Sectt. II-27—104,006—4-11-49.

Education (1950) Department.

SERIES.

Put away
M
27/3

G.O. NO. 3105 Edu

Dated 21-11-50.

19

[Despatch Abstract.]

Suits – Sri K.S. V.V. Ramanujachariar – Ex-teacher, Ele School – Civil suit – Defence of – Payment of fees to the Govt Pleader – Sanctioned

Back Papers.

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

Further Papers.

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

25,006--4-11-49·

Sectt. II-74

C. No. Department.

List of records put up

Number.	Date.	Department.	Signature of Clerk putting up the paper.	Signature of Clerk removing the paper.

(P.T.O.)

Number.	Date.	Department.	Signature of Clerk putting up the paper.	Signature of Clerk removing the paper.

Slip issued 6/1

Recd. 5/1/50

1124 -Sec 1

1318-

Chittoor,
27th December 1949.

From

P. Narayana Reddi, B.A., B.L.,
Government Pleader & Public Prosecutor,
Chittoor.

To

The District Collector,
Chittoor.

Sir,

Ref:- L.Dis.No.40/1949.
Ref:- B5-15865 of 1949 dated7-12-1949.
Subject:- Suits - A.S.89/1949 Sub Court, Chittoor - Fees to Govt. Pleader.

--

You have informed me in your letter that the Court has allowed Rs.25/- for the suit and Rs.25/- in the appeal which is perfectly correct. Your further statement that Government sanctioned Rs.26-12-0 for incidental expenditure is entirely wrong. I never claimed Rs.26-12-0 for expenses, nor have the Government allowed to my knowledge Rs.26-12-0 for contingent expenses.

2) The fees to be paid to the Government Pleader in a particular suit or appeal depends on the amount and nature of work involved, and it does not mean that the Government Pleader must be paid only the fees allowed in Court.

3) In O.S.No.445/1945 I sent my bill of fees on 10-12-1947 claiming an enhanced fee and gave also the reasons for claiming the same. Government accepted my reasons and sanctioned a fee of Rs.75/- in the above suit. Please refer to G.O.Misc., 2201 Education, dated 4-9-1948.

75/-

4) In the appeal A.S.89/1949 Sub Court, Chittoor, judgment was pronounced on 1-3-1949, and I sent my bill of fees on 17-3-1949 (L.Dis.9/1949 dated 17-3-1949) for Rs.31-6-0 being Rs.25/- for fees and Rs.6-6-0 for expenses for obtaining certified copies of depositions, judgment and decree.

5) From the above, you can clearly see that the fees ~~of~~ for the suit was claimed and sanctioned long prior to the disposal of the appeal and your letter mentioned above is therefore not in conformity with truth or justice.

2

DISTRICT EDUCATIONAL OFFICER
R. 446-D49
13 JAN 1950
CHITTOOR

19 JAN 1950
CHITTOOR

(6) I therefore request you to inform the Government that the fees sanctioned for the suit i.e., Rs.75/- cannot be revised again, and that I am entitled to ~~the~~ fees in the appeal and the contingent expenses Rs.6-6-0 claimed in my letter L.Dis. 9/1949 dated 17-3-1949.

P. N. Reddi
30-12-49.
Government Pleader.

R. Ref. B5: 562/24 50 d/11.1.50

Forwarded to the District Educational Officer, Chittoor, for early remarks on ~~the~~ paragraphs 3 to 6 of the letter together with the connected records.

11/1
For Collector

8 10/1/50 Rl 10.1.50

To
the D.E.O.
Chittoor.

75-0-0
31-6-0
106-6-0

Why - pl
N
9.1.50.

The G.P.'s letter No L 9/49 d 17-3-49 was sent by the DPI & the G.O.'s fees also was paid by him on 31-3-49. Hence the DEO may be [illegible] requested to offer his remarks on the G.P.'s claim & send the records connected with the claim.

[illegible] 10/1/50

REVENUE DEPARTMENT

3

From
Sri C. Ramachandran, M.A.,
District Collector,
Chittoor.

To
The Secretary to Government,
Education & Public Health Department,
Madras.

MOMOMOMOMOMOMOMOMOMOMOMOMOMOMOMOMOMOMOMOMOMOMOMOMOMOMOMOMOMOMOMO

Ref. B5/562/50 dated 10-2-50.

14 FEB 1950
11362

Sir,

Sub: SUITS - Original - Chittoor District - District Munsif Court, Chittoor - OS. 445/45 - Sub Court, Chittoor - A.S. 89/48 - Fees to Government Pleader, Chittoor.

Ref: 1. G.O. No. Ms. 2201, Edn. dated 4-9-48.
ii. G.O. No. Ms. 2725, Edn. dated 29-8-49. and
iii. Govt. Memo No. 86259-B2/49-1 Edn. d/15-11-49.

...

