[L. & M.
9,000-3-8-86.]

Local & Munl. (1895) Department.

MISCELLANEOUS.

G.O., No. 1875 M

DATED 11th November 1895.

[Despatch Abstract.]

Pensionary contribution.

Recording proceedings of the Municipal Commissioners, Madras, on the subject of Mr. Ellis'---and referring his letter to the Accountant-General, for remarks, regarding the rules which should regulate age of retiring, &c, in his case.

BACK PAPERS.

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

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
Cm	212	M/96					

Genl. Dept.
9

G. No. 88

MUNICIPALITY OF MADRAS,
General Department.
Madras, 30 April 1895.

1447/M

From

LIEUT.-COL. G. M. J. MOORE, C. I. E.,
President, Municipal Commission.

To

The Chief Secretary to Government,
Fort Saint George.

SIR,

Enclosure.
1

With reference to G.O. No. 520 M. Mis; dated 22nd March 1895, I have the honor to forward an extract from the Proceedings of a General Meeting of the Commissioners held on the 29 April 1895.

I have the honor to be,
Sir,
Your most Obedt. servant,
GMJMoore Lt. Col.
President, Munl: Commn.

Enclosure to G. No 88.

Extract referred to.

G.O. No 520 M. Mis, dated 22d March 1895, requesting to get the consent of the Commissioners to Mr. R. E. Ellis, the Municipal Engineer, being granted leave without allowances for the period he acted as Sanitary Engineer and to accept from him the Pensionary contribution.

Proposed by MRRy M. Venkataramiah Chetty Garu and seconded by Mr. DeCaxter.

"That the request of Government be acceded to".

Carried.

Local & Municipal Dept.

Genl. Deptt.
12.
CURRENT
1895. 1447 M

520 ... 22-5-95
121 ... 3-2-96

Madras Municipality.

From

The President,

Municipal Commission.
MADRAS.

To

The Chief Secretary
to Government
Fort St George

G. No. 88

Dated 30th April 1895.
Despd. 30th April 1895.
Recd. 1-5-95

Enc. 1

SUBJECT.

Forwarding an extract from the Proceedings of a General meeting of the Commissioners held on 29 April 1895 re grant of leave without allowances to Mr R. E. Ellis for the period he acted as Sanitary Engineer and to accept from him the pensionary contribution.

C.S.
min

Order.

G.
95.

DEPARTMENT.

C. No.

FOR ORDERS.

The reply of the Mun'l. Commrs. to the reference regarding the appt. of Mr. R. S. Ellis as Sanitary Engr. is submitted. It is satisfactory but Mr. Ellis will have to pay the pensionary contribution himself.

8/5/95

Above for him!

9/5/95

Mr Ellis' leave

FOR ORDERS.

Recorded.

NOTE FOR THE CHIEF SECRETARY.

Submitted for the C.S.'s perusal. May the order now issue (to the A.G.) and Mr Ellis be informed d.o. that he must pay the pensionary contribution?

GT
10.V.

If he accept the situation do[?] send the letter. If he does not we shall have [illegible]

A draft d.o. is put up
GT 15.V.

135

Nungumbaukum
Madras.
20th May 1895

21/5/95

My dear Mr Price

As there seems to be no other way out of the difficulty I will of course refund to the Municipality the R1920 – the amount of Contribution to Pension & Leave

I have written to Col Moore asking him to address Government on the subject of Pension rules and payment

---

the right to interpret the rules or consider any particular case having been vested in the Local Government in accordance with Rule 2 page 2 of the Civil Service Regulations.

Yours sincerely
R L Ellis

D.O

GOVERNMENT OF MADRAS

Please fair
[illegible] 17/V

apd for A.S.

Please see A.S.'s alterations. The fair copy has been gone to C.S. for signature.
18/5/95

15.V.

OOTACAMUND,
May 1895.

My dear Ellis

A most unfortunate complication has arisen in respect of your appointment last year to act as Sanitary Engineer while Jones was on leave. The appointment was made direct by Government and it was somehow overlooked at the