the Corporation is bound to contribute to the pension of its officers transferred to Government service to the extent required by the rules made by the Governor-General in Council in this behalf, viz., those contained in the Civil Service Regulations; he perhaps considers that only "pensionary contribution" and not gratuity is payable. This will apply to cases where there has been a "transfer" of service from the Corporation to Government and where the service under the former is taken as counting for pension and other concessions. This was no doubt the original position. The Government of India's alternative suggestion now accepted by Mr. Griffith changes it altogether. The service under the Corporation is no longer to be taken as counting; it should be regarded as a distinct and separate service which terminated with his taking service under Government. There will thus be no "transfer" of service as contemplated by section 65 (2). If so, his case will be governed by

section 12 referred to at the beginning of this note. Submitted, however, that before the question is further considered the detailed letter which the President will presumably send may be awaited.

S.A.—1-7-14.

C.R.—1-7-14.

He does n't say he is writing. Send memorandum asking for grounds of Standing Committee's opinion he quotes.

Meanwhile will Financial kindly examine the argument on page 17 above?

W. FRANCIS—1-7-14.

* Not despatched.

A draft memorandum * is submitted for approval. After its issue the file will be sent to Financial.

S.A.—1-7-14.

C.R.—1-7-14.

Approved.

C. S. ANANTARAMA AYYAR—1-7-14.

From the President, Corporation of Madras, No. 235, dated the 30th June 1914.

In his letter since received the President points out that under the rules of the Civil Service Regulations Mr. Griffith is not entitled to any pension (or gratuity) for his service under the Corporation alone, as the conditions for the grant of a pension or gratuity do not at present exist. Strictly speaking, this view would appear to be correct. Under section 12 of the Madras City Municipal Act, 1904, the officers appointed by Government are entitled to pension or gratuity "in accordance with such rules as the Local Government may prescribe." It was held in G.O. No. 563 M., dated 15th March 1905 that all the rules of the Civil Service Regulations applicable to the uncovenanted civil servants of Government as regards pension should be followed in the case of the gazetted officers of the Corporation. It is, however, submitted that the case of Mr. Griffith is peculiar. No doubt he is neither over 55 years of age, nor has put in 30 years of service, nor has been invalided, nor discharged on account of reduction of establishment as contemplated in article 426 of the Civil Service Regulations. He cannot also be said to have been discharged in order to make room for one better qualified as referred to in article 429, nor on account of change of duties of his office as contemplated in article 434. Still the fact remains that he has actually been taken away from the service of the Corporation by Government in exercise of the special powers implied in section 12 of the Act of withdrawing an officer appointed by themselves. It has been held in the notes *supra* that the withdrawal was in the interests of Government. Such a withdrawal should not naturally operate prejudicially to his interests. The fact that he was given an employment under Government after withdrawal should not apparently count for much. It may perhaps be contended that section 65 (2) would provide for such cases. It is, however, highly doubtful whether, reading it with sections 64 and 65 (1), its provisions apply to officers appointed under section 12, who have been specifically excluded from the operation of these sections. It therefore seems that Mr. Griffith's case is neither governed by the Civil Service Regulations nor by the Act and is one for special treatment on its own merits. In this view it may be assumed that the original consent of the Corporation to contribute towards his pension has been given outside the Civil Service Regulations and the Act. If so, the case of Mr. Griffith's gratuity should be similarly treated as special. It is apparently in this view that the Government of India have suggested the grant of gratuity to him for the Corporation service.

2. Infractions of the rules in the Civil Service Regulations or cases not provided therein require the sanction of the Government of India so far as Government servants are concerned. Under a rule framed by the Madras Corporation under section 64

G.O. 1302 M., 3rd August 1908.

(b) and (c) of the City Act the Government of Madras take the place of the

Government of India so far as the violations of the Civil Service Regulations relating to leave, leave and acting allowances and pensions are concerned in respect of the Corporation servants other than the officers appointed under sections 9 and 12 of the Act. Following this analogy, the Local Government may be held to possess the

*The Engineer, the Health officer and the Revenue officer. powers of the Government of India in regard also to the officers * appointed under section 12 of the Act. If this view

be approved, the Local Government can sanction the payment of a gratuity to Mr. Griffith, if the Standing Committee recommends it.

The file may, as originally marked, be sent to Financial for advice.