Kind attention is invited to the two Government Orders and to the correspondence ending with the Government Memo cited above. In obedience to this memo, the Government Pleader, Chittoor was asked to send a voucher for the sum of Rs. 1-12-0 due to him. He refuses to accept this amount and claims a sum of Rs. 31-6-0 - Rs. 25/- as his fees for defending the suit in A.S. 89/48 Sub Court, Chittoor and Rs. 6-6-0 for expenses for obtaining certified copies of depositions, judgment and decree. He states that he sent his first bill of fees to the Director of Public Instruction, Madras on 10-12-47 explaining the reasons for claiming the enhanced fees in OS. 445/45 on the file of the District Munsif, Chittoor and that after consultation with the Director of Public Instruction, the Government were pleased to sanction a fee of Rs. 75/- in G.O. No. 2201, Education dated 4-9-48. The Government Pleader states further that the fees for the original suit was sanctioned long prior to the disposal of the appeal suit and as such the Government are not justified in revising the fees which was sanctioned by them previously. He requests that he may be paid a sum of Rs. 31-6-0 as claimed by him. The letter received from him is enclosed in original for perusal and retnnn at an early date. I request that early orders may be issued in the matter after consultation with the Director of Public Instruction, Madras if necessary.

p.b.1-2 & ante

Ramanathan
12/2
FOR COLLECTOR.

s.n.12/2.

5

Edn. J.P.H (B2) Dept

Memo. No 11362 B2/50-1, Edn, dated 22.2.50

16/2

Sub :- Suits - original - Chittoor Dt. - Fees to Govt. Pleader, Chittoor.

Ref :- From the Collector of Chittoor, No. B.5/562/50, dated 10-2-50

p3 cf.

The Collector of Chittoor is requested to obtain and forward a copy of the bill of fees (claiming Rs 31-6-0) presented by the Government Pleader in his L.Dis. 9/1949 dated 17.3.49.

M' cf.

In his letter L.No. 10/49, dated 18.3.49, addressed to the D.P.I., the Govt. Pleader claimed a fee of Rs 751/- in the aggregate for appearing in O.S. 445 of 45 (Dt. Munsiff Court) & A.S. 89 of 48 (Sub Court). In view of this bill it is not clear how a further claim will

p5 of ©

(P.T.O.)

now arise. The Govt. Pleader should be asked to reconcile the apparent contradiction in his statement.

Wb. 22.2.50

22/2

22/2/50

To
The collector of
Chittoor.

28/2

C

From
Sri C. Ramachandran, M.A.,
District Collector,
Chittoor.

To
The Secretary to Government,
Education & Public Health Department,
Government of Madras, Madras.

Ref.B.5./562/50 d.24.3.50.

Sir,

Sub:- Suits - Original - Chittoor District - Fees to Government Pleader - Chittoor - Further report Submitted -

Ref:- This office No.B.5./562/50 d.10.2.50. — p3 ante
and Government Memo No.11362/B.2/50-1 dated 22.2.50 — p5 ante
.(Education)

...

ASSISTANT SECRETARY
26 MAR 1950
4623
EDUCATION DEPARTMENT

p5 (c)

In obedience to the Government Memo cited above, the Government Pleader, Chittoor was asked to reconcile the apparent contradiction observed by the Government therein. He says that he claimed only Rs.25/- in his L.No.10 of 49 dated 18-3-49 and not Rs.75/- L.No. 15 of 50 dated 15-3-50 received from the Government Pleader is enclosed in original for perusal and return.

pa in b/a

/Enc. P.13-14 C.F./

for Collector.

Mis.25.3 b/27/3

From:
P. NARAYANA REDDY, B.A., B.L.,
GOVERNMENT PLEADER & PUBLIC PROSECUTOR,
CHITTOOR.

To
The District Collector, Chittoor

13

COLLECTOR'S OFFICE
2 MAR 1950
CHITTOOR

L. No. 15 of 50 Date 15.3.50

SIR,

Ref. B.5 - 562 of 50 Date 2-3-50

Sub. Suits - O.S. 445 of 46, D.M.C. Chittoor - & A.S. 89 of 49 Sub-Court Chittoor.

In my letter No 40 of 49 dated 27.12.49 I have clearly explained everything. I am unable to understand the Boards observation that in Letter No. 10 of 49 dated 18.3.49 that an aggregate fee of 75 was claimed. This is not true, for in this bill, the pleader's fee claimed is only as 25-0-0 and not Rs 75-0-0.

p5 of (C)

The bill for fees in O.S. 445 of 45 was sent to the D.P.O on 10-12-47, and the amount of fees claimed was Rs 75.0.0. Govt. sanctioned this amount in G.O. Ms. No. 2201 - education dated 4.9.48. On 10-12-47 there was no appeal pending in this suit.

p9 of (E)

p5 of (E)

The defence of the appeal, originally A.S. 207 of 48 Dt. Court, Chittoor and subsequently numbered as A.S. 89 of 49 Sub-Court, was sanctioned in G.O. Ms. 1495 - education dated 5-6-48.

p10 of (M)

p5 of (E)

The bill sent on 10.12.47 was for fees in the suit only i.e.

2

for Rs 75-0-0 whereas the bill sent on 17.3.49 was for fees in the Appeal only which is Rs 25-0-0. The bill sent on 17-3-49 has no reference to the previous bill. The 2 bills may be verified.

The office copy of my letter No 10 of 49 dated 18.3.49 shows that copy of decree and judgement was sent but the amount is not mentioned. moreover I therefore request you to refer to my bill dated 18-3-49 sent to the D.P.I. Madras. If that bill is not available, then the correct amount may be ascertained from the copies of the decree and judgement sent by me to the D.P.I. The bill dated 18.3.49 is for pleader's fee in the Appeal which is Rs 25-0-0 and for the expenditure of obtaining the copy of decree & judgement

P. N. Reddi.
G.P.
15.3.50

From
Sri C. Ramachandran M.A.,
Collector, Chittoor.

