

Home (1916) Department.
Education

Ordinary SERIES.

G.O., No. 1420

DATED ²⁷~~28~~ - 12 : 16

INDEXED

[Despatch Abstract.]

Government Museum.

Informing the Superintendent,-----, that as the personal allowances granted to the two taxidermists in G.O.No.1176, Educational, dated the 15th October 1914, were in lieu of the grain compensation allowances drawn by them they will not count for leave allowances and pension and will be liable to extinction under article 61 of the Civil Service Regulations.

PAPERS PUT UP WITH CURRENT No. _____

Papers of the department to which the current belongs.

Number.	Date.	Original (=O) or spare copy (= S.C.).	Remarks. (In this column such of the papers as have been removed for copying, printing, etc., should be marked with a cross.)	Initials of Referencer with date in token of return to Reference department

Papers of other departments.

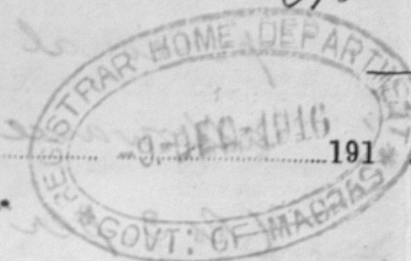
Department.	Number	Date.	Original (= O.) or spare copy (= S. C.).	Initials with date of (1) Referencer acknowledging returns of the paper concerned or (2) Despatcher to denote the return of the papers to the department concerned.

Vol 4560

9.12.16. C.F.-29.

Home DEPARTMENT.
(Education)

Received



Registered 191

Subject.

requesting orders of Govt. on the question of the
admissibility of personal allowance to
Jc. Fernandez, 2nd Taxidermist in the Museum,
during leave.

Through the Accountant-General

ENCLOS. RES.
No. (C/249)
Spare copies <i>nil</i>

No. 649

Station Madras, Dated the 18th December 1916.

From (Name) J.R. Henderson, Esq., M.B., C.M.,
F.L.S.,
(Designation) Superintendent, Government
Museum.

To The Secretary to the Government of Madras,

Home Department.
(Education)

Sir,

With reference to G.O. No. 1176
Educational dated the 15th October
1914, I have the honour to submit
for the orders of Government Copy
of the Correspondence noted in
the

VP

2
the margin as to the admissibility of

1. Letter to the Accountant-General,
No 564 dated 27th October 1916.
p 45 & 54 infra

2. Accountant-General's Office Audit
slip dated 30th October 1916.
p 5 infra

3. Letter to the Deputy Accountant-General
No 594 dated 8th November 1916.
p 6 infra

4. Accountant-General's Office Audit
slip dated 10th November 1916
p 7 infra

5. Letter to the Deputy Accountant-
General No 610 dated 15th November 1916.
p 70 & 81 infra

6. Letter from the Accountant-General
No Trichy - P.A. / 15852 dated 22nd November 1916
p 9 infra

personal
allowance
(Rs 3 per
mensem)
during
leave to
J. C. Fer-
nandez
2nd Taxi-
dermist
in the
Museum.

2. In the case of the writers in
the Museum, the Attendants in the
Connemara Public Library and the
Keepers in the Marine Aquarium, Govern-
ment ordered that their personal allow-
ances should not count for leave allow-
ances and pension - vide para. 2 (a) of
G.O. No 1176 Educational dated 15th Oct- (P)
ober 1914 and G.O. No 55 Educational (D)
dated 19th January 1915. This prohibition
was not expressed in the case of the
Taxidermists regarding whom Govern-
ment ordered: - "the grain Compensation

3
allowance drawn by the two Taxidermists
will also be continued as personal allow-
ances to the existing incumbents and sub-
ject to any revision of their pay which may
be sanctioned in future" - para. 2 (b) of

(P) the former G.O. The reason for this dif-
ferent treatment appears to have been that
the scale of pay of the Taxidermists was not
raised when the grain Compensation allow-
ance was abolished, whereas that of the
other officers was then raised or had only
been recently fixed. It appears to me
that in the case of the Taxidermists it
was the intention of Government that
the personal allowance should under
the first note to clause (c) of article 38
of the Civil Service Regulations count
for leave allowances. The Accountant-
General, however, holds that, as the
personal allowance was granted in
lieu of grain Compensation allowance,
it should not be drawn during leave
of any kind. I would submit that the
Case is governed by the orders of Govern-
ment and the Civil Service Regulations
and that the Consideration adduced
by the Audit office does not affect
the claim.

8. With reference to the retrenchment order issued by the audit office, a sum of Rs 4-8-1, being arrears of personal allowance drawn by J.C. Hernandez during two periods of leave in 1914 and 1915, has been recovered in the salary bill for November 1916. He also drew the allowance while on privilege leave for one month in June and July last which was passed without demur by the audit office. This amount has not been recovered pending the orders of Government on the present reference.

