

Edi (1915) Department.

Mis SERIES.

G.O. No. 740

DATED 6-7-15

[Despatch Abstract.]

Sanctioning the grant of leave ~~on~~
 medical certificate prior to retirement
 Sulaman Sheriff, late Deputy
 the office of the D.P.I.

BACK PAPERS.

Pension DEPARTMENT.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

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Subject.

Submitting for favour of orders correspondence between the Accountant-General and the Director relating to the grant of leave on medical certificate granted by Mr. Stone to Sulaiman Sheriff, late Duffadar of this office.

ENCLOSURES.
No. *Eight*
Spare copies

Ref. on Cur. No. 11140/14.

Station M A D R A S, Dated the 18 th J U N E 1915.

From (Name) The Honourable Mr. H. S. Duncan, M. A.,
(Designation) Ag. Director of Public Instruction.

To The Secretary to the Government of Madras,
PENSION Department.
 Through the Accountant-General, Madras.
 Sir,

I have the honour to submit copies of the marginally -

Accountant-General's letter No. 13 dated 5th May 15.
Director's reply N.R.O.C. No. 40/14 dated 10th May 15
Accountant-General's letter No. 13, dated 19th May 15.
Director's reply R C No. 11140/1 dated June 1915.

ral's letter No.
ted 10/12th

noted correspondence that passed between the Accountant-General and myself relative to the leave on medical certificate granted by Mr. Stone to Sulaiman Sheriff, late Duffadar of this office and to state as follows:

Sulaiman Sheriff was prior to his retirement from 1st 1 last granted leave on medical certificate for 3 months 1 9 days from the 22nd December/4 though he was invalided / the Surgeon, Fourth District, from that date; and in he course of his scrutiny of the pension -

2/4

applicant the Accountant-General pointed out in his letter No. Pen. S. 13 dated 5th May 1915 that the leave in question was opposed to the provisions of article 455 of the Civil Service Regulations and suggested that the sanction of Government be sought for the grant by the Director of the above leave to him with reference to note to article 827 (a) of the Civil Service Regulations. In my reply N.R.O. C. No. 11140/14, dated 10th ultimo, he was informed that although the applicant was declared unfit for service by the Surgeon, Fourth District on the 22nd December last, yet his retirement had to be postponed until the end of the medical leave under the second sentence of article 455 of the Civil Service Regulations, according to which "the retirement of an officer who is on leave other than privilege leave when such certificate (invalid/ certificate) is submitted may have effect from the termination of his leave". The Accountant-General, however, observed in his letter No. Pen. S. 13 dated 19th May 1915 that the applicant's case was hardly covered by the ruling quoted above, since his retirement should be considered to have ~~been~~ taken place from the date on which he was invalidated by the medical officer. At the same time he called for information as to the circumstances under which the leave was sanctioned, and the requisition to the medical officer and the leave on medical certificate were granted to the applicant almost simultaneously. After detailing as follows in answer to the above reference the circumstances that led to the grant of medical leave to the applicant from the date on which he was declared unfit for public service by the Surgeon, Fourth District, I suggested in the concluding portion of my letter R. C. No. 11140/14 dated 1st instant that the applicant's case be submitted to Government for orders, if the explanation furnished could not be accepted:-

"Sulaiman Sheriff was granted leave on medical certificate for three months and two days from the 23rd July last, and subsequent to his return to duty on the 25th October 1914 on the expiry of the above leave his health was so indifferent that he could not do full justice to his work. Last December he applied for leave again on the score of ill-health but was called upon to produce a medical

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certificate in support of his illness. Accordingly he appeared before the Surgeon, Fourth District, Madras, with a letter from the Director requesting that officer to specify the period of sick leave that the applicant was in need of. The medical officer, however, declared him unfit for further service on the ground that he was suffering from Psoriasis-vide invalid certificate forming an enclosure to the application for pension. On a scrutiny of the service book of the applicant it was, however, observed that his total qualifying service on the 22nd December last was only 29 years 8 months and 21 days and that it thus fell short by 3 months and 9 days of the service required to render him eligible for a pension of Rs. 4 per mensem. Mr. Stone in his letter to the Surgeon, Fourth District, R. C. No. 11140/14 dated 8th January 1915-copy enclosed, pointed out the hardship to which a long standing and trusted peon of the office would be subjected to should he be granted only a gratuity of six months' pay, and requested that officer to state whether he could recommend the applicant leave on medical certificate until 31st March 1915 on which date he would have completed 30 years of qualifying service. From the enclosed copies of letters from the medical officer, it will be noticed that he had no objection to the course suggested and on the strength of these letters leave on medical certificate for 3 months and 9 days from 22nd December 1914 was accordingly granted to the applicant."