To
The Secretary to Govt Education,
Public Health Department, Govt of Madras, Madras.

Ref. B5. 562/50 d. 8.7.50

ASSISTANT SECRETARY
19442
12 JUL 1950
Recd.
EDUCATION DEPARTMENT

Sub - Original Chittoor District - fees to the Govt. Pleader, Chittoor - orders requested.

Ref. Govt Memo No. 11360/B2/50-1 Edn. d. 22-2-50
This office No. B5. 562/50 d. 24-3-50, 3-5-50 &
26-5-50.

I invite attention to the references cited above and request the favour of early orders in the matter.

for Collector.
10.7.50

10.7

Copy to the Dt. Educational Officer, Chittoor and Government Pleader, Chittoor.

13

8

Education (C) Deptt.

Memo. No. 11362 C/50 – 5, Edn. dated 20.7.50.

10/2/7.

Sub:- Ele. Edn. – Suits – District Munsiff's Court, Chittoor – Suit by Sri K.S.V.V. Ramanujachariar – Fees to the Govt. Pleader.

p 3 & 7 cf.

Ref:- From the Collector of Chittoor, No, B5/502/50/2 dated 10.2.50 and 24.3.50.

— . —

A total fee of Rs 50/- was sanctioned in G.O. (MS) No. 2725 Edn. dated 29.8.49 to the Govt. Pleader for defending the suits filed against the Municipal Council, Chittoor in the Munsiff Court and in the sub-court = ~~On~~ on the recommendation of the Collector of Chittoor made in his letter No, 9937/49. dated 10.7.49. Before the payment was sanctioned a fee of Rs 75/- was already drawn by the Govt. Pleader for his appearance in the Munsiff Court (vide G.O. (MS) No. 2201 Edn. dated 4.9.48). The view has been held that the Pleader should be permitted to retain the fee already drawn by him. The Collector is ~~may~~ therefore requested to report whether any extra fee should be sanctioned to the Govt. Pleader for his appearance in the Sub-Court and if so what that amount should be. He may send his reply after consulting the Govt. Pleader, if necessary.

at (C) p 21

p 17 of (C)

p 9 of (E)

To
The Collector of Chittoor.

24/7

W.L. 19.7.50

17/7

25/7/50

C 9 15

Ref.B5.562/50

Collector's Office, Chittoor,
Dated 5-9-1950

ASSISTANT SECRETARY
9 SEP 1950
27303
EDUCATION DEPARTMENT

From
Sri C. Ramachandran, M.A.,
Collector, Chittoor.

To
The Government Pleader,
Chittoor.

Sir,

Sub: Suits-Original-District Munsiff Court, Chittoor O.S. 445/45 and Sub Court, Chittoor-A.S.89/48 Fees to Government Pleader
Ref: Your reply dated 13-8-50

Your reply is not exhaustive. Please send copies of your letters L10/49 dated 18-3-49 and L.15/50 dated 15-3-50 for reference at once. Also let me know what is the fees still due in the above suit with details.

For Collector.

Pml/5-9. 8/9

Copy submitted to the Secretary to Government, Education and Public Health, Government of Madras for favour of information.

10

17

Edn (C) Deptt.

Memo. No. 11362 C/50-6, Edn. dated 11.9.50

27/4/9

Sub:- Ele. Edn. - Suits - Dt. Munsiff's Court, Chittoor - Suit by Sri K.S.V.V. Ramanujachariar - Fees to the Govt. Pleader.

p13 cf

Ref:- Govt. Memo. No. 11362 C/50-5, Edn. dated 20.7.50.

-:-

The attention of the Collector of Chittoor is invited to the Govt. Memorandum cited & he is requested to state when his reply called for therein may be expected.

To
The Collector of Chittoor

WB. 8.9.50

8/9

9/9/50

19

Ref.B5-562/50;

Chittoor Collector's Office,
Dated the 14th Septr., '50.

From
Sri.C.Ramachandran, M.A.,
Collector, Chittoor.

To
The Secretary to Government,
Edn. & Pub Health Deptt.,
Fort St.George, MADRAS.

ASSISTANT SECRETARY
18 SEP 1950
28361
EDUCATION DEPARTMENT

Sir,

Elementary Education--Suits--Dt.Munsif's Court, Chittoor--
Suit by Sri.K. S. V. V. Ramanujachariar--fees to the Govt.Pleader.
Ref: Govt.Memo.No.11362-C/50-5 Edn. d/11-9-50.

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p 17 ante

As the report submitted by the Govt.Pleader was not exhaustive, he was asked to send copies of his letters addressed to the Director of Public Instruction, Madras direct, claiming Rs.75/- towards his fees in the lower Court. He was also asked to state the amount of fees still due to him in the suit with details. His reply is awaited. I shall submit my report by 25-9-50.

1/2 For Collector.

MGS.16/9. 16/9

Copy to the Govt.Pleader, Chittoor. Please send your report urgently.

Edn (C) Dept

May l.o. till 15.10.50.

18/9/50

18/9

19/9/50

L.Dis.562/50.

Chittoor Collector's Office,
Dated the 14th Sept., '50.