S.A.—4-7-14.

C.R.—4-7-14.

Yes.

W. FRANCIS—4-7-14.

To the Financial Department.

FINANCIAL DEPARTMENT.

Mr. Griffith was appointed by the Local Government as Engineer of the Corporation of Madras in exercise of the powers vested in them under section 12 of the City Municipal Act (III of 1904) and

G.O. 1089 M., 5th June 1905.

he is entitled to pension or gratuity in accordance with the rules prescribed by the Local Government under this section. No special rules have been framed under this section but Government have stated

G.O. 563 M., 15th March 1905.

(† Includes gratuity)—vide article 41 of Civil Service Regulations.

G.O. 563 M., 15th March 1905.

that, as regards pension,† the gazetted officers of the Corporation of Madras are to be governed by the rules of the Civil Service Regulations applicable to unconvenanted civil servants of Government

2. As stated by the President, Corporation of Madras, Mr. Griffith is not eligible

Letter R.O. Government current 235, 30th June 1914 at pages 18 and 19, current file.

for any gratuity under the rulings of the Civil Service Regulations for his service under the Madras Corporation. The

Corporation have, with the previous sanction of the Local Government, under section 64 (b) and (c) of the City Municipal Act, ruled that in respect of the officers and

G.O. 1302 M., 3rd August 1908.

servants of the Corporation, other than the officers appointed under sections 9 and 12, the provisions of the Civil Service Regulations as regards leave and pension should be adopted with the modification that the words "the Government of Madras" will be substituted for the words "the Government of India" wherever they occur. The Educational Department propose to apply this rule to Mr. Griffith, who was appointed under section 12 of the Act, and grant him gratuity. This course does not seem

Cf. sections 10, 12 (2) and 64 (b) and (c) of the City Municipal Act III of 1904.

permissible since the Act contemplates a set of rules for officers appointed under sections 9 and 12 different from those

framed under section 64 for other officers and servants of the Corporation. The former rules are prescribed by the Local Government while the latter are made by the Corporation with the previous sanction of the Local Government.

3. Under article 924 (a) of the Civil Service Regulations pensions (i.e., inclusive†

(† Article 41 of Civil Service Regulations.)

Cf. also paragraph 3 (8) of the Government of India Resolution on page 4-5 of G.O. 297, Financial, 23rd April 1913.

G.O. 1302 M., 3rd August 1908.

of gratuities) in excess of the amounts admissible or involving any relaxation of rule can be granted only with the sanction of the Secretary of State. Neither G.O. No. 563 M., dated 3rd March 1905 nor the rule made under sections 64 (b) and (c) of

the Act has laid down as to who should exercise the powers of the Secretary of State above referred to in respect of officers of the Corporation.

S.V.—7-7-14.

4. Unless the Local and Municipal Department decide that the Local Government are to exercise in respect of Corporation employes the powers exercised by the Secretary of State under section 924 (a) of the Civil Service Regulations on the extension of the rulings in the Civil Service Regulations to municipal officers, and the standing committee agree to the payment of gratuity to Mr. Griffith for the period of municipal service, the whole case will have to be taken up again. As stated in paragraph 2 of Mr. Francis' note of the 5th June 1914 on page 16 ante the case of Mr. Griffith is a special one and he cannot be made to suffer for having been taken away from the Corporation service in the interests of Government.

5. If there is no way of bringing round the Corporation to sanction the gratuity—and Mr. Griffith stands very much in need of funds at present and that is why he Letter from Mr. Griffith, 3rd June 1914. has accepted the first of the two alternatives proposed by the Government of India—the case would not have proceeded

further and the Government of India will have to be informed of the *impasse* in which the case is and a strong representation will be necessary to the effect that there is no other cause open but to choose the alternative and that in reference to the definite

Memo. 3081-1, Educational, 27th October 1914. promise made by the Local Government to Mr. Griffith, the Secretary of State should be moved to give Mr. Griffith a

special treatment and allow him to add five years to his qualifying total service (under the Corporation and Government) and exempt him from any reduction of pension, the pension being regulated by the rule of proportion.

6. Financial can, it is respectfully submitted, see no other way of solving the difficulty.

T.H.R.—7-7-14.