It will be noticed from the Accountant-General's reply No. Pen. S. 13 dated 10/12th instant that that officer still adheres to his original decision and I accordingly beg to request that in the special circumstances of the applicant's case as stated supra, you will be so good as to obtain the sanction of Government under note to article 827 A of the Civil Service Regulations for treating the absence of Sulaiman Sheriff from 22nd December 1914^{up} to 31st March 1915 as leave on medical certificate.

I solicit the favour of early orders on this communication,

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as the applicant has been without any means of sustenance
April last.

I have the honour

Sir,

Your most obedient

G. J. [Signature]

for Director of Public Inst

S.V.

Ku
18.6.15

7 5

Letter from the Accountant-General, Madras, No. Pen.
dated 5th May 1915.

x

x

3. The grant of leave on medical certificate to the applicant from 22nd December 1914 to 31st March 1915 after he had been declared unfit for service by the medical officer on the former was opposed to the provisions of article 455 of the Civil Service Regulations. Though the leave was not absolutely inadmissible still it is only the local Government that could have granted leave as a special case after the production of the medical certificate of unfitness, vide note to art. 827 ⁴ of the Civil Service Regulations (correction slip No. 342 dated 2nd March 1914).

The medical leave under discussion would therefore appear to be irregular. The circumstances under which it was granted should be explained.

Ordinarily, the applicant should have been retired with effect from the date of the medical certificate.

(True ^{Extract} Copy)

G. H. S. S. S.

for Director of Public Instruction

16
18-5-15.

S.V.

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N. Reference on Current No. 11140/14, dated 10th May 1915

Retransmitted to the Accountant-General with the following
reply:- •

(1) the necessary correction has been made in the application
for pension and in the copy of it.

(2) The year of birth of the applicant, viz., 1868 as entered
in the service book which was opened on the 9th October 1890 appears
to be correct.

(3) The retirement of the applicant until the end of his leave
on medical certificate was postponed with reference to the second
sentence of art. 457 of the Civil Service Regulations.

(True Copy)

G. W. Harrison

for Director of Public Instruction

S.V.

18.6.15.

7/9
Letter from the Accountant-General, Madras, No. Pen. S. 13,
dated 19th May 1915 to the Director of Public Instruction, Madras.

"I have the honour to inform you that the application for pension of Sulaiman sheriff late Duffadar of your office is being delayed for want of the information noted below. Where possible answers would be written to each point to which your attention is drawn.

2. The enclosures and your reply should be returned with the least possible delay".

1. Ref:- Your reply to item 111 of this office Ref. No. Pen. S. 13 dated 5th May 1915.

The circumstances under which leave on medical certificate was granted to the applicant from 22nd December 1914 to 31st March 1915 have not been explained. The applicant's case can hardly be said to be covered by article 457 of the C.S.R. as his leave commenced from the date on which he was invalided by the District Surgeon. As the latter officer invalided the applicant on 22nd December 1914, the requisition with which to appear before the medical officer should have been granted to the applicant before that date and the circumstances under which the requisition to the medical officer for invalidment ~~tex~~ and the permission to avail of the leave on medical certificate were granted to the applicant almost simultaneously require explanation.

As it is, the grant of the leave in question would appear to require the sanction of Government under note to art. 827 A of the C.S. R.

(True Copy)

[Signature]

for Director of Public Instruction

S.V.

18.6.15.

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Letter from the Director of Public Instruction, Madras,
R. C. No. 11140/14 dated 1st June 1915 to the Accountant-General,
Madras.

" I have the honour to retransmit herewith the pension papers of Sulaiman Sheriff, lately Duffadar in this office, forwarded with your letter No. Pen. S. 13 dated 19th May 1915 and to state as follows.

