

Financial (189⁸) Department.

ORDINARY MS.

G.O., No. 434

Dated 11.5.98

RECEIVED.



[Despatch Abstract.]

Sanctioning the excess payment of
Rs. 162-2-2¹/₄ made to a clerk in the
P.W.D., while acting as an accountant

BACK PAPERS.

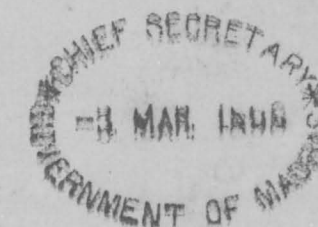
G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

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

Financial (1898) Department.

CURRENT No. 702



As

Has reference the paper for

Cust -
4.2.98

Reference flagged
file formed
18/3/98

From The P. W. Department
Railway Branch

Order

No. 104 R. M.

Dated 2nd March 1898.

Received 3
Registered 3 } 3-98

Enclosures

Spare copies

SUBJECT.

Transferring letter from the
Examiner of Railway Accounts
Madras, No. 80 dated 16th January
1898, requesting sanction to the
balance of Rs 162-2-2 being written
off outstanding against Mr. J.
Apper Syengar.

BACK PAPERS.

G.O.	No.	Department.	Date.
911:	21. 11. 95.		

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Form No. (2.)

PUBLIC WORKS DEPARTMENT,

RAILWAY BRANCH.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

Letter from the Examiners of Railway Accts, Madras, dated 7th August 1897, N^o 377.

80-7-150
 W^o Sultan Mahomed, Accountant 4th Grade attached to this office, was granted privilege leave from the 14th June to 22nd July 1897 on the expiry of which, and before his return to duty, he submitted a Medical certificate recommending him for a further period of 3 months leave.

2. I have the honour to request the sanction of Government to leave on Medical certificate being granted to him from the 23rd July to 22nd October 1897, and to the privilege leave referred to above being retrospectively converted into leave on Medical Certificate.

3. I have also the honour to request the sanction of Government under P.W. Dept Code Vol I Chapter I para 56 to the appointment of Mr Appen Iyengar, clerk IV class 2nd grade of my office, as Accountant 4th grade temporary rank on higher minimum salary of Rs 80 per mensem during the absence of W^o Sultan Mahomed.

30-2-40

i.l. Sub/ordin
 in 80.

reached on sick leave.

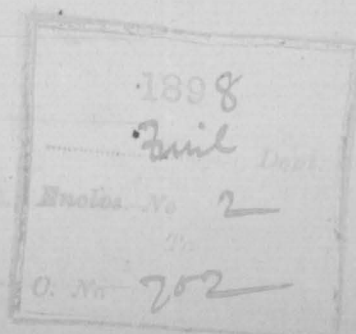
Order thereon N^o 565 R dated 16th August 1897.

The proposals in paras 2 and 3 of the
Escommer's letter read above, are sanctioned.

(True Extract)

(Signed) F. D. Hancock

Under Secretary



R. Form No. 11.

CURRENT NO 702

No. 104 R.m.

Government of Madras.

PUBLIC WORKS DEPARTMENT,
RAILWAY BRANCH.

MEMORANDUM.

Dated Madras, 2nd March 1898.

Letter from the Escommer of Railway
Accounts, Madras, dated 16th February 1898, N^o 80.

Transferred to the Financial Depart.
ment with the recommendation that the
excess payment of acting allowances amounting
to Rs 162.2.2 be sanctioned under the powers
delegated to Local Governments under
Government of India Financial Department
Resolution N^o 5102 EX dated 25 October 1895.

2. This clerk, whose substantive pay
is Rs 32 per mensem, was, in accordance with
previous practice promoted to Accountant IV Grade
Temporary on Rs 80 per mensem in place of an
Accountant on leave on Medical Certificate

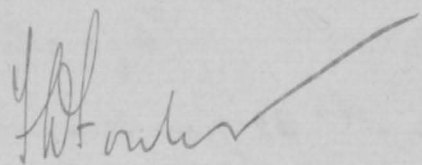
B (G.O. N^o 565 R dated 16 August 1897 copy attached)

3. It has since been ruled that in
such cases officiating promotions only can be
given. As Officiating Accountant IV Grade
the

the clerk is entitled to Rs 32 + $\frac{1}{3} \times 60$ or Rs 48 per
month.

4. If the difference overdrawn Rs 162.2.2
be now recovered, it will place the clerk under
the stoppage of $\frac{1}{3}$ his pay of Rs 32 for a period
of about 15 months.