Sri C. Ramachandran, M.A., ... The Secretary to Government,
Collector, Chittoor. Education & Pub Health Dept.,
Fort St.George, Madras.

Sir,

Sub: Suits-Original-Chittoor District-Suit by Sri K. S. V. V. Ramanujachariar-Fees to the Govt.Pleader.
Ref: Govt.Memo.No.11362 C/50 Edn. d. 20-7-50.

As the report submitted by the Govt.Pleader was not exhaustive, he was asked to send copies of his letters addressed to the Director of Public Instruction, Madras, claiming Rs.75/- towards his fees in the lower court. He was also asked to state the amount of fees still due to him in the suit with details. His reply is awaited. I shall submit my report by 15-9-50.

L.Dis.562/50. for Collector.

Copy to the Govt.Pleader, Chittoor. Please send your report

21

L.Dis.562/50

Collector's Office, Chittoor,
Dated 19-9-1950

12 C

From
Sri C. Ramachandran, M.A.,
Collector, Chittoor.

To
The Secretary to Government,
Education and Public Health Dept.
Government of Madras, Madras.

ASSISTANT SECRETARY
22 SEP 1950
22018
EDUCATION DEPARTMENT

Sub: Suits-Original-Chittoor District-Suit by Sri K.S.V.V. Ramanujachariar- Fees to Government Pleader

Ref: This office B5. 562/50 dated 10-2-50
Govt. Memo No. 11362 C/50 Edn d. 20-7-50

1 Incl.

The Government Pleader states that the appeal before the Sub Court A.S. 89/43 was disposed of on 1-3-49 and he had sent his bill for fees ~~xxx~~ for Rs. 31-6-0 (Rs.25/- towards fees and Rs.6-6-0 towards expenses) on 17-3-49. He maintains that he is entitled for their extra fees for defending the suit in the appellate court which is only subsequent to his claim in the original suit. He has been allowed a sum of Rs. 25/- by the Sub Judge also. Hence a sum of Rs. 31-6-0 as claimed by him may be sanctioned.

20/9/50

For Collector.

Pm1/20-9. R 20/9

22

50-0-0
26-12-0
31-6-0
108-2-0

Edn.(c)

23/13

Suits – Sri. K.S.V.V. Ramanujachariar – Ex-teacher Ele. School – Civil suit – Defence of – Payment of fees to the Govt. Pleader – Sanctioned

(H) (E) Read again G.O. No. 1495 Edn dt 5-6-48
G.O. No. 2201 Edn dt 4-9-48

P3CF and P21CF Read also letters from the Colr. of Chittoor Ref B5/562/ dated 10-2-50 and 19-9-50.

30/21.11.

Order (MS) No 3105 Edn dt 21-11-50.

(E) C/P21CF C/P29CF In supersession of the orders in G.O. No. 2201 Edn dated 4-9-48, G.O. No. 2725 Edn dt 29-8-49 and Memo No. 86259 B2/49-1 Edn dt 15-11-49, the Govt sanction the payment of a ~~sum~~ fee of Rs 106-6-0 to the Govt. Pleader, Chittoor (Rs 75/- for Lower Court and Rs 31-6-0 in the appellate Court) for ~~defending~~ the defence of the State of Madras in the Civil Suit filed by Sri. K.S.V.V. Ramanujachariar against the State.

(E) As the fee of Rs 75/- sanctioned in G.O. No. 2201 Edn dated 4-9-48, was already paid to the Govt. Pleader he will be entitled to receive a further amount of Rs 31-6-0 (Rupees Thirty one and annas six only). The Collector of Chittoor is requested to arrange for the disbursement of the amount to the Govt. Pleader, Chittoor

The expenditure will be debited to the head "27- Administration of Justice – b- Law Officers c. Allowances and Honoraria (Fees to Govt. Pleaders) – Voted" in the B.E. for 1950-51.

To.
The Colr. of Chittoor
The D.P.I
The A.G. Through Finance.
2.5.cs.

23.11.50

18/11/50

18/11/50

21/11/50

Education Department (C)

Sub:- Elementary Education - Suits - District Munsiff's Court, Chittoor - Suit by Sri. K.S.V.V.Ramanujachariar - Fees to the Government Pleader.

Ref:- From the Collector of Chittoor No. B5/562/-50, dated 10-2-'50 and 24-3-'50

****

The current file contains a representation from the Government Pleader, Chittoor, in regard to fees due to him for appearance on behalf of Government in the suit filed by a teacher against the Muncipal Council, Chittoor, wherein the Government were impleaded as a party.

2. The Pleader appeared in the Court of Dt.Munsiff Chittoor and also in the Sub-court when the teacher made an appeal in the Sub-court aginst the orders of the Munsiff, rejecting the petition.

3. The pleader claimed a fee of Rs.75/- for appearance in the Munsiff Court and this was sanctioned in G.O.No. 2201 Edn, dated 4-9-'48.

