

Judicial (1895) Department.

ORDINARY MS.

G.O., No. 1195

Dated 5th June 1895

INDEXED.

[Despatch Abstract.]

ACTING ALLOWANCE.

Communicating with remark, letter from the Accountant-
General reporting that M.R.BY. U. Atchutan Nayar Avargal is not entitled
to any-----for the period he acted as Sub-Judge of Tanjore vice Rao
Bahadur C. Venkoba Chari Avargal, Acting District Judge, North Arcot.

26.03
4.08
4/5
27.8.06
24.2.08
13.6
3.10.12
19.8.13
6.12.13
15/9/14
11-6-20
12-6-20
7-3-20 BT
11-10-40 V

BACK PAPERS.

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

FURTHER PAPERS.

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

Judicial {1895.} Department.

No.



FROM

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

*Achutan Nair appointment
Venkoba Rao leaves
949B: 20th 94 R
541A 29th 94 R
782 R 19 4 81*

Dated 10th April } 1895.
Received 11th
Recd 12th

No. 1067.

Enc. 2

Forwarding for orders
letter from Dr. R. Ry. to Achutan
Nayar Avargal, additional
Subordinate Judge of Rajah-
-mundry requesting the
disbursement of his ag.
allowance for November
1894.

*No go fact 94 can be trace of finding
Hence perfect report
in line with them have the line
50 fact of 501#130 may have some
light on 10/11*

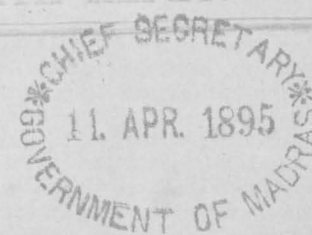
So. 949A/B.. 2.10. 94
541A. 29.8 94 (66)
782 R: 11.8 94.

Ind. N° 952

Referred to the Accountant
General who is requested to
submit a full report on the
case.

(By Order)
Chief Division
13
Ag. Under Secretary

*Cotacamund
2nd May 1895*



to 26.

3
Temporary Additional Subordinate
Judges' Court at Rajahmundry

28th March 1895.

From

Mr. H. Achutan Nair Averghal,
Subordinate Judge.

To

The Honorable
The Chief Secretary to Government
through the Registrar of the High Court of
Judicature, Appellate Side, Madras.

Honorable Sir,

I have the honor to request
that you will be pleased to place before
Government for consideration the order
of the Accountant-General, directing that
the Acting allowance drawn by me in
November 1894, as acting Sub Judge of
Tanjore should now be recovered from my
pay. The Copy of order is herein enclosed.

I am permanent Principal
District Munsif of Canteel and was

2
Every letter, whether printed or in manuscript, should be docketed and abstracted on the back ; and the abstract should state clearly the purport of the letter and not merely its title subject.

Enclosures and statements also, whether sent with letters, or merely under cover, should be numbered, docketed and abstracted. The headings of statements should be written in full to prevent mistakes; (G. O., 8th April 1893, No. 239, Public.)

4
appointed in October 1894 as Acting Sub
Judge of Tanjore while Rai Bahadur
C. Venkobaiah was acting District Judge
of North Arcot. On the 25th October 1894
Mr Venkobaiah was relieved at North
Arcot, but instead of joining his appointment
at Tanjore he took one month's privilege
leave from the 1st November 1894 being the
date of expiry of the joining time of six days.
Under Article 120 C. S. Regulations (2nd Edition),
the Accountant-General says, that I am
not entitled to my allowance for November
1894 as Rai Bahadur Venkobaiah was
absent on privilege leave. I represented
to the Accountant-General that I was an
officer transferred to Tanjore from a
distant station (Calicut) and that
under the same Article I was entitled
to $\frac{3}{4}$ allowance. Even this was not allowed
apparently on the ground that when the
privilege leave vacancy commenced I

5
was at Tanjore and therefore was an off
of the same station. I beg to submit, that
I had no lien on the post of Sub Judge
of Tanjore and could not be considered
as an officer of the same station. If
I was an officer of the same station, I
was acting Sub Judge of Tanjore and was
entitled to the same emoluments (salary
and allowance) from 1st November 1894,
as I had enjoyed till that time under
the first proviso to Article 120. When I
ask for full allowance (which I may not
be entitled) I am told that if I had
not been appointed I would have drawn
only Rs 400. When I claim $\frac{3}{4}$ allowance
I am told that I am an officer of
the same station. The acting allowance
drawn by me was Rs 100 less income tax
but the amount ordered to be recovered
from me is Rs 100 without deducting the
income.

I have, therefore, the honor
to request that you will be pleased
to procure the order of Government
for the disbursement of my allowance
for the month of November 1894.

I have the honor to be,
Sir,
your most obedient
servant.

h Achutawhan
Subordinate Judge

No 497.

Forwarded.

J. T. Mackenzie
District Judge.

District Court, Goddard
Rajahmundry.
March 28th, 1895

No.	Item	No of Voucher	Nature of Receipts or Payment.	Amount placed under				Nature of error or objection.	Orders of the Accountant General thereon the officer concerned.	Explanation of
				Revenue	Capital	Contingent	Other			
56	22	Salary bill of Mr. Achutan Chai 1 st Grade District Engineer of Calicut for November 1894. Acting Allowance drawn for November 1894.						Not admissible (vide final orders L.T. @ 3-12-94) As Rai Bahadur Venkoba Chai, in whose leave arrangement kindly Achutan Chai acted, has no privilege leave from 1 st November 1894.		
Ref. current no 1284/1895. Forwarded with a request that the order of the Accountant-General may be attended to at an early date. This memo returned with the necessary reply written in the last column. To reply Achutan Chai Engineer, 1st Grade District Engineer of Calicut, 2nd 2-95. (True Copy) in Achutan Chai's handwriting. Temporary additional Sub. Cont. 28-3-1895.										