5. As the overpayment of acting allow-
ance was due to no fault of the clerk and
as its recovery will involve considerable hard-
ship, it is considered that the special circum-
stances of the case are such as to justify an
exemption from the operation of the rule being
sanctioned under the above quoted Finan-
cial Department Resolution. The amount
involved in the sanction is less than Rs 500,
and the case otherwise seems to comply
with all the conditions of the Resolution.



Under Secretary.

To

The Financial Department.

Financial Dept

C. No 702

Telephone

From Chief Secy.

To J. Secy. P.W.D. Railway.

Your No 104 R M. 2nd
instant. Please forward copies
of correspondence between
Examiner & Acct. Genl. P.W.D.

Cusd.

Mld
24.3.98

Noted 24/3/98

Q Return to K after
dispatch
Cusd

Ch
16/3/98
24/3/98

Financial
Public Works (1898) Department.

1157
ER's CURRENT No. 1615



Order

No: 157 R.M. 27.4.98.

Current No 1157

Forwarded to the
Financial Department
with reference to its
telephone message of the
24th ultimus.

From The Examiner, P. W.
Accts, Madras

No 109703/E.

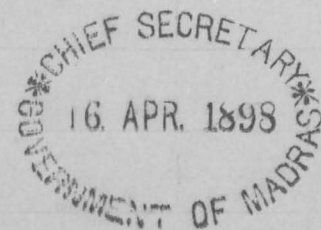
Dated 15th April 1898

Received

Enclosures 2

Spare copies

Recd. 2.4.98



Recd. 16.4.98

Regd. 16.4.98

Enclos. 2.

Pl
18.4.98
For int
and

18.4.98

SUBJECT.

Appiciating promotions in
lieu of tempy promotions to
the last grade vice Accountants
in Jurlough — Forwards
copies of Correspondence
between the Examiner, P. W.
Accts, and the Accountant
General, P. W. Dept. regarding

FURTHER PAPERS

I have the honor to submit the following for your orders:-

An accountant 4th. grade having been granted leave on medical certificate, a Clerk 4th. class, 2nd. grade was appointed accountant 4th. grade, temporary rank, and a clerk Iv. class, 3rd. grade temporarily promoted to the higher grade.

The Examiner, P.W. Accounts considers that the junior clerk could only officiate in the higher grade, and that his temporary promotion is inadmissible as article 110 of the Civil Service Regulations does not apply, since the absentee is the accountant on leave who draws allowances.

I am, however, of opinion that the subordinate accounts and clerical establishments should, for the purposes of the article quoted, be treated as two separate and distinct establishments, and that, as the absentee from the latter draws no portion of his pay as a clerk, the sub protem or temporary promotion of the junior clerk is not opposed to rules.

Copy of letter No. 1892 E. dated 3rd. December 1897 from
the Accountant General, P.W. Department, to the Examiner Railway
Accounts, Madras.

In reply to your letter No.578 dated 10th. November 1897, I have the honor to state that in my opinion the Examiner of Public Works Accounts, Madras, is right in considering that the clerk in question may only officiate in a higher grade in the vacancy resulting from the grant of leave on medical certificate to an accountant 4th. grade. The nature of this vacancy must be held to determine the kind of all the promotions admissible and as it is one of leave with allowances, sub-pro-temporary promotion cannot be made. The rule for temporary promotions within the class of accountants being inapplicable to clerks

the

the promotion of the clerk referred to as well as that of the clerk who has taken the place of the absent accountant should be officiating only.

(True Copies)

Muhammad Yacoob 14/98
Superintendent, General Branch.

APK
1/4/98

Copy of letter from E.A. Denny, Esq., Examiner of P.W. Accounts Madras to the Accountant General, P.W. Department, No. 36 A/E dated 11th. January 1898.

I have been furnished by the Examiner, Railway Accounts, Madras, with a copy of your letter No. 1892 E dated the 3rd. December 1897 in which you state, with reference to the promotions made in the subordinate accounts and clerical establishments in consequence of an accountant 4th. grade of his office proceeding on leave on medical certificate, that the rule for temporary promotions within the class of accountants being inapplicable to clerks the promotion of the clerk referred to, as well as that of the clerk who has taken the place of the absent accountant should be officiating only.

2. With reference to the above decision, underlined by me, I would beg to enquire whether it is your intention that all temporary appointments, to the subordinate accounts branch in long leave vacancies should in future be officiating appointments only, (as the rule for temporary promotions apply only to accountants already in that branch), both in the case of clerks as well as in the case of outsiders brought on to fill such vacancies.