There is no doubt, I think, as pointed out by the Corporation that under section 12 of the Madras City Municipal Act and the pension rules in Part IV of the Civil

G.O. 563 M., 15th March 1905.

Service Regulations which have been made applicable to the appointment, amongst others, of the Engineer of the Corporation, Mr. Griffith is not at present eligible for a gratuity in respect of his service amounting to about five years under the Corporation, but he may, I think on the analogy of article 473, Civil Service Regulations, be allowed to maintain his claim to a gratuity in respect of that service if and when he retires under the rules of the Civil Service Regulations from service under Government, and the Corporation may be asked if it will agree to this. This will not give Mr. Griffith the cash he is so much in need of now, but he will not get the latter under the second alternative, or under a combination of the second alternative with the privileges mentioned in the first, and the above solution seems preferable to the Government of India's first alternative, which, unless the rules in the Civil Service Regulations are relaxed, practically deprives Mr. Griffith of the whole of his Corporation service.

2. If, however, it is considered that the circumstances of the case are such that it is desirable to sanction the gratuity at once outside the rules of the Civil Service Regulations the point arises whether the Local Government is competent to do so.

Paragraph 3 of notes on page 18.

As pointed out by office it is nowhere laid down that the Local Government occupies the position of the Secretary of State in regard to the relaxation of the rules in the Civil Service Regulations in the case of the officers of the Corporation appointed under section 12 (1) of the Madras City Municipal Act, but, as the rules in the

G.O. 563 M., 15th March 1905.

Civil Service Regulations have been prescribed by the Local Government for the officers in question under section 12 (2) of the Act, it seems reasonable to hold that it has the power to, and can relax those rules without reference to higher authority. Under section 64 of the Act the Corporation has with the sanction of the Local Government prescribed the rules in the Civil Service Regulations for the other

G.O. etc., 1302, 1302-A A.M., 3rd August 1908.

officers and servants of the Corporation, and the Local Government has been declared to occupy the position of the

Government of India in respect of those rules, but this I take it means that the Local Government has full powers under the rules, and not that the sanction of the Government of India or the Secretary of State is required to any relaxation of the rules by the Local Government in cases in which the sanction of the latter authority would be required for a similar relaxation in favour of a Government servant. If it is desired to pursue the point further it would be as well to consult the Accountant-General. But it may be noted that the Government of India apparently recognise that no gratuity is *admissible* under the rules for they suggest that Mr. Griffith should be given "such gratuity as his five years' service *entitled* him to" and tacitly agree to a relaxation of the rules in his favour.

B. LAVILLE--9-7-14.

Section 64 of the Act does not apply to the case. Under section 12 the Government may fix such rules as they think fit and they have chosen to apply the Civil Service Regulations but that fact in nowise prohibits the Government from sanctioning departures from the Civil Service Regulations. Alterations of and departures from the Civil Service Regulations may require the sanction of the Government of India or Secretary of State in cases to which they directly apply but it does not follow that such sanction is needed in cases to which Government, having the option to apply the Regulations or not or to apply any portion thereof at pleasure, have chosen to make the Regulations applicable. Consequently it seems to me clear that if the Corporation will sanction gratuity in accordance with article 474 it is open to Government to assent to this course and, if the Accountant-General agrees that no audit objection need be raised, I would tell the Corporation so.

A. BUTTERWORTH--10-7-14.

Submitted that the case may be returned to the Educational department who may be requested to consult the Accountant-General as to whether he sees any audit objection.

V.G.K.--10-7-14.

B.L.--10-7-14.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

To the Accountant-General.

W. FRANCIS--10-7-14.

OFFICE OF THE ACCOUNTANT-GENERAL.

I agree with Chief Secretary that the Local Government has power under section 12 of the Act to make exceptions in regard to the gratuity admissible to an officer appointed under the same section. As pointed out by Mr. Laville, the gratuity would ordinarily be payable only when Mr. Griffith retires from Government service. It is therefore for consideration whether the full amount calculated under the Civil Service Regulation rules should be paid at once or an amount which in thirteen years would amount to that sum, at compound interest. If the Government decide to give him the full amount no audit objection will be raised.

K. L. DATTA--28-8-14

To the Educational Department.

EDUCATIONAL DEPARTMENT.