2. Sulaiman Sheriff was granted leave on medical certificate for three months and two days from 23rd July last, and subsequent to his return to duty on the 25th October 1914 on the expiry of the above leave his health was so indifferent that he could not do full justice to his work. Last December he applied for leave again on the score of ill health, but was called upon to produce a medical certificate in support of his illness. Accordingly he appeared before the Surgeon, Fourth District, Madras, with a letter from the Director requesting that officer to specify the period of sick leave that the applicant was in need of. The medical officer, however, declared him unfit for further service on the ground that he was suffering from Psoriasis-vide invalid certificate forming an enclosure to the application for pension. On a scrutiny of the service book of the applicant it was, however, observed that his total qualifying service on the 22nd December last was only 29 years 8 months and 21 days and that it thus fell short by 3 months and 9 days of the service required to render him eligible for a pension of Rs. 4 per mensem. Mr. Stone in his letter to the Surgeon, Fourth District, R. C. No. 11140/14 dated 8th January 1915 copy enclosed, pointed out the hardship to which a long standing and trusted peon of the office would be subjected to should he be granted only a gratuity of six months' pay, and requested that officer to state whether he could recommend the applicant leave on medical certificate until 31st March 1915 on which date he would have completed 30 years of qualifying service. From the enclosed copies of letters from the medical officer, it will be noticed that he has no objection to the course suggested and on the strength of

letters leave on medical certificate for 3 months and 9 days from 22nd December 1914 was accordingly granted to the applicant.

If in the light of the explanation now given, you still consider that the applicant's case is not covered by the provisions of art. 457 of the C.S.R., I beg to request that you will be so good as to submit the papers to Government in view to their sanction being accorded to the leave in question under the note to art. 827 A of the C.S.R. I beg to add that the applicant has had a comparatively small ~~pro~~ proportion of leave viz., 3 months and 3 days excluding the leave on medical certificate for 3 months and 9 days from 22nd December 1914 during his service extending over a period of 30 years.

(True Copy)

C. W. H. [Signature]

for Director of Public Instruction

18.6.15

S. V.

12 ✓ 10
Letter from the Accountant-General, Madras, No. Pen. 8
dated 10/12th June 1915 to the Director of Public Instruction

"I have the honour to inform you that the application for
pension of Sulaiman Sheriff, late Duffadar of your office is be
delayed for want of the information noted below. Where possible
your answers would be written opposite to each point to which yo
attention is drawn.

2. The enclosures and your reply should be returned with
least possible delay."

Please obtain the sanction of Government to the grant of lea
on medical certificate to the applicant from 22nd December 1914 to
31st March 1915 as required by the note to article 827 A of the
C.S.R and forwarded the pension papers to this office afterwards f
the audit certificate and report as the pension can be sanctioned
by you if Government approves the grant of the leave.

(True Copy)

G. Krishnaswami

for Director of Public Instruction

18.6.15

S.V.

Letter from the Director of Public Instruction, Madras,
Ref. on C. No. 11140/14 dated 8th January 1915 to the Surgeon,
Fourth District, M a d r a s. 13

" With reference to your letter No. 721 dated 22nd Decem-
ber last stating that Sulaiman Sheriff, Duffadar of this office is
suffering from Psoria^{sis} and is unfit for further service, I have
the honour to inform you that the Duffadar entered service per-
manently on the 1st April 1885 and that his total qualifying
service on the 22nd December 1914 would only be 29 years 8
months and 21 days. Thus it falls short by 3 months and 10 days
of the service required to render him eligible for a pension of
Rs. 4 per mensem. If he is to be retired with effect from the
22nd ultimo, the date of your letter under reference, he will be
entitled only to a gratuity of six months' pay. He is a long
standing and trusted servant of the office and his case seems to me
to be a particularly hard ~~hard~~ one. In these circumstances,
I request you will be so good as to let me know if you can see
your way to recommend the peon leave on medical certificate
until 31st March 1915. If this request is complied with he will
be required to appear before you again on the ^{1st} ~~11th~~ April 1915,
when he may be invalided.

I request the favour of an early reply.

(True Copy)

[Signature]

for Director of Public Instruction

s.v.

18.6.15.

Letter from the Surgeon, Fourth District, Madras, No. 15
dated 9th January 1915 to the Director of Public Instruction,
Madras.

"With reference to your letter No. 11140 dated 8th
instant, I have the honour to inform you that I could recommend
the Duffadar Sulaiman Sheriff sick leave till 31st March 1915."

