

ORDINARY MS.

G.O., No. 1184

Dated 31st May 1895

INDEXED.

[Despatch Abstract.]

SHORTHAND WRITER.

Stating that the claim to local allowance is inadmissible
in the case of the----of the District Court of Madura.

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

FURTHER PAPERS.

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

Judicial {1895.} Department.

No.

FROM

The Registrar of the High Court
of Judicature, Appellate Side,
Madras.

Dated 21st March } 1895.
Received 22
Regd 23.

CHIEF SECRETARY
22 MARCH 1895
GOVERNMENT
No. 823.
Enc. one.

Forwarding for orders
a letter from the District
Judge of Madras recom-
mending the payment of
a local allowance at Rs.
30 to a short-hand writer
of his court during his
joining time.

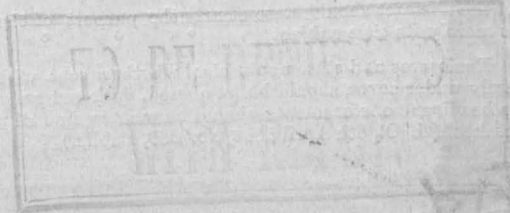
So. 114 May 10/1 Madras
727/727A/94 SC
1748793 SC



Enclosure No. 675 of 28th
March 1895

Referred to the
Accountant General
for remarks.

(By order)
David Davidson
Under Secy Govt.



District and Sessions Court, Madras

4th March 1895.

No. 163
1895.

From,

J. W. H. Dunne Esquire
District and Sessions Judge,
Madras

To,

D. W. G. Conic Esquire
As. Registrar of the High Court
of Judicature, Appellate Side,
Madras.

Sir,

I have the honor to state that
with reference to G. O. dated 21st March 1894
Nos. 727, 727A judicial, I appointed one
A. V. Paminadaiyer, 6th clerk and short
hand writer of the District and Sessions
Court of Chingleput, as 4th clerk and
short hand writer of this Court on a
Salary of Rs. 25 with an allowance
of Rs. 30 and reported the appointment
to the High Court in my letter of the
13th

present

13th October last No. 631. He was drawing a salary of Rs. 20 and an allowance of Rs. 30 in the Chingleput Court. He was relieved in the said Court on the afternoon of the 25th October last and joined his duty in this Court on the forenoon of the 1st November last, having availed himself of 6 days for joining time.

2. A Bill for his joining time allowance from 26th to 31st October last at the rate of Rs. 50 per Mensem, viz his pay Rs. 20 and allowance Rs. 30 which he was drawing in the Chingleput Court, was sent to the Treasury Office of this place but was returned on

on the ground that the local allowance should not be claimed during transit. Thereupon a bill for his joining time allowance at Rs. 20 per Mensem being his pay as 6th clerk of the Chingleput District Court was sent and cashed.

3. The Treasury Office's objection seems to have been based on Rule 205 of the Civil Service Regulations whereby an officer is only allowed during joining time the pay or salary which he drew in his old appointment or that which he will draw on joining his new appointment, whichever may be less and on Rule 47(C) 3 which lays down that salary does not include local allowance.

allowance.

4. The allowance granted to Shosh hand writers was originally termed personal allowance by G. O. dated 21st March 1894, No. 727, 727 A Judicial alone referred to but subsequently named local allowance by G. O. dated 12th May 1894 No. 1145 Judicial and it seems the Government did not think it fit to give to the allowance granted to Shosh hand writers the same privileges as are attached to what is called personal allowance, which is treated as part of an officer's substantive pay for the purposes of

personal allowances
~~and~~ disallowances
on promotion
See original
1145
12775

of calculating leave allowances and pension under Rule 47 (c) of the Civil Service Regulations.

5. The provisions of the Civil Service Regulations relating to local allowance taken together do not seem to me to favor the present case. However, Rule 38 (b), authorizes the payment of local allowance in full to the officer actually present on duty while Rule 193 provides that an officer is held to be on duty during joining time and Rule 78 lays down that so much of local allowance as is not paid to a substitute may be drawn by an officer absent

absent from his office through deputation
on special duty for a period not exceeding
one month.

6. The provisions of the Regulations
referred to in the preceding paragraph
have no direct application to the
present case. But a consideration
of the facts that the appointment
of short hand writer of this court
was made solely in the interests of
the public service and that the
absence of the clerk concerned from
duty in the Chingleput court was
only one of a few days, leads me
to think that I am justified in
recommending this case to be
treated

treated as a special one so that the
clerk concerned maybe given a con-
-cession to draw the local allowance
also during his joining time of 6 days.

7. I therefore request you will be
good enough to obtain the necessary
orders for allowing the clerk above
named to draw his local allowance
during joining time, i.e., from 26th to
31st October last at Rs. 30 per mensem
over and above the pay of his old
appointment, viz., Rs. 20, already
drawn by him.