3. I make the enquiry as the practice in this office has all along been to allow temporary appointments to accountants 8th. grade in vacancies caused by accountants on higher grades proceeding on long leave, and, moreover, because I notice from the India Classified List that the practice is, apparently, followed in most other provinces.

4. X X X

5. In the special case alluded to in para 1 above, I have instructed the Examiner, Railway Accounts, Madras, to make the necessary deductions in the next salary bill submitted for audit pending the result of this reference to you.

Copy

Encls: No. 1 to File
C. No. 1157 of 98.

Copy of letter from A. R. Becher, Esq., Accountant General, Public Works Department, to the Examiner of Public Works Accounts, Madras No. 131 E dated the 1st. February 1898.

In reply to your letter No. 36 A/E of the 11th. January, 1898, enquiring whether all temporary vacancies in the subordinate accounts branch should be filled by officiating appointments only, I have the honor to state that the nature of the appointments of clerks, or outsiders, to fill temporary vacancies in the establishment of accountants must in each case be regulated by the kind of vacancy to which the appointment is made.

2.

x

x

x

(True copies)

Mulomed Jacob
Superintendent, General Branch.

APK
1/4/98

Inclos A. 2 to File
C. No. 1157 of 98

Current No. 1157

E. No. 27.
1,000—6-9-97.

KEEP-WITH

CURRENT No.

GOVT.
OF MADRAS. }

189⁸.

{ P. W.
DEPT.

EXAMINER, P. W. ACCOUNTS.

dated

189 .

Madras, 18th April

189⁸.

OFFICE NOTE No. 109703/E.

To

E. R.

Your Office Note No. 908 dated
30th. March 1898.

I forward, herewith, copies of
correspondence noted in the margin -
omitting, however, certain paras from
the last two letters which would not
be material to the Chief Secretary's
purpose.

Letter No. 578 dated 10th.
November 1897 and
reply No. 1892 E dated
3rd. December 1897

Letter No. 36 A/E dated
11th. January 1898 and
reply No. 131 E dated
1st. February 1898.

W. 1. 4. 98.
C.

APK
1/4/98

C. No. 702.
 1157.
 Subject
 An Overpayment in
 P.W.D. By Branch (162.22)
 the written off -
 1st grade
 2nd grade
 3rd grade
 4th grade
 5th grade
 6th grade
 7th grade
 8th grade

Government of India

Grade	Amount	For	By
1st	400	20	200
2nd	350	15	175
3rd	300	10	150
4th	250	7	125
5th	200	..	..
6th	150	..	..
7th	100	..	..
8th	80	..	..

Class

Grade	Amount	For	By
1st	400	20	200
2nd	350	15	175
3rd	300	10	150
4th	250	7	125
5th	200	..	..
6th	150	..	..
7th	100	..	..
8th	80	..	..

I class
 1st grade
 2nd grade
 3rd grade
 II class
 1st grade
 2nd grade
 3rd grade
 III class
 1st grade
 2nd grade
 3rd grade
 IV class
 1st grade
 2nd grade
 3rd grade

Scale of allowances in the P.W.D.

[G.
25]
1,000-92-11-97.

Financial DEPARTMENT

C. No. 702 N. 1157.

Accountants

Grades	Government of India Scale			Madras Scale
	Minimum	Annual increase	Maximum	
1 st Grade	Rs. 350	For approved service 20	Rs. 450	400
2 nd Grade	250	15	340	300
3 rd Grade	160	10	240	250
4 th Grade	80	7	150	200
5 th Grade	..	..	..	150
6 th Grade	..	..	..	100
7 th Grade	..	..	..	80
8 th Grade	..	..	..	60

Clerks

Classes and Grades	Minimum	Maximum	Annual Increase
I Class:	Rs	Rs	Rs
1 st Grade	300	400	20
2 nd Grade	250	300	10
3 rd Grade	200	250	10
II Class:			
1 st Grade	160	200	8
2 nd Grade	120	160	8
3 rd Grade	100	120	4
III Class:			
1 st Grade	80	100	4
2 nd Grade	60	80	4
3 rd Grade	50	60	2
IV Class:			
1 st Grade	40	50	2
2 nd Grade	30	40	2
3 rd Grade	20	30	2
V Class:			
1 st Grade	15	20	1
2 nd Grade	10	15	1
3 rd Grade			

HIS EXCELLENCY THE GOVERNOR.