I have the honour to be,

sir,

your most obedient servant,

J. N. Henderson.

Superintendent

Enclosure

Copy of letter to the Accountant-General, No. 564 dated 27th October 1916

I have the honour to forward herewith for investigation under article 5(C) of the Civil Account Code and paragraph 14-A of the Madras Treasury Manual, a supplementary pay bill for

Rs 8-14-9 (Rupees eight, annas fourteen and pies nine) being the arrears of personal allowance due to J.C. Hernandez, 2nd Taxidermist in the Museum, under para. 2(6) of G.O. No. 1176 Educational, dated 15th October 1914, during the following periods:—

1. from 1st October to 23rd November 1914 when he acted as Senior Taxidermist.
2. from 16th February to 26th March 1915 when he was on privilege leave.
3. from 14th to 25th June 1915 when he was on leave on medical Certificate on half-pay.

II Copy of Accountant-General's Office Audit slip dated 30th October 1916

Your supplemental Establishment pay bill for Rs 8-14-9 forwarded with your letter No. 564 dated 27th October 1916 has been passed for payment of Rs 4-8-1 only and the difference of Rs 4-6-8 being the personal allowance claimed for J.C. Hernandez for the period during which he acted for P.V. Ayaswamy Pillai, Senior Taxidermist on privilege leave has been disallowed - vide Art. 61 of the Civil Service Regulations.

Copy of letter to the Deputy Accountant -
General No 594 dated 8th November 1916.

Attention is invited to G.O. No 1176 Educational dated 15th October 1914 (paragraph 2), from which it will be seen that the personal allowance granted to J. C. Fernandez should be continued so long as he holds the post of 2nd Taxidermist in the Museum, subject to any revision of his pay which may be sanctioned in future. No revision of his pay has been sanctioned. The personal allowance is not liable to be extinguished under Art. 61 of the Civil Service Regulations and was accordingly not reduced when he got his last two increments - vide Museum pay bills for January 1915 and January 1916 and the periodical increment certificates sent therewith. The officer was therefore entitled to draw his full personal allowance of Rs 3/- as 2nd Taxidermist when he acted for P. V. Aiyasamy Pillai, Senior Taxidermist in October and November 1914. A supplemental bill for the amount disallowed is sent herewith with the request that you will be so good as to reconsider the case and pass the bill for payment

Copy of Accountant - General's Office
Audit slip dated 10th November 1916

The sum of Rs 4-8-1 being the personal allowance drawn for J. C. Fernandez in your supplemental establishment pay bill paid by this office on 30.10.16 should be recovered from him in the next bill, as he is not entitled to it during leave of any kind, the personal allowance granted to him being in lieu of the grain compensation allowance.

Copy of letter to the Deputy Accountant -
General No 610 dated 15th November 1916

Under the first note to clause (c) of Art. 38 of the Civil Service Regulations, personal allowance is treated, for the purposes of calculating leave allowances and pensions, as part of an Officer's substantive pay. In the case of the writers in the Government Museum and the Attendants in the Coonemara Public Library Government ordered that their personal allowances should not count for leave allowances and pension, but this prohibition was not

expressed as regards the Taxidermists -
vide G.O. Nos 1176 and 55 Educational
dated 15th October 1914 and 19th January
1915 respectively. In para: 2 (b) of the
former, Government ordered: - "The
grain Compensation allowances drawn
by the two Taxidermists will also be
continued as personal allowances to
the existing incumbents and subject to
any revision of their pay which may be
sanctioned in future." The reason for
the different treatment was that the pay
of the Taxidermists was not raised on
the abolition of the grain Compensation
allowance whereas that of the others was
then raised or had only been recently fixed.
It accordingly appears to me that the
Second Taxidermist J.C. Hernandez
was entitled to the personal allowance
during leave and that the consideration
mentioned by you that the personal
allowance was granted in lieu of the
grain Compensation allowance does not
affect the claim. I would therefore
request you to reconsider the matter.

Copy of letter from the Accountant-General
No Trichy - P.A./15852 dated 22nd November
1916.

With reference to your reply No. 610
dated the 15th November 1916 to this office
A.B.V./40 Trichy. P.A. of the 10th idem,
I have the honour to state that as the
Government Orders quoted by you tend
to show that the personal allowance in
question was granted in lieu of grain
Compensation allowance and should not
therefore be drawn during leave of any
kind, the retrenchment order issued
by this office is correct, and the sum
of Rs 4-8-1 should be recovered from
the next bill.

2. You may take separate orders
of Government in the matter.

J.N. Henderson.
Superintendent
Government Museum.