I have etc.,
(Signed) W. Dummerque,
District & Sessions Judge

(True Copy.)
High Court of Judicature,
Appellate Side,
Madras, 21st March 1895.

J. Lowrie
Ag. Registrar.

A.C. No 1447.

From

The District Sessions Judge
of Madras

Dated 4th }
Despd 5th } March 1895.
Received 7th }

No 163.

Enclosure 2nd.

Requesting to obtain the
necessary order for allowing
the shorthand writer & clerk
of his Court at V. Saminada
Rajar to draw his local
allowance during joining
time, - 26th to 31st October
last at 30 Rs. per mensem.

Encls. No.	1450
C. No.	

Enclosure No. *I* to letter from the

High Court of Judicature, Appellate Side, Madras,
dated 21 March 1895, No. 823.

Letter from the District
Judge of Madras recommend-
-ing the payment of a local
allowance at Rs 30 to a
short-hand writer of his
court during his joining
time.

CURRENT No 1450 High Court of Judicature
Madras, 21st March 1895.

No. 823.

From S.W.G. Conrie, Esquire,
Ag. Registrar of the High Court
of Judicature, Appellate Side,
Madras.

To
The Honorable J. F. Price, C.S.J.,
Chief Secretary to Government,
Fort St. George.

Honorable Sir,

I am directed to forward, for the
orders of Government, a letter dated the
16th instant, No. 163, from the District and
Sessions Judge of Madras, recommending
the payment of a local allowance to
A. V. Saminatha Aiyar, short-hand writer
of his Court, during his joining time
(from 26th to 31st October last) at Rs. 30
per mensem in addition to the pay of
his former appointment, namely, Rs. 20.

I have the honor to be,
Honorable Sir,
Your most obedient servant

D. Bowil

Ag. Registrar

CURRENT No. 186

FORT ST. GEORGE,

Accountant-General's Office.

10th April 1895.

Treasury Account DEPARTMENT.

No. 929

From

J. W. Rawlins Esquire,

ACCOUNTANT-GENERAL TO THE

GOVERNMENT OF MADRAS,

To

THE Chief Secretary to Government,
Judicial Department.

SIR,

In reply to your endorsement n^o. 675 dated the 28th of March 1895, referring to me for remarks letter from the Registrar of the High Court, Appellate Side, n^o. 823 dated 21st idem regarding payment of local allowance to a Short hand Writer of the District Court, Madura, for the period occupied in joining the appointment from Chingleput, I have the honour to state that under articles 205 and 47(C)3 of the Civil Service Regulations the allowance is inadmissible.

The articles in the Civil Service Regulations quoted in para 5 of the letter from the District and Session Judge, Madura, have no application to the present case.

I have the honour to be

Sir,

Your Most Obedt. Servt.

CURRENT No. 1845
(189) DEPARTMENT.

631-26-3-95 Am
2852-26-4-94 sc
1145-21-3-94
727-27A-21-3-94
1747-48-28-8-90 C

[G.
25.]
800-3-3-95.

Judicial DEPARTMENT.

C. No. 1450 + 1845/95.

From
THE ACCOUNTANT-GENERAL,
MADRAS,

To
THE Chief Secy. to Govt
Judicial Dept.

No. 929



Dated 10 April 95
Received 12
Rep. 13.

No. M. No. 1450 + 1845

SUBJECT.

Stating that local allowance is inadmissible to the short hand writer of the District Court of Madras for the period occupied by him for joining the app't from Chingleput

(London)

FOR ORDERS.

In the first paper read above the Ref. of the High Court forwards a letter from the as a special Secy. Judge of Madras recommending the payment of a local allowance to the short hand writer of his court during his joining time [from Chingleput] from the 26th to 31 Oct. 94 at Rs 30 per m. in addition to the pay of his former app't. of Rs 20.

The A.G. to whom it was referred for remarks states in the second current that under articles 205 + 47(C) 3 of the C. S. R. the allowance is inadmissible. - He is certainly right & the matter is not of sufficient importance to warrant our addressing the Govt of India to alter the rules.

D
27-5-95

The A.G. is clearly right & no one but his Dunlop would have troubled Govt with a reference on this very petty matter. There is no ground whatever for hearing

M. 18-4-95

data to alter the rules which are
drawn & sent enough
LD
29/5/95

Local allowance to a short-
land-Reporter

C/o. d/31st May 1895 No 1184

FOR ORDERS.

1. The opinion of the A.G. is clearly
correct
2. The claim is inadmissible

LD
29/5/95
29/5/95

HM

The Honble the Solicitor General of the A.C.
with C.L. 07 JUN 95
V of 1450 R.M.S.
A of 1845 J. order.
Copied 3/6

When given for copying
When copied
When examined
When signed

189

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.

PAYMENT WITH DITTO.

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

N.B.—

- A = Copy in full.
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- Q = Copy heading only.