4. In ~~April~~ March 1949, the pleader presented another bill for Rs.101-12-0 (a fee of Rs.75/- and incidental charges amounting to Rs.26-12-0). In consultation with the Collector it was decided that a fee of Rs.50/- would be sufficient for defending the Government in the two Courts as against a fee of Rs.75/- claimed by the pleader. Sanction was therefore accorded to the payment of Rs.76-12-0 (a fee of Rs.50/- plus the incidental charges amounting to Rs.26-12-0). When this order was issued the fact that a fee of Rs.75/- was ~~laready~~ already sanctioned ~~ened~~ to the Government Pleader for having defended the Govt. in the Munsiff court, was lost sight of for the following reasons:-

(1) The fees on the two occasions ~~were~~ sanctioned in different sections of the Department, one section not knowing what had happened in the other section.

(2) Though the bills of the Pleader ~~were~~ forwarded by the D.P.I. to Govt. he ~~has~~ failed to make [illegible] nce to the Government order sanctioning [illegible] second payment when he recommended [illegible]

25

time.

5. When orders sanctioning payment of a fee for the ~~second~~ first time ~~it~~ was brought to notice by the Collector of Chittoor, the orders sanctioning a fee for the second time were modified suitably. (Please see Memo. on page 29 of the current fileof the G.O. at (C)).

p 28 of (C)

ASSISTANT SECRETARY TO GOVERNMENT
1 APR 1950
HOME DEPARTMENT

44454
6/4/50

6. The Government Pleader now reports that a fee of Rs.31-6-0 is still due to him ~~in lieu of the payment sanctioned previously~~ as detailed below:-

Fee claimed by the Govt. Pleader		Fee admitted by Govt.
For appearance in the Munsiff court	Rs.75-0-0 p 5 of (E)	Rs.25-0-0
For appearance in the sub-Court	Rs.25-0-0 p 3 of	Rs.25-0-0
Incidental charges	Rs.6-6-0 p 3 of	Rs.26-12-0
Total	Rs.106-6-0	Rs.76-12-0

G.O. 2725 at (C) 29.8.48
- Vide - 1-1 of (C)

The fee claimed for appearance in the Sub-Court is acceptable. As regards incidental charges the amount now claimed by the Government Pleader is less than that already sanctioned to him. The Reduced claim may be accepted. The only point to be settled is whether the Pleader is entitled for appearance in the Munsif Court, to a fee of ~~Rs.50~~ Rs.25/- as allowed by the Court or to a fee of Rs.75/- as already claimed by him and sanctioned in G.O.No.2201 Edn, dated 4-9-'48.

→ 6.6.0.
→ 26.12.0

p 9 of (E)

7. Home, Legal and Finance may see for remarks.

WL
29.3.50 — 29/3/50

31/3/50

Home
Legal
Finance

Home Dept

Edn. W.O.
11362 C/50-2
31.3.50

The case relates to the payment of fees to the Govt. Pleader, Chittoor for his work in connection with the A.S. No.89/49 on the file of the Sub Judge, Chittoor. The Edn. Dept's note on pp. 1-2 above sets out the case.

H. 1-2 of

2. In G.O.No.Ms.2201, Edn. d/4-9-48, at the instance of the D.P.I., the Govt. Pleader, Chittoor was sanctioned a fee of Rs. 75 for his work in the civil suit filed by Sri K.S.V.V.Ramanujachari against State in the Dt.Munsif's ently in G.O.No.2725, Edn. dated

p. 9 of (E)
- do -
- do -
p. 21 of (C)

(C.No. 44454/50)

15 / 26

29-9-49, at the instance of the D.M., Chittor, the Govt. sanctioned the G.P. a fee of Rs. 50/- for his work in the appeal before the Sub Court, Chittoor and a sum of Rs.26-12-0 towards ~~work~~ incidental expenses. The G.P. was on the whole paid a sum of Rs. 151-12-0 At the instance of the Collr. in Memo. No.86259 B2/49-1 Edn, dated 15-11-49, the Govt. informed the Collector that the payment ordered in G.O. ~~No.~~ at (C) was in lieu and not in addition to the fee of Rs. 75/- sanctioned in the G.O. at (E) and further sanctioned the payment of Rs. 1-12-0 to the G.P. in full settlement of his claim. The G.P. has, therefore, been ~~offered~~ allowed a sum of Rs.78-8-0. He now requests that a sum of Rs. 31-6-0 still due to him may be paid.

p. 21 of (C)

75-0-0
50-0-0
26-12-0
151-12-0

p. 29 of (C)

- do -

A

50-0-0
26-12-0
1-12-0
78-8-0

H. 1-2 of

3. It may be mentioned that the fee of Rs.75/- allowed to the G.P. in September 1948 was for his work in the Dt. Munsif's court, ~~which~~ while that sanctioned in August 1949 was for his work in the Sub Judge's court. The view taken by the Edn.Dept. at A above does not appear to be correct as the work done is in different courts.. They may consult Legal, if necessary.

p. 9 of (E)
p. 21 of (C)

4 The sum of Rs. 31-6-0 (Rs. 25 for fees and Rs. 6-6-0 for incidental charges) claimed by the Govt.Pleader seems to be reasonable and may be allowed.

5 The case may be passed on to Legal.

24/4/50
24-4-50

25/4/50 Legal

p 9 of (E)

Home W.O. 44454 C/50-1
25-4-50.

ASSISTANT SECRETARY
6532
27 APR 1950
LEGAL DEPARTMENT

p 5 of (C)

Legal Department.