THE HON'BLE SIR HENRY BLISS, K.C.I.E.

THE HON'BLE MR. GROSE, C.I.E.

SUBJECT. acting allowance

recommended by a clerk in the office of the Examiner of Ry. accs. Madras, while acting as an accountant — Recommendation to sanction the —

FOR ORDERS.

Article 110 of the Civil Service Regulations lays down that if an absentee draws no part of the pay of his appointment, another officer may be appointed thereto substantively for a time only on full pay, without disturbing the lien of the absentee. The full pay of an officer thus appointed substantively for a time only may, in like manner and upon the same condition, be given to a substitute appointed substantively for a time only.

2. Sullau Mahomed, an accountant, IVth grade, attached to the office of the Examiner of Ry. accounts was ^{granted} leave on medical certificate from the 14th June to the 22nd October 1897.

* Rs 80.7-15-0

and
one Appen Aiyangar, a
clerk in the same office, TV¹
class, second grade, in re-
ceipt of Rs 32 p.m. was, with
the previous sanction of the
Public Works Dept, and in
accordance with the practice,
which has hitherto remained unchanged
in the Dept, appointed an
Accountant TV¹ grade, tem-
porary rank, on the full
minimum salary of Rs 80 p.m.

Another clerk in a lower
grade was temporarily raised
to Appen Aiyangar's
grade.

3. The Examiner of P.W. auts,
objected to the sub-pro-tem
promotion to a higher grade
of the second clerk, as Article
110. C. S. R. did not apply to
the case, the absentee being
~~the Accountant~~ in receipt
of allowances. The Examiner
of Ry auts differed from this
view and held that for the
purposes of the article in
question, the two subordinate
establishments — account
and clerical — should be
held to be ~~two~~ distinct and
^{separate} ~~cases~~ and that as
Appen Aiyangar, the ab-
sentee clerk, drew no part
of his salary as clerk, the
sub-pro-tem promotion of the

x Rs 30.2.40

B x G.O. No 565 R. P.W.D.
16.8.98.

Letter from the Examiner
of Ry auts to the Aut. G.
P.W.D. No 578 (Para 3).
10.11.98

Do. (Para 4)

C Letter to the Examiner
Ry. auts, No 1892. E
3.12.98.

* This seems to be a stand-
ing order recently issued
and not yet inserted in
the P.W.D. Code. Enquiries
were made in the P.W.D.
Office, but the rule is not
yet known to many.

x Appen Aiyangar

3.
the second clerk to a higher
grade was not opposed to the
rules.

So. The Accountant General,
P.W.D., agreed with the Exa-
miner, P.W. auts, and stated
that the nature of the vacancy
resulting from the grant of
leave on medical certificate
to an Accountant TV¹ grade,
must be held to determine
the kind of ^{the} promotions admissi-
ble under it and ^{that} as it was
one of leave with allowances,
sub-pro-tem ~~promotions~~ ^{* departmental} could
not be made. The ^{rule for}
temporary promotions within
the class of Accountants being
inapplicable to clerks, the
promotion of the (second) clerk
refers to as well as that
of the clerk who has taken the
place of the absent Accountant
should be officiating only.

with reference to this de-
cision of the Aut. General, P.W.D.,
the Examiner of P.W. auts
directed the Examiner, Ry.
auts.

Art 278A. C. A. C.

Rule 41 A. P. W. Code. P. R. I.

80. 911. Int 8 21 Nov 95.

Department Resolution No 5102
Dated 25.10.95. The reasons
assigned by the Public Works
Dept. in support of the recom-
mendation are:-

1. That the promotion of Affen
Aiyangar was in accordance
with the previous practice of the
dept, which was never objected to,
2. That if the ~~allowance~~ ^{allowance} overdrawn was,
Rs 162.2.2 he now recovered,
the stoppage of $\frac{1}{3}$ of his pay (Rs 32)
for ~~over~~ 15 months will be
necessary, and that
3. This will necessarily entail
serious hardship on the clerk,
~~and the fact~~ ^{that the excess allowance}
which he has to bear was due to
no fault of his.

6. The questions ~~remaining~~ to
be decided are:-
(a) whether sufficient cause
has been shown for the exercise
of the special power of sanction
vested in the Local Govt under
the Res. of the Govt of India
quoted above, and,

Ref aut. to make the necessary
deductions in the next salary
bill.