Submitted that the President, Corporation of Madras, may be informed, as at A in the Chief Secretary's note on page 21 *ante* and asked to report whether in those circumstances any gratuity cannot be recommended for Mr. Griffith. A draft memorandum is placed below.

2. The Accountant-General's alternative suggestion that Mr. Griffith may be given at present such sum as could amount in thirteen years to the full gratuity eligible under the rules of the Civil Service Regulations will not be acceptable to him and need not at present be put to the Corporation.

S.A.--31-8-14.

3. The draft memorandum, if approved, may be forwarded to Local and Municipal Department for acceptance.

C.R.--1-9-14.

P. RAJAGOPALA ACHARIYAR--2-9-14.

To the Local and Municipal Department.

LOCAL AND MUNICIPAL DEPARTMENT.

Accepted in Local and Municipal.

W. FRANCIS--3-9-14.

To the Educational Department.

EDUCATIONAL DEPARTMENT.

The draft memorandum may now issue.

C.R.--4-9-14.

Issue.

P.R.--5-9-14.

[Memorandum No. 2068-4, Educational, dated the 5th September 1914.]

From Mr. C. L. T. Griffith, dated the 8th September 1914, No. 7.

Mr. Griffith now withdraws his letter of the 3rd June 1914 accepting the alternative (a) proposed by the Government, viz., a gratuity from the Madras Corporation for service under that body, with certain concessions in regard to the subsequent service under the Government. He is now willing to accept the other alternative, namely, that of counting his service under the Corporation towards pension in conjunction with the service under the Government, under article 801 of the Civil Service Regulations, without any other concessions. His *present* proposal is apparently due to the belief that the contention of the President, Corporation of Madras, that no gratuity is payable under the rules to him for his service under the Corporation is tenable. In Memorandum No. 2068-4, dated 5th September 1914, the President has, however, been told that the Government would be prepared to sanction a gratuity, as a special case, if the standing committee would grant it and he has been asked to report whether in the above circumstances, the committee would be prepared to sanction the gratuity. The reply to this reference has not yet been received. Submitted that it may be awaited before any further action is taken on Mr. Griffith's present letter.

S.A.--2-10-14.

C.R.--3-10-14.

P.R.--3-10-14.

From the President, Corporation of Madras, dated 29th October 1914, No. 396.

The Corporation has now agreed, subject to the sanction of the Government, to pay as a special case a gratuity of £200 to Mr. Griffith for his service under the Corporation. Mr. Griffith has, however, in his letter of the 8th September, declared himself in favour of the second alternative suggested by the Government, namely, that of counting his service under the Corporation towards pension in conjunction

with the service under the Government, apparently under the belief that no gratuity is payable to him under the rules by the Corporation. It is for consideration whether he may now be informed that the Corporation is willing to pay him a gratuity of £200 and asked to state which of the two alternatives he would prefer in the present circumstances. If so, the draft memorandum placed below is for approval.

Yes.

P.R.—3-11-14.

S.A.—31-10-14.

C.R.—2-11-14.

P. RAJAGOPALA ACHARIYAR—3-11-14.

[Memorandum No. 3332-1, Educational, dated the 3rd November 1914.]

From the Director of Public Instruction, dated 11th January 1915, No. 3057.

Mr. Griffith states that he would prefer alternative B suggested by the Government, viz., that his service under the Madras Corporation from the 7th June 1905 to the 13th August 1910 be counted towards pension in conjunction with Government service, if the Government would sanction him two years' furlough in continuation of the next college vacation, i.e., from the 26th June 1915. If this request is not complied with, he is prepared to accept the other alternative of treating his service under the Madras Corporation as separate with a gratuity for this period, and starting his career as a Government servant with effect from the 14th August 1910, with the privileges of addition to service under article 403, Civil Service Regulations, and exemption from the operation of article 478 (a). Submitted that, before the question is further considered, the Accountant-General may be consulted on Mr. Griffith's eligibility for two years' furlough if his service under the Corporation is added to that under the Government. The draft memorandum placed below is for approval.

S.A.—15-1-15.

C.R.—15-1-15.

P.R.—16-1-15.

[Memorandum No. 117-1, dated 16th January 1915.]