In G.O.Ms.No.2201 Education d/4-9-48, a sum of Rs.75 was sanctioned to the Govt.Pleader for his work in the Dt. Munsif's Court. This sum was sanctioned after mature consideration by the late E&PH Department and the Home Departmen The Govt.Pleader then sent his bill L.No.10 of 1949 d/18-3- see p5cf of G O Ms No 2725 Education dated 29-8- In that bill, he specified Rs.75 as the fee in the Munsif's Court, Rs.25/- as the fee in the appellate court, Re.0-9-0 of decree & judgment in the lower cour for certified

1-2 of (E)

and Re.1/3/0 for certified copies of decree & judgment in appeal. In the aggregate, the Govt.Pleader climed in that bill Rs.101/12/0. But he did not mention the fact that a sum of Rs.75, being his fee for work done in the lower court, has already been sanctioned in the G.O.at (E). Nor was this brought to the notice of Govt. either by the Director of Public Instruction or by the Collector and it also escaped notice in the Secretariat. All that remained to be sanctioned at that stage was the Govt.Pleader's fee in the appellate court, viz., Rs.25/- and a sum of Re.1/12/0, being the incidental expenses in both the courts.

p.g. 59723 / 4-5-50

p5 g ©

2. In the last paragraph of the letter on p10cf, the Govt.Pleader has requested that his bill L.No 10 of 49 d/18-3-49 may be referred to and that the correct amount by way of incidental expenses may be sanctioned to him. The incidental expenses, as already noted, is given in that bill as Re.1/12/0 and not Rs.6/6/0, as now stated by the Govt.Pleader in parag.(4) on p1cf--see in this connection parag.2 of the Collector's letter on p28cf of (C) in which it is stated that the Govt.Pleader has claimed Re.1/12/0 only as incidental expenses. The position now is that as against the sum of Rs.101/12/0 claimed by the Govt.Pleader in his bill d/18-3-49, only a sum of Rs.78/8/0 was sanctioned--see pp21&29cf of (C). Thus, only a sum of Rs.23/4/0 remains to be sanctioned. Education may verify the exact position, if necessary, in consultation with the Director of Public Instruction and the District Collector and sanction the sum of Rs.23/4/0.

p5 g ©

K

Home may see again.

H 1.5.50

Legal U.O.No 6532/50 1-5-50

L.O.

Home

Finance

(Last seen on pp. 2-3 ante.).

Please see the note of Legal Dept. above. It is stated that as against a sum of Rs. 112-12-0 claimed by the Gøt.Pleader, ~~a~~ a sum of Rs. 78-8-0 was sanctioned and

cf. K above

ASSISTANT SECRETARY TO GOVERNMENT
3-MAY1950
HOME DEPARTMENT

16

cf. K - p. above

p.21 of 7 ©

and thus only a sum of Rs. 23-4-0 ~~re,aons~~ remains to be sanctioned. This does not seem to be correct. In G.O.No.2725 Edn. dated 29-8-49 a sum of Rs. 50 was sanctioned to the Govt. Pleader for defending the case filed against the Municipal Council, Chittoor. A sum of Rs. 26-12-0 was also sanctioned to the Govt. Pleader towards the incidental expenses incurred by him in connection with the suit. Subsequently, in November 1949 the Collector of Chittoor reported that a sum of Rs. 75/ was already paid tothe G.P. and enquired whether Govt.Pleader had to be paid a sum of Rs. 26-12-0 or Rs. 1-12-0 in addition the fee of Rs. 75/- The Collector was informed that the sum of Rs. 50/- was in lieu of ~~and~~ and not in addition to Rs. 75/- and out of 26/12/- already sanctioned he ~~can~~ cannot make a further payment of Rs. 1-12-0. Please see in this connection para. 4 on p.10 of n.f. at (C). Thus ~~Only~~ only a sum of Rs. 76-12-0 was sanctioned and ~~yet~~ a sum of Rs. 25/- remains yet to be sanctioned. Education may verify the exact position in consultation with the D.P.I. and the Dt. Magistrate . The file may be passed on to Education through Legal.

p.28cf of ©

para 1 - p28cf of ©

para 3 - ibid

p.29cf ibid

p.21cf

50
26-12-0
76-12-0

23.5.50

Legal

Edn. will please find out the exact position, so that Home can then offer its views

24/5/50

Edn.

Home U.O. 44454 Cl.III/SD-2 24.5.50.

ASSISTANT SECRETARY
27 MAY 1950
13111
EDUCATION DEPARTMENT

Education Department(C)

The sum of Rs.1-12-0 referred to in the Home Department Note's at 'A' on page 3 ante was not sanctioned a second time as has been assumed by that Department. It was only stated that a sum of Rs 1-12-0 was also payable to the Pleader besides Rs.75 drawn by him

p.4 ante

2. Legal hold the view that the following amount is due to the Government pleader for the work connected with the suit.

Rs 101-12-0

1. Rs.75/- for appearance in the Lower court
2. Rs.25/- for appearance in the Sub Court.
3. Rs.1-12-0 towards the incidental charges.

