

9-12-16B

Financial (1895) Department.

ORDINARY MS.

G.O., No. 724

Dated 23rd Sept. 1895

INDEXED. 3/4

[Despatch Abstract.]

LEAVE ALLOWANCE

Considering that the Accountant-General's ruling in having dis-
-allowed pay for one day to M.R.R.Y.O.V. Nanjundiah District Munsif,
Ongole, for having overstayed his privilege leave is correct.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
to	294		12-4-96				
to	705-6		23-10-96				
	3228		1896				

Judicial Dept.
1976
CURRENT NO 3730

From

The District Judge
Nellore.

to
The Chief Secretary to
Government,
Madras.

Dated 31st July 1895
Despatched 3rd August 1895.

Received 5th } do.
Regd 6th }
Recd m 10/8/95 }
Encl: #754
Sd. [Signature]

Subject

Submitting for the orders of
Government a letter from the
District Munsiff of Cingle together
with copies of correspondence
between that Officer and
the Accountant General,
Madras.

No. 3493/95

Financial Dept.
CURRENT No. 1976

Encl.

Referred to the Accountant
General for favour of report.
(By Order)
Lionel Davidson
13/8
As Under Secretary

Recd. 14/8.

Encl. 7

23rd September 1895, No. 724.

Order.

16/9/95

The Govt. consider that
the ruling of the Acct. Gen.
is correct. This application
should have been submitted
through the Honble the
Judge of the High Court.

C.S.
5.9.95

The Hon. the C. J. (Mr. Ch.) (A)
- Acct. Gen. - (B)

Recd m 12/10/95
23.9.95
per [Signature]
[Signature]

71947
CURRENT NO. 730
No: 542 Civil DISTRICT COURT, NELLORE. 1976

Enclosures one with sub. encls 10.

31st July 1895.
Despatched 23rd August 1895.

From

G. F. J. Power Esquire
DISTRICT JUDGE,

Nellore.

To.

The Chief Secretary to Government
Madras.

Sir,

I have the honor to forward for the orders of Government a letter from the District Munsif of Angli with copies of correspondence between that officer and the Accountant-General.

2. The District Munsif had three months' privilege leave from 21st January 1895. His leave began on the 21st January as he was relieved before noon on that day. It therefore ended on the 20th April (not as the District Munsif says) as Civil Service Regulation Article 20. The 20th April was the last Saturday but one and therefore a holiday. The District Munsif resumed charge on Monday the 22nd before noon.

3. The Accountant-General has refused one day's pay on the ground that the District Munsif overstayed his leave by one day. The District Munsif contends that he did not overstay.

and it would have sufficed to his to take charge on the 21st April before noon. But that was a Sunday. He did before he was authorized.

his leave as the 20th and 21st were holidays (last Saturday but one and Sunday) and that under Article 254 of the Civil Service Regulation he should be held to have taken charge on the day after that on which his leave ended. The Accountant General holds that the article does not apply to the case, because the acting incumbent from whom the District Munsif took charge on the morning of the 22nd had to revert to his permanent appointment in Madras when he was relieved at Ongole. The District Munsif on the other hand argues that the word "transfer" in the proviso to this Article does not mean the reversion of an officer to his permanent appointment and that therefore the article does apply.

In my opinion the Accountant General is right but as the case can only be disposed of by Government I request that Government will be pleased to pass such order as it thinks right.

I have the honor to be,

Sir,

Your most obedient servant

District Judge.

When given for copying _____
When copied _____
When examined _____
When signed _____

189.

READ AGAIN G.O., No.
189

DATED

CURRENT No.

ENCLOSURES TO C. 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.—

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