Mr. Griffith saw me this morning under the advice as he said of Mr. James. He seems to have been under the impression that there was some hitch in the Local and Municipal Secretariat with regard to the disposal of his petition or letter of the 1st January 1915. Mr. Griffith has hopelessly broken down in health and he tells me that he is not certain he will be able to go to his college tomorrow. His mental troubles began about May last and his change to Australia has done him no good. He wants to leave India for good and would prefer to leave in a week. He says he is an absolute pauper and wants to get as much as possible from the Government to go home and live upon for some time. He prefers to get the two years' furlough (preparatory to retirement) instead of accepting the £200 gratuity offered by the Corporation. But if he cannot get the former, he should like to have the £200 down so that he may pack off. He was talking in a very wild excited way and I am satisfied that his mind is going to pieces if it has not already done so. It is not just to the college or to him to keep him on for one moment longer than can be helped. I have told him that Education is not in my charge and that I can only ask the Educational Secretary to expedite matters and obtain His Excellency's orders. He told me to take it as an ultimatum from him that if he did not get a reply within the 15th, he would give notice to the Government that he would leave in a fortnight's time. The case deserves every sympathy and I hope the Secretary will be able to get a reply from the Accountant-General as early as possible and lay the papers before His Excellency.

P. S. SIVASWAMI AYYAR—11-2-15.

The Accountant-General was reminded on the 13th instant for a reply to Memorandum No. 117-1, Educational, dated the 16th January 1915. No reply has yet been received. The following telephonic message to the Accountant-General is submitted for approval.

S. ANANTANARAYANAN—22-2-15.

C. RAMANUJACHARI—22-2-15.

E. A. HARVEY—22-2-15.

*Telephonic-message—*from the Under Secretary to Government, Educational department.
*To—*the Accountant-General.

Will you kindly let me know when a reply to Memorandum No. 117-1, Educational, dated the 16th January 1915, regarding Mr. Griffith's eligibility for furlough may be expected. The matter is urgent.

The Accountant-General has not yet sent any reply to the telephonic message above. Submitted that the following telephonic reminder may issue to him.

Why not?

E. A. HARVEY—26-2-15.

S. ANANTANARAYANAN—26-2-15.

C. RAMANUJACHARI—26-2-15.

E. A. HARVEY—26-2-15.

*Telephonic-message—*from the Under Secretary to Government, Educational department.
*To—*the Accountant-General.

Please refer to my telephonic message of the 23rd instant regarding Mr. Griffith's eligibility for furlough. Will you kindly let me know when a reply thereto may be expected.

From Mr. C. L. T. Griffith, dated 27th February 1915.

No reply has yet been received from the Accountant-General to the telephonic messages above. Meanwhile, Mr. Griffith requests early orders on his case. Submitted that the Accountant-General may be asked un-officially to state why no reply has yet been received from him for the telephonic messages and when a reply to Memorandum No. 117-1, Educational, dated the 16th January 1915, may be expected.

S. ANANTANARAYANAN—2-3-15.

C. RAMANUJACHARI—2-3-15.

The Secretary has spoken to the Accountant-General personally by telephone and has asked him to hurry up his reply.

The following reply may go to Mr. Griffith in the meanwhile.

C. RAMANUJACHARI—2-3-15.

P. RAJAGOPALA ACHARIYAR—2-5-15.

*Demi-official—*from the Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR
Avaigal, M.A., B.L., C.I.E., Secretary to Government, Educational department.

*To—*C. L. T. GRIFFITH, Esq., Professor of Civil Engineering, Engineering College.

*No.—*737-1, Edl.

With reference to your letter of the 27th ultimo to the Chief Secretary, I am to say that a reference has been made to the Accountant-General in regard to the question of granting furlough to you. I have asked that officer to expedite his reply and hope to address you soon.

From the Accountant-General, No. 58-27150, dated the 3rd March 1915.

The Accountant-General states that the period of Mr. Griffith's service under the Madras Corporation will not, without express orders of the Government of India, count for *leave*, although the Local Government may allow it to count for purposes of *pension* under article 801 of the Civil Service Regulations. He adds that Mr. Griffith may be granted furlough on medical certificate for a period not exceeding *one* year in continuation of the summer vacation. This is the leave he is eligible for for his service under the Government alone. Mr. Griffith stated in his letter, dated the 1st January 1915, that if he could not be granted *two* years' furlough he would accept the gratuity offered by the Corporation for the separate service under them. It is not known whether Mr. Griffith will accept for the present the furlough for one year leaving the question of granting a second year's furlough to be settled later on with the Government of India. This has to be definitely ascertained from Mr. Griffith.