1 and 2 above:- finitely re~~append~~

29

recommended that it ~~will~~ would be sufficient if a fee of Rs.50/- ~~is~~ sanctioned to the Government pleader for his appearance in the two Courts (Rs.25/- for the Munsiff Court and Rs.25/- for the sub-court). Against this the Legal Department has now recommended a fee of Rs.100/-. In their note on page 5 of the note file of the G.O. at 'C' they agreed ~~the~~ to the payment of a fee of Rs.50/- to the pleader. This amount has already been sanctioned to him. It is not known whether any further fee is due to the pleader. Legal may again be consulted.

p17 cf. to 18 G.O. at (C)

p21 cf. 06 (C)

(3) above:-

The incidental charges ~~is~~ have been taken to be Rs.26-12-0, while according to Legal the amount is only Rs.1-12-0. As a sum of Rs.26-12-0 has already been disubursed to the pleader towards the incidental charges is for consideration whether any recovery should be made.

p21 cf. 3 (C)

Legal ~~a~~ Home and Finance may again~~s~~ see for remarks.

W.R. 30.5.50 30/5/50 31/5/50

Legal
Home
Fin

Edu. w.o
11362C/50-4
1.6.50

ASSISTANT SECRETARY
8486
1-JUN1950
LEGAL DEPARTMENT

LEGAL DEPARTMENT.

The statement of the amounts due to the Govt.Pleader at X in the note of Education on p5 ante is based on the bill at p.5c.f. of G O Ms No 2725 Education dated 28--8--1949. (C) When that G O was issued the fact that a sum of Rs. 75/- had already been sanctioned to the Govt.Pleader for his work in the Dt.Munsif's Court in G O No 2201 Education d/4-9-48 was entirely lost sight off. Attention is in this connection invited to parags.2&3 of the Collector's letter on p23 c.f. of (C)in which the Collector has stated that the sum of Rs.75/- sanctioned in the G O at (C) had already been drawn and paid to the Govt.Pleader and that the Govt.Pleader has claimed now only Rs.25/- as his fees in the appellate court and Re.1/12/0 towards the expenses for decree copy.

p.98 of (E)

(C)

For the reasons already explained by this Department on ... the sum of Rs.101/12/0 claimed by the Govt.Pleader

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7

17

(C)

(E) (C)

ASSISTANT SECRETARY TO GOVERNMENT
7 JUN 1950
HOME DEPARTMENT

Legal No:
8486/50-1
6/6/50.

(E)

in his bill at p5 c.f. of (C), only a sum of Rs.78.8.0 was sanctioned, and a sum of Rs.23/4/0 remains yet to be sanctioned. It may be noted in this connection that the G O at (C)was issued in disregard of G O No 2201 Education dated 4.9.48 and it was only after the issue of the former G O that the Collector brought to the notice of the Govt.the orders in the latter G O. The question whether the sum of Rs.75 originally sanctioned as fee for work in the lower court should be allowed to stand or it should be reduced and if so, to what extent, is one for decision by the Education Department in consultation with Home It may, however, be pointed out that it does not seem proper to go back on the original decision of Govt in G O No 2201 Education d/4-9-48. That G O was issued after elaborate consideration by the Education & Home Departments. To avoid any further misapprehension it may perhaps be desirable to issue a consolidated order in supersession of all previous orders on the subject. Education may consider this,if necessary in consultation with the Director of Public Instruction and the District Collector.

R

Home

6.6.

Home

Home Dept.

78639 15/III 9.6.50

p 90 of (E)

(has been in Dft. 2-3-8 ~~4~~ - 5 ante).

Please see the former notes of ~~Legal &~~ Education & Legal Depts from page 5 above. As noted by Legal, it was already examined and ordered that the Govt. Pleader was entitled to Rs 75/- for his work in the lower court and in the ... be proper to ...

original decision. This department may agree with the suggestion of the Legal Dept at R on page 7 ante. With the above remarks, the case may be passed on to Finance.

Cp Edn notes [illegible] 5-6 ante

2.7.50

3.7.50 Fin

Fin

Finance (Pen)

Home U.O.No. 59726-CS III-50-2

14.7.50

The notes from xxx on p. 3. above may be perused.

2. This dept. also may agree with the suggestion of the Legal dept at R on p. 7. above.

6/7/50

Fin

DR 6.7.50

6.7.50

ASSISTANT SECRETARY TO GOVERNMENT
4 JUL 1950
FINANCE DEPARTMENT

Fin. U.O. 50188 Pen-1

6.7.50

EDN. DEPT.(C).

ASSISTANT SECRETARY
8 JUL 1950
18848
EDUCATION DEPARTMENT

The file deals with the question as to what fee should be allowed to the Pleader who appeared in the Suits filed by a ~~Municipal~~ school teacher against the Ml. Cl., Tirupathi, wherein Govt. ~~have were been~~ was pleaded as a party. The Pleader appeared in the Munsiff's Court at Tirupathi and the Sub Court at Chittoor. For the appearance in the Munsiff's Court a fee of Rs. 75/- was sanctioned in G.O. No. 2201, Edn., dated 4-9-48. Ⓔ

2. When the claim for a fee for appearance in the Sub Court was considered the Collr. of Chittoor recommended that it would be sufficient if a fee of Rs. 50 was paid to the Pleader for appearance in the two Courts, Rs. 25 in the Munsiff's Court and Rs. 25 in the Sub Court. Orders were issued sanctioning a total fee of Rs. 50 to the Pleader in lieu of the fee of Rs. 75 already paid to him.