(True Copy)

[Handwritten signature]

for Director of Public Instruction

S.V.

18.6.15

13

Letter from the Surgeon, Fourth District, Madras , No. 66 dated 29th January 1915 to the Director of Public Instruction, Madras.

" With reference to your letter No. 11140, dated 28th instant, I have the honour to inform you that I can give a medical certificate to Sulaiman Sheriff for the period necessary in anticipation of the invaliding time."

(True Copy)

G. S. S. S.

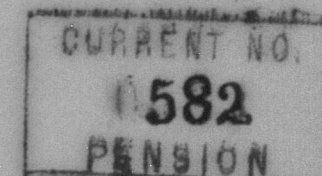
for Director of Public Instruction.

S.V.

18.6.15.

Fort St. George, the _____ of 24th June 1915.

No. Pen S-13- 6250



Ref: 256-15

ENCLOSURES: 9



FORWARDED.

2. The grant of leave on Medical certificate by the Director of Public Instruction from 22nd December 1914 to 31st March -- 1915 to Sulaiman Sheriff, late duffadar, of the Office of the Director of Public Instruction, Madras, after he had been -- invalided as unfit for further service, was opposed to the --- provisions of Arts. 455 and 827A of the Civil Service Regulations. In the special circumstances, however, of the present case, as explained by the Director of Public Instruction, it is within the discretion of the Local Government, to accord their sanction to the grant of the leave in question under the Note to Art. 827 A of the Civil Service Regulations.

J. Alchan

Assistant Accountant-General.

To

The Secretary to Government,

Educational Department.

Thro' the Chief Secretary to Government,

Pension Department.

Pension Dept.

Grant of leave on medical Certificate to Sulaiman Sheriff, late Duffadar, D.P. 15 Office

C.No. 582. From the D.P. 1. No. 11140/14 D 18-6-15

Est. of the Reg. No. Pen-3-13-6250 D 24-6-15

for the special officer.

Please see the D.P. 15 letter

17-4-15 which sets forth fully the circumstances under which leave on medical Certificate was granted by the D.P. 1. to Sulaiman Sheriff, late Duffadar of the D.P. 15 office from 22-12-14 to 31-3-15.

See p 14. CF.

2. The A. 4. points out that the grant of leave on m. c. for the period in question, after the duffadar had been invalidated as unfit for further service, is opposed to the provisions of articles 455 and 827 A of the C. S. R. He, however, adds that, in special circumstances of the case, the local Govt. may accord sanction to the grant of the leave in question under the note to article C.S. R. This may, it is submitted, Please see the Case in G.O. No. 129 P. The file may be passed on to

flag (9)

see p 14. Cf.



SK
CNO 230823
2-7-15

with these remarks, as the A.G. has addressed it to that dept. through Pansin

ms 29-6-15. JVI 29-6-15. 1-7-15. XB E.I. no.

Educational Dept.

In the circumstances represented by the D.P.S., his recommendation to treat the absence of Calaiman Shrip late Duffadar of his office, from the 22nd December 1914 up to the 31st March 1915 as leave on medical certificate under ^(the) Art. 827A of the C.S.R. ~~Adraft~~ may, it is submitted, be accepted. A draft order is placed below for approval

SK 3-7-15 (R) 5/7/15
[Signature]

191 .

C. No. 2308, From the D.P. 9, No. 11140, dated 18. 6. 1915.

505¹ of the A.G. M. Pen, 24. 6. 1915
3-13-6250.

” ” ” ” ” ” ” ” 191 .

No. 74001, dated 6. 7. 1915.

Mrs

In the special circumstances explained by the D.P.S., the Govt sanction, under the note to Article 827 of the C.S.R., the grant of leave on medical certificate to Sulaiman Sheriff, late Duffadar of his office, from the 22nd December 1914 to the 31st March 1915.

SA
3.7.15. CR
577/15

To
 Mr. J. P. G. (Gto)
 A. G. J.

When given for copying — }
 When copied — } 191 .
 When examined — }
 When signed — }

READ AGAIN G.O. No. DATED
 191 .

CURRENT No.

ENCLOSURES TO C. No.

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DETAIL.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

N.B.—

- A = Copy in full.
- B = Not to be copied.
- P = Copy abstract only.
- Q = Copy heading only.