H.6. No 1959. 8

From

U. Achutan Sain Sol

Subordinate Judge
Rajahmundry

To
The Chief Secy to Govt.
of Madras

Dated 28-3-95.
Recd 12 April 195.

Dispd. - to -



Requesting to obtain the
sanction of the Govt for
disbursement of his acting
allowance for November 1894.

2
1830

9. 1901. 12. 14

[Faint, illegible handwritten text]

[Faint, illegible handwritten text]

[Faint, illegible handwritten text]

Enclosure No. *I*, to letter from the
High Court of Judicature, Appellate Side, Madras,
dated 10th April 1895, No. 1067.

Letter from Mr. R. Ry.
W. Achutan Nayar Avargal,
additional subordinate judge
of Rajahmundry regarding
the disbursement of his
acting allowance for
November 1894.

No. 1067.

High Court of Judicature
Madras, 10th April 1895.

From

D. W. G. Bowie Esquire,
Acting Registrar of the High Court
of Judicature, Appellate Side,
Madras.

To

The Honorable J. F. Price, C.S.I.,
Chief Secretary to Government,
Fort Saint George.

Honorable Sir,

I am directed to forward,
for the orders of Government, a letter
dated the 28th ultimo, No. 26, from
Mr. R. Ry. W. Achutan Nayar Avargal, additional
subordinate judge of Rajahmundry,
requesting the disbursement of his acting
allowance for the month of November
1894.

I have the honor to be,
Honorable Sir,

Your most obedient servant,

D. W. G. Bowie

Ag. Registrar.

Gazetted Audit DEPARTMENT.

FORT ST. GEORGE,
Accountant-General's Office,
22nd May 1895.

No. 331

From

F. C. Harrison Esquire,

Offg. ACCOUNTANT-GENERAL TO THE

GOVERNMENT OF MADRAS,

To

THE Chief Secretary to Government,
Judicial Department.

SIR,

With reference to your endorsement No. 90 dated the 2nd of May 1895, I have the honour to state that M. R. Ry. U. Atchutan Nayar Avergal, District Munsif, 1st Grade, Calicut, was appointed in October 1894 to act as Sub Judge of Tanjore vice Rao Bahadur C. Venkoba Chari Avergal acting District Judge, North Arcot. The latter on being relieved of the duties of the District Judgeship, North Arcot, availed himself of privilege leave for one month from 1st November 1894 and M. R. Ry. U.

14
Achutan Nayar continued to act for him
as Sub Judge, Tanjore. Under Article
20 of the Civil Service Regulations no
acting allowance is given to an Officer
acting in a higher appointment in
consequence of the absence of another
Officer on privilege leave unless the
acting Officer is transferred from
another station. The Government of
India in its letter No. 2102 I. dated 6th
May 1895, Financial, to the Comptroller
Central Provinces has ruled that to decide
whether for the purposes of Article 120
Civil Service Regulations an Officer is
acting in an appointment in consequence
of the absence of another Officer on
privilege leave the test should be applied
of the question "If the other Officer
had not proceeded on privilege leave, would
the acting Officer have acted?" Applying
this test to the present case it will be
seen that had Rao Bahadur C. Vincoba
Chari not proceeded on privilege leave

15
M. R. Ry Achutan Nayar would have
reverted on November 1st to his permanent
appointment of District Munsif. He is
therefore not entitled to acting allowance
as Sub Judge for November nor in my
opinion can he be considered to have
been transferred from another station
to take up his acting appointment as
Sub Judge.

He is entitled to the refund of
Income Tax paid on the acting allow-
ance drawn for the above period.

I have the honour to be,
Sir,
Your most obedt. Servant,
M. Marim.

Offg. Accountant General.

Dr
- 22/5

CURRENT NO. 2584
Tutorial (1895) DEPARTMENT.

From
THE ACCOUNTANT-GENERAL,
MADRAS,

To
THE Chief Secy to Govt
Judicial Dept

ford of Lucha in Uchi. 2102 P. 6 May 1895 hnd
No. 1231

Dated 23 }
Received 24 } may 95-

Encl: CNO. 1830 letter
Encl: retd.

CHIEF SECRETARY
24 MAY. 1895
No.
GOVERNMENT OF MADRAS

Subject.

Reporting that Mr. Atchutur
Chair overpl is not entitled
to any acting allowance
for the period he acted
as sub ^{magistrate}
for to Venkoba Chai
while he was on
sick leave

Dec. 1830 & thro

of 5th June 1895 N^o 1195

H. M.

Ohio.

Order.

Copy of the foregoing letter
from the ~~Act~~ Genl will be
furnished to Mr. R. Q. U. Webster
Ranger with the intimation
that the rules cannot be relaxed
in his case. D 18

2
35.5.95 18
31/5/95

Great fence (gou) ~~disks~~
Hm. the c. I. with ~~18500~~ 12/1/98

Let it be in the power of the
governing power to make the father
and the son as I was and
in the day that is C.S. 10, but it
is admitted that sufficient
grounds do not exist in the
case for adhering to it in the
case. - This is one of the rules for
which almost every one has suffered
at some period in his service.

and
30.5

5
35.7

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

189

READ AGAIN G.O., No.
189

PATRI

CURRENT No.

ENCLOSURES to C. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DITTO

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

N.B.—

A = Copy in full.

B = Not to be copied.

P = Copy abstract only.

Q = Copy heading only