p 17 c ©

pp 21 & 29 c ©

3. Towards the incidental charges an amount of Rs. 26-12-0 was sanctioned to the Pleader.

4. The Pleader is not willing to accept the revised fee of Rs. 50/- sanctioned by Govt. for his appearance in the two courts. The Legal Dept. hold the view that the orders sanctioning a fee of Rs. 75

p 1 c

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p 7 ante

p 17 c ©

⊗ Legal also go back on their orig. recommendation at X on p 5 NF of the [illegible] ©

should be kept in tact. If so some fee may have to be sanctioned for appearance in the Sub Court besides the fee of Rs. 75 allowed for work in the lower court. This will be contrary⊗ to the recommendation of the Collector that a fee of Rs. 50 would be sufficient for appearan in both the Courts. For orders what fee should be sanctioned for the Pleader for appearance in the two courts. If a fee of Rs. 75/- is considered necessary for work in the lower court, an amount not less than this figure should be sanctioned as fee for appearance in the higher court. For orders whether the Collr. should again be consulted in the matter as suggested by Legal.

13/7/50

14/7/50

A draft Memo. to the Collector of Chittoor is submitted for approval.

WL. 19.7.50

19/7

20/7/50

p 13 c Issued as Memo. 11362 C-2, d 20.7.50

p 21 c cf. 29078 C. from the Collector of Chittoor, L Dis. No. 562/50, d 19.9.50

~~Note~~. The case relates to the point whether any further payment should be made to the Government pleader, Chittoor, as fees, for appearance in a suit filed against the Municipal Council, Chittoor, by a teacher wherein Government ~~were~~ was impleaded as a party. The facts of the case ~~may be~~ are briefly explained in the notes on pages 8 & 9 above. The Collector says the sum of Rs 31-6-0 is still payable to the pleader. [illegible] whether [illegible]

p 21 c

33

~~This~~ amount may be sanctioned.

2 Legal, Home and Finance may again see for remarks.

25/9

25/9

26/9/50

Home
Legal
Finance

11362 C/50-1
27.9.50.

HOME DEPARTMENT
ASSISTANT SECRETARY TO GOVERNMENT
28 SEP 1950

137942
28/9

Home (Cts. III) Dept.

(Previous notes of this Dept at pp. 7-8 ante)

The case relates to the payment of fees to the G.P., Chittoor for his words on the suits filed by a school teacher against the M. cl., Tirupathi wherein Govt. were impleaded as a party. The Edn Dept's note at pp. 8-9 ante summarises the position of the case. The letter from the Collr. of Chittoor at p.21 cf. and the notes of Edn Dept at pp. 9-10 above may be perused.

The Govt. have ~~now paid~~ sanctioned a consolidated fee of Rs. 78/8/- to the G.P. as shown below:-

1) Fee sancd. in G.O. Ms. No. 2725, Edn d 27/8/49 — Rs. 50/- p. 21 cf of ⓒ
2) Incidental expenses " " " — " 26/12/-
3) " " in Memo. No. 86259 B2/49-1 Edn. d 15/11/49 .. 1/12/- p. 29 cf of ⓒ

Total. Rs. 78/8/-

ASSISTANT SECRETARY TO GOVERNMENT
23 SEP 1950

Though the G.P. had claimed a fee of Rs. 151.12.0 in his bill on p. 5 cf. of the G.O. at ⓒ he now wants a fee of Rs. 31/6/- (Rs 25/- (allowed by the Sub Judge) + Rs 6.6.0 (incidental expenses)) in addition to the fee of Rs. 75/- already paid to him in the G.O. at Ⓔ. The collr. also recommends the payment of Rs 31/6/- to the G.P. p. 21 cf. As already endorsed by Legal at R on p. 7 ante and agreed to by this Dept on p. 8 ibid, a consolidated order in supersession of the previous orders may be issued sanctioning him a fee of Rs. 106/6/- (Rs 75/- for lower court and Rs 31/6/- on the appellate court). The case may be passed on to Legal.

25/x/50

(C.No. 137942/50)

34

Of this Rs 6-6-0 is not fee but incidental expenses

24/x/50

26.10.50.

Legal

Home no. 137942/50-1
26/x/50.

p. 21 cf ⓒ
p. 9 cf Ⓔ
p. 23 ⓒ

DS

Legal Department.

In the circumstances stated by the Collector in his letter at p21cf, Rs.31/6/0 may be paid to the Govt. Pleader. In passing a consolidated order sanctioning Rs.106/6/0 as suggested by Home in supersession of the previous orders, the order may specifically refer to the previous receipt of Rs.75/- by the Govt.Pleader and to the balance of Rs.31/6/0 which alone remains to be paid to the Govt.Pleader ~~thereunder~~.

ASSISTANT SECRETARY
16998
26 OCT 1950
LEGAL DEPARTMENT

30/10/50

Fin

Legal No.
16998/50-1
30 x 50

31 OCT 1950
90393
FINANCE DEPARTMENT

Finance (Pers)

(Previous Finance note in p. 8 above)

The views of Legal above may be concurred in and the case returned to Edn.

DR
1.11.50

1.11.50

2.11.50

Edn.
C

Finance
90393 Pers-1
2.11.50

ASSISTANT SECRETARY
3 NOV 1950
34515
EDUCATION DEPARTMENT

Please see the further notes of Home, ~~and~~ Legal and Finance departments on pp 10-11 above.

A draft order is submitted for approval.

18/11/50

18/11/50

22/11/50