

Educational (189⁶) Department.

ORDINARY MS.

G.O., No. 742

Dated 30. 11. 96

INDEXED.

[Despatch Abstract.]

Stating that the Govt has no objection to the commutation of the furlough granted to Mrs Brauder, Inspector of Girls Schools, Northern and Central Circles, into furlough on Medical certificate; and requesting the D.D. to communicate to the A.G. the wishes of Mrs Brauder in view of necessity, to the issue of an amended last pay certificate.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
600.	1947.						

Educational (1896) Department.

CURRENT No.

From

The Dir. of Pub. Instruction,
Madras.

to the Chief Secretary
(Mrs. A. L.)

No. 11562

Order

Dated 26th October 1896.

Received

Registered

Enclosures nil.

Spare copies nil.

SUBJECT.

Requesting that leave
on Medical Certificate for one year
granted to Mrs. Brander, Inspectress
of Girls Schools, Northern & Central
Circles, may be converted into fur-
-lough.



BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

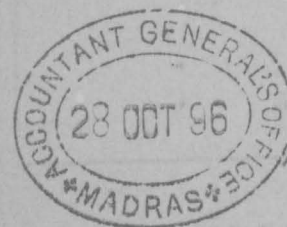
G.O.	No.	Department.	Date.

OFFICE OF THE DIRECTOR OF

PUBLIC INSTRUCTION,

Madras, 26 October 1896.

No. 11562



From

THE HONORABLE MR. D. DUNCAN, M.A., D.SC., LL.D.,

DIRECTOR OF PUBLIC INSTRUCTION,

Madras,

To

THE HONORABLE THE CHIEF SECRETARY TO GOVERNMENT,

FORT ST. GEORGE.

/Thro' the Accountant General/

SIR,

I have the honour to request that in the circumstances explained below Government will be pleased to convert into ordinary furlough the leave on Medical Certificate for one year granted to Mrs. Brander in G.O. No 329, Educational, dated 25th April last.

2. Application was made in 1892 for the admission of Mrs. Brander and Miss. Carr to the favourable leave rules contained in Chapter XIII of the Civil Service Regulations, but ^{as} no final orders were passed thereon prior to Mrs. Brander's departure to Europe, vide G.O. No 28 Educational of the 18th January 1896, she was forced to produce a Medical Certificate and apply for sick leave in spite of her strong wish to take furlough.

3. The Government of India in its Resolution No 4-Edn. 204-215 dated 23rd July last, on the reorganization of the Superior Educational service in India, has extended the benefit of the favourable leave rules to those who were engaged, in the first instance, on temporary contracts and have subsequently been confirmed, and Mrs. Brander being entitled to the concession she is very anxious that her sick leave may be converted into furlough with effect from the date of her availing herself of the leave, if permissible, or from the date on which the Secretary

of State's despatch on the reorganization scheme reached
India.

I have the honour to be,

Sir,

Your most obedient servant,

J. G. S. S. S.

Director of Public Instruction.

Educational (189) Department.

CURRENT No. 1321

From

*The Accountant General
Madras*

Order

No. 3439

Dated 10 November/96

Received 11 - 11. 96

Registered 12/11/96

Enclosures

Spare copies

SUBJECT

*Forwarding in the remarks letter from the P.E.I.
Chapter upon the subject
of leave on Medical Certificate
for one year granted to Mrs Brander,
Inspector of girls' schools, for them
and Central Circle being
converted into furlough.*

*Please let me have soon
the correspondence re. actually
Mrs Brander & care to have
favourable rules. I think
to 10 157 8 2 - P. 10 5*

189 6
Edu. Dept.
Enclos. No. 1
To
O. No. 1321

BACK PAPERS.

G.O.	No.	Department.	Date.
	480	Ed	10-8-96 Copy
	479	"	10-5-96 ab
	R320	"	25-4-96
	28	"	16-1-96
	830	"	13-11-93 ac
	33	"	21-1-93 ac
	681	"	19-9-92
	555	"	25-7-92

FURTHER PAPERS.

G.O.	No.	Department.	Date.

CURRENT NO 1321

FORT ST. GEORGE,

Accountant-General's Office,

10th November 1896.

No. 3439

From

G. C. Harrison Esq^r,

Offg. ACCOUNTANT-GENERAL TO THE

GOVERNMENT OF MADRAS,

To

THE Chief Secretary to Government,
Educational Department.

SIR,

In forwarding letter from the Director of Public Instruction No: 11562 dated 26th October 1896 in which he requests Government to convert the leave on Medical Certificate for one year granted under the Indian Service Leave Rules to M^{rs} Brander, Inspectress of Girls' Schools Northern and Central Circles, into ordinary furlough under the European Service Leave Rules with effect from the date of her availing herself of the leave if permissible or from the date on which the Government of India received the Secretary of States' Despatch No: 22 Public (Educational) dated 12th March 1896 in which the benefit of the more favourable leave rules was extended to all Educational Officers appointed in England, I have the honour to state that no mention is made either in the Government of India letter to the Secretary of State or in the Secretary of States' Despatch as to the date from which

which the concession should be allowed. In the absence of such provision it has effect from date of receipt of orders by the Government of India, vide Article 292 Civil Account Code. The Government of India received the orders on the 31st March 1896, and as Mrs Brander availed herself of the leave on Medical Certificate on the 21st April 1896 there is no objection to her being admitted to the more favourable leave rules from 31st March 1896, her service previous to that date being calculated, as laid down in Article 338 (a) Civil Service Regulations. Under this calculation Mrs Brander had no furlough without Medical Certificate for one year at her credit on the 21st April 1896 and her leave cannot therefore be converted into furlough without Medical Certificate, under Article 340 (b) Civil Service Regulations. But she was eligible for furlough on Medical Certificate, and as she had already produced Medical ^{Board's} Certificate, the leave on Medical Certificate for one year granted to her under the Indian Service Leave Rules may now be converted into furlough on Medical Certificate for one year under Article 340 (a) Civil Service Regulations. An amended Last Pay Certificate will if necessary, be issued by this office on receipt of orders of Government.