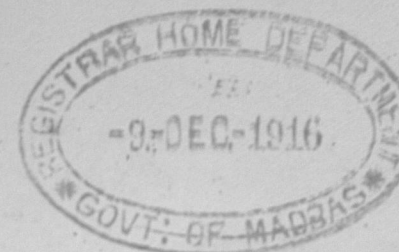
DR

Fort St. George, the 7th of December 1916.

8

7

No. Trichy.P.A.-- 16861

ENCLOSURES:
(Five Sheets)

Forwarded.

2. As the personal allowance was granted to the taxidermist in lieu of the Grain Compensation Allowance, it does not appear admissible during leave of any kind unless otherwise ordered by Government. The orders of Government are also requested as to whether it is intended that the rule in article 61 of the Civil Service Regulations should not be held to apply in the case of the two taxidermists when further increments fall due to them.

Deputy Accountant-General.

Sd

To

The SECRETARY to GOVERNMENT,

Home (Educational) Department.

Home (Education) Department.

Subject.

Admissibility during leave of the personal allowance granted in lieu of grain compensation allowance, to the second Taxidermist in the Government Museum.

C.No.4560,

From the S.G.M., No.649, d/ the 1st December 1916.,
Endorsement of the A.G.No.Tri.P.A.16861, dated the 7th December 1916.

For the U.S.

para 2(b) p.6 (P)

Please see para 2(b) of G.O.No.1176 Edn, dated the 15th October 1914 in which the Government directed that the grain compensation allowances drawn by the two Taxidermists in the Government Museum would be continued as personal allowances to the existing incumbents subject to any revision of their pay which might be sanctioned in future. The S.G.M. has interpreted the order to mean that these personal allowances should be treated as part of the officers' substantive pay counting for leave allowances and pension under note 1 to clause (c) of Article 38 C.S.R. The A.G. has however, held that the personal allowance was granted in lieu of grain compensation allowance, and that it should not therefore be drawn during leave of any kind. He has accordingly disallowed the personal allowance drawn by the second Taxidermist during leave.

p.10 cf.

2. As the personal allowances granted to the two Taxidermists were in lieu of the grain compensation allowances drawn by them, these are liable to be extinguished under Art.61 C.S.R. though this was not specifically stated in para 2(b) of G.O.No. 1176 Edn., dated the 15th October 1914. Attention

para 2(b) p.6 (P)

is

is solicited to para 3 of the office note on page 2 and para 5 of Finl note on page 5 of notes to the G.O. from which it will appear that this was the intention and that no different treatment was accorded in respect of the personal allowances granted to the Taxidermists. It is therefore submitted that the A.G.'s contention is correct and that the S.G.M. may be informed accordingly. A draft order is submitted for approval.

JK
21-12-16.

JK has stated that he considers the pay of the taxidermists too low & that he would be sorry to address Govt in the matter; he does not seem to have done so; but it is open to him to do so at any time.

As regards the allowances granted in lieu of S.C.A. there are obviously on all forms with them granted to the Commensal library attendants & the Aquarium keepers. The omission to add a mention to the S.O. sanctioning their allowances, to the effect that the allowances would not count as leave allowances for pension, was evidently not done with intent or foreknowledge by the Supt. The draft may be approved by the Supt.

JK
22.12.16

Government Museum
informing the Superintendent, _____ that ^{as} the
personal allowances ^{franked} to the two taxidermists in G.O. No.
1176 EOL, dated the 15th Oct 1914 were in lieu of the Frani
compensation allowances drawn by them, they will not count
for leave allowances and pension and will be liable to extinction
under Article 61 of the C.S.R.

under Article 61 of the C.S.A.
READ AGAIN G.O. No. 1176 Eol, dated the 15th October 1914 (P)

" " "; "

19

C. No. 4560, From the S. G. M., No. 649, dated the 18th Decr 1916.

Endt. of the Aceto Genl, Truly PA, 16881, dated the 7th Decr 1916.

191

No. 1420, dated 1st 27th Dec 1916.

His

The Supdt. ^{of the} Govt. Museum
will be informed that, as the
personal allowances granted
to the two taxidermists in G.O.
No. 1176 Edl., dated the 15th Oct.
1914, were in lieu of the grain
compensation allowances drawn
by them, the allowances will
not count for leave allowances
and pension and will be liable
to ~~be extinguished~~ ^{extinction} under Art. 67
of the C.B.R.

Feb
21.12.16

When given for copying

When copied

When examined

When signed

READ AGAIN G.O., No.
19

DATED

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH LETTER

PAPERS NOT FILED UP, BEING WANT FOR DISPATCH
IN ORIGINAL

N.B.—

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