2. As regards the question of Mr. Griffith's service under the Corporation counting for leave, attention is solicited to paragraph 3 of a former Accountant-General's letter, dated the 18th June 1912, in which he stated that an order declaring that the combined service would count for pension, would, under article 201 of the Civil Service Regulations, entitle him to count that service for leave also. Article 201 provides that temporary and officiating service, if it counts for pension, counts also for leave. Probably the present Accountant-General considers that the service under the Corporation cannot be said to be either "temporary or acting service" as laid down in article 201. This view does not seem to be impossible.

3. It will be seen from a perusal of this Government's letter to India, dated the 16th January 1913, on the subject, that specific sanction was requested for counting the service under the Corporation both for pension as well as for leave. That Government's reply, dated the 29th September 1913, did not however touch on the point of leave. It is for consideration whether the Government of India should now be addressed by telegram to pass orders on the question of leave. Financial may be consulted.

C. RAMANUJACHARI—5-3-15.

Demi-official—from the Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR, Avargal, M.A., B.L., C.I.E., Secretary to Government, Educational Department.

To—C. L. T. GRIFFITH, Esq., Professor of Civil Engineering, College of Engineering, Madras.

Dated—the 6th March 1915.

No.—814-1, Edl.

In continuation of my letter of the 2nd instant, I am to say that the Accountant-General has since submitted his reply to the reference made to him on the question of granting furlough to you. Further consultation with you seems necessary, and it would be well if you would call over at the Secretariat at your earliest convenience on any office day next week between 12 noon and 4 P.M. Monday would suit me well.

Mr. Griffith having personally expressed his desire to accept for the present one year's furlough in continuation of the ensuing summer vacation *for his service under the Government* and to allow the question of his service under the Corporation being added to the Government service settled meanwhile, the Director of Public Instruction has now to be asked whether he has any objection to the grant of the leave. The following telephonic message is for approval.

Telephonic message—from the Secretary to Government, Educational Department.
To—the Director of Public Instruction.

Mr. C. L. T. Griffith, Professor, College of Engineering, desires to take furlough for one year in continuation of the ensuing summer vacation, the one year being due to him for his service under the Government. The Accountant-General has certified that the furlough can be granted on the production of a medical certificate under article 311 (b) of the Civil Service Regulations.

The question of adding Mr. Griffith's service under the Government to the service under the Madras Corporation has not yet been finally decided. It is under consideration. If his service under the Corporation is finally decided to be reckoned along with the Government service for pension and leave, Mr. Griffith proposes to take furlough for a further period of one year in continuation. Please let me know whether you have any objection to the grant of the leave for one year now due to Mr. Griffith; and if you have no objection please instruct Mr. Griffith to produce the necessary medical certificate.

2. After the issue of the orders granting the leave the file may be sent to the Financial Department for remarks with reference to paragraph 3 of the office note *supra*.

S. ANANTANARAYANAN—8-3-15.

C. RAMANUJACHARI—8-3-15.

P. RAJAGOPALA ACHARIYAR—10-3-15.

Telephonic message—from the Director of Public Instruction.
To—the Secretary to Government, Educational Department.
Dated—the 10th March 1915.

Reference your telephonic message of date. I see no objection to Mr. Griffith's taking furlough for a year in continuation of the ensuing summer vacation of the College of Engineering provided satisfactory arrangements can be made in consultation with the Public Works Department for the conduct of his duties. I shall instruct him to produce the necessary medical certificate and submit a formal application for the leave.

From the Director of Public Instruction, No. 2086, dated 17th March 1915.

Mr. Griffith has now tendered resignation of his appointment under the Government and requests to be informed, before the next English mail leaves Madras, of the date on which he will be permitted to depart. The College Principal considers that Mr. Griffith can be relieved when the sessional examination work is completed which will be about the middle of next month.

2. The resignation may, it is submitted, be accepted. As proposed by the Principal Mr. Griffith may be relieved when the sessional examination work is completed and may be informed accordingly. A draft order is submitted for approval.