If it is the intention of Government that Mrs Brander should be admitted to the more favourable leave rules from the date of her appointment as Inspectress in 3rd June '80, the sanction of the Government of India will be necessary.

I have the honour to be,

Your most obedient servant,

W. Harrison

Offg. Accountant General.

From

THE ACCOUNTANT-GENERAL,

MADRAS,

To

THE

No.

Dated

Received

No.

Subject.

[G.]
25
500-3-10-96.

Educal. DEPARTMENT.

C. No. /32/.

Mrs Brauder's furl

FOR ORDERS.

The views of the Accountant General appear to be correct.

In para II of its despatch the Govt of India recommended that Inspectresses of Schools in this Presidency should be admitted to the more favourable leave rules when these posts were held by ladies appointed in England. This recommendation was accepted by the Secy. of State in his reply no 22, dated 12 March 1896 which Accountant General of the Govt. of India received the 31st March 1896.

Mrs Brauder therefore became entitled to the more favourable rules with effect from the 31st March 1896 and there is nothing to

show

Article 292
Civil Acct Code

show that the Govt of India
the Secretary of State
wished to give retrospective
effect to this decision -

~~orders are solicited~~ The Acett.
General reports that Mrs Brauder's
furlo. on medical certificate
granted under article 369
of the C.S.R. can be converted
into furlo. on medical certificate
under article 340 (b). Mrs. no 340 (a)
Brauder is apparently now
in England and commutation
of her leave would require
sanction of the Secy. of State
vide article 268-a of the C.S.R.)
but this rule does not
appear to affect the commutation
suggested by the Acett. Genl.
orders are solicited whether
the A.G.'s letter may be comd.
to D.P.I. with the inquiry
whether Mrs Brauder
expts the commutation referred
to by the A.G. or whether
the Govt. of India may be
moved to ~~the~~ admit Mrs
Brauder [and also Mrs Carr
who was included in the recommendation
of

vide letter No. 651 Vol. 32. 3-95-B

of 1895] to the rules in Chapter
XIII of the C.S.R. with effect from
the dates of their first appointments
even if such a recommendation
was sanctioned provisions of
Article 268(d) must be
complied with before Mrs
Brauder's furlo can be
commuted into ordinary furlo.

Office

Are there any precedents in
the Finl. Dept, or any rule
as to the period over which
such concessions relate
back, or the manner
in which they affect
past service

S.P.R.

17/11/96

18/11

NOTE FOR THE Secretary

I have seen the Govt. of India resolution in G.O. No 508 Dated 10th July 1895 (flag) In that resolution certain officers were admitted to the rules in Chapter XIII of the C.R. and this order had effect from the date on which the Secy. of State's despatch was received by the Govt. of India or from such subsequent date as the ^{said} officers ~~also~~ might be substantively appointed. No orders admitting an officer to the favourable leave rules with retrospective effect can be traced.

Officers admitted to these rules are subject to the reservation in art 338(a) of the C.R.

H.M.

Mr. Saunders' furlough may at once be converted into furlough on med. cert. under art 340(c)

As the left on med. cert. it ~~is~~ not be commuted at once into ^{ordinary} furlough; & any unexpired portion of it or any extension can only be commuted into ordinary furlough on with the sanction of the S. of State under Art. 268(d), on production of a certificate that the officer's health has been restored. It does not therefore seem necessary to discuss such commutation now.

The favourable rules will apply as the H.S. points out. & there does not seem to be any sufficient case for ^{addressing} the S. of State to make an exception & apply them retrospectively.

I agree with the Sec.

JG
25/11/96

S.H.
21/11/96

Papers to be read in proceedings:--

Again G.O., dated

189 , No.

Again G.O., dated

189 , No.

Current No. 1321 of 1896, dated 10/4 , from A.G.

" "

" 189 , " , "

" "

" 189 , " , "

ORDER.
Mis

No. 742 of 30-11-96.

The Accountant General's letter will be communicated to the Director of Public Instruction with the remark that the Govt. has no objection to the commutation of the furlough granted to Mrs. Brauder into furlough on medical certificate under article 340 (a) of the C.S. R. if she consents to such commutation. The D.P.I. will inform the A.G. of Mrs. Brauder's wishes so that an amended last pay certificate may, if necessary, be issued -

2. H.E. in Council does not consider that there are sufficient reasons to move the Govt. of India to

admit Mrs. Brander to
the more favourable leave
rules with effect from the
date of her appt. as
Inspector.

(From orders)

8/4
27/11/6

me

D.S. I. (of his & A of Reg's letter)
Acct full. (of his & P of Reg's letter)

When given for copying
When copied
When examined
When signed

1896

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO G. No

ORDER OF GOVERNMENT A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

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

N.B.—

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