5. The deductions were auto-
matically made in the pay of the
second clerk, but ~~as~~ ^{regards}
the clerk raised to an assistant
place (Affen Aiyangar)
he should have drawn only
 $Rs\ 32 + \frac{1}{3} \times 80 = 48$ p. m. against
Rs 80 he was allowed to draw
under G. O. 565 (R) P. W. D.
dated 16.8.98, and ~~the~~ ^{the} amount
so drawn in excess ~~to~~ ^{of}
~~to~~ ^{of} Rs 162.2.2 ~~was~~ ^{was}
~~in the hands of the Examiners, Rs~~
~~(Rs 162.2.2) still remains~~ ^{undisputed}
~~recovered from Affen Aiyangar.~~

The P. W. D. supports the recom-
mendation of the Railway Ex-
aminers of by aut. that
this excess payment of acting
allowances amounting to
Rs 162.2.2 he sanctioned
under the powers delegated
to Local Governments under
Govt of India Financial
Dept.

D Para 5 of letter of the
Examiners of P. W. aut. to the
Aut. of P. W. D. No 364.8
11-1-98.

overdrawn
as the amount ~~was~~ ^{is} small
no recommendation ~~is~~ ^{is} made ~~in~~ ⁱⁿ his
favour. As

~~Probably because there was no~~
~~recommendation in his case at the~~

32 x 4 $\frac{8}{31}$ 544
 $\frac{32 \times 136}{31}$ 136
 $\frac{4352}{31}$ 140 125

7 B

TO C.

GOVERNMENT

PRESENT

DITTO

UP, BEING A
AL.

in full.
to be copied.
abstract only.
heading only.

(b) whether the case of aban
aiyagar ~~cases under any~~
the satisfies the conditions
referred to in that Resn.

(a) as ^{stated by} the Public Works Dept.
the practice has hitherto been to
grant temporary (sub-protein)
promotions in the grades of
accountants and it is only
in the present instance that ~~there~~
~~was~~ an objection raised by the
Aul General, P.W.D. ^{It would be}
hard for aban aiyagar to
be drawing only $\frac{2}{3}$ of his pay
for 15 months more, if the Rs
162. 2. 2 ~~is~~ remaining due

~~sum~~ ~~is~~ ~~to~~ be recovered
~~It~~ is submitted that the
recommendation of the P.W.D.
may be complied with, and the
sum ordered to be written off.

Since the rule was laid down by
the Aul General in the case of aban
aiyagar, it has been ruled that
only officiating promotions can
be given in such cases.

2/5/98
2/5
Draft is submitted
Cm.S.
5/5/98

(b) The four conditions provided
by the P.W.D. are
satisfied and

I cannot understand how
any other interpretation was
ever given to the rule than
that ~~was~~ given by the Exam^r
P.W. Accts. & the A.G. P.W.D.
Calcutta. The ag. appl. was
from 14th June to 22nd Oct. 97.
The objection was apparently
not raised till now & there
seems to have ^{been a practice} previously
of admitting full pay in such
cases.

Financial Dept.

* Under these circumstances Read C. No. 702.
I suppose the excess payments
may be admitted.

At 6.5.98.

I pass this as the
amt. is small, but my
belief is that Indian
will object

At
7/5/98

Read C. No. 702.
1157.

Order No. 434, 8th May 1898
The excess payments amounting
to Rs 162. 2. 2 ~~is~~ are
sanctioned under article 278 A of
the C. A. Code

Cm.S.
5/5/98
At 10.5.98.

P.W. Dept. (Railway 1/9/98th no)
/ with original encls. No 1
to C. No. 702. (2/5/98)
Date 16/5/98.

Financial Dept

1157
Gen. C. No. 202

Order No. 202, 21. May 1892
The same having been

to the 1st of 2 orders in
the C. A. Code

11/17/92

2 is copy, 1 copy 11/17/92
and 1 copy 11/17/92

11/17/92

Order No. 202, 21. May 1892
The same having been
to the 1st of 2 orders in
the C. A. Code

For copying 1891
18/11/91

189

No.

DATED

No.

TO C. No.

GOVERNMENT

GOVERNMENT

WITH LETTER

NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL.

V.B.—

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

A A A A A A A

13,000-24-3-05.

DEPARTMENT.

Paper taken out of the Records from the charge of the Referencer.

Miscellaneous

Routine

No.

No. 40, dated 11/5 190

196

Date taken out.	FOR WHAT PURPOSE.			Initials of clerk taking the paper or of attender.	Date returned.	Initials of attender.
	Department.	C. No.	Year.			
29/11/05 - Find 2831/05 MC						