3. Mr. Griffith is not entitled to any pension or gratuity for his service under the Government. His present resignation will not, however, affect the gratuity which the Madras Corporation has agreed to pay in respect of his service under that body. After the issue of the order referred to in paragraph 2 *supra* the file may be forwarded to the Local and Municipal Department for issue of orders regarding the grant of gratuity.

S. ANANTANARAYANAN—19-3-15.

C. RAMANUJACHARI—20-3-15.

Draft order for approval.

P. RAJAGOPALA ACHARIYAR—20-3-15.

P[ENTLAND]—22-3-15.

Issue.

P. RAJAGOPALA ACHARIYAR—22-3-15.

To the Local and Municipal Department.

LOCAL AND MUNICIPAL DEPARTMENT.

See the letter from the President corporation of Madras, dated the 29th October 1914, and treat this as specially urgent.

W. FRANCIS—23-3-15.

A draft order is submitted for approval.

B. ADISHAYYA—23-3-15.

S. KRISHNAMA ACHARI—23-3-15.

Approved. Issue sharp.

W. FRANCIS—23-3-15.

The order has issued. The case may be returned to Educational with the request that two copies of the Government Order with notes may be furnished to this department when final copies are received.

B. ADISHAYYA—24-3-15.

S. KRISHNAMA ACHARI—25-3-15.

[G.O. No. 332, Educational, dated 23rd March 1915.]

PRESS SLIP.

ORDINARY.

PREFERENCE.

URGENT (a).

EDUCATIONAL DEPARTMENT.

Current No. dated 191 ..

G.O. No. 332 Ed 23. 3. dated 191 ..

(b) Number of MS. pages sent { Correspondence 40
(b¹) Notes 42

Brief subject.....

(c) Number of copies required when struck off (not including copies for volumes and editors' table which are retained in the Press).	E. T. copies to supply requisitions for purchase by the public.	Complete correspondence and orders.	Notes.
FOR RECORD.*			
Madras Records	4	6	6
Ooty Records		3	3
For filing with original		1	1
Total ..		20	20

FOR ISSUE.†

	Letter only.	Complete G.O.	(d) Special issue copies of G.O.		Notes
			No.	Papers.	
Signature copies.....					
India Office.....		1			
Govt. of India.....Dept.					
Revenue Department.....					
Public Works Department.....					
Local and Municipal Department.....		5			
Educational Department.....Dept.					
Public Dept.....					
Judicial Dept.....					
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Financial Dept.....					
Marine Dept.....					
Ecclesiastical Dept.....					
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INSTRUCTIONS FOR THE SECRETARIAT.

(a) If a paper is marked to be printed urgently, the Superintendent of the section concerned should sign the Press slip. The Superintendent should exercise a careful discretion in the matter.

(b) Each letter, memorandum, or order, or set of orders, in the file of correspondence should be headed in succession with the Roman numeral I, II, III, etc., the number being written in red ink or blue chalk above the item. The particular papers to be printed in the special issue-copies should be indicated by the Roman numeral (I, II, etc.) by which that item has been headed in the correspondence file. All matter, including marginal remarks or references, to be printed should be written in ink and matter which should not be printed should be encircled. Initials and signatures that are not quite legible should be re-written distinctly.

(b¹) For rules regarding printing of notes, see rule 315 of the office Manual.

(c) The number of copies and the details of distribution should be filled in by the Superintendent or Referencer concerned.

(d) In the absence of special instructions to the Press to keep matter standing for a specified period, ordinary papers of 8 pages and under will be kept standing for one week, and larger papers for two weeks only. The type of notes and of all confidential papers is distributed immediately after striking.

(e) This slip, properly and completely filled in, should accompany every paper sent to Press; it will be returned by the Press when proofs are furnished; it should be sent to the Press when a call is made for revised proofs or when a corrected proof is sent for striking. When finally returned by Press it should be filed with the original order or letter.

INSTRUCTIONS FOR THE PRESS.

(a) If, in the opinion of the Superintendent of the Press, a paper has been marked urgent unnecessarily, he should send the Press slip to the Registrar with a remark to that effect.

(b) Unless a note to the contrary is made against the matter, pencil entries should not be printed. The Superintendent of the Press may bring to the notice of the Registrar any instance of incomplete or careless editing.

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in the College of Engineering, Madras.
And they approve the proposal to relieve
about the middle of April 1915
him when the sessional examination
work is completed.

~~17.3.15

 20/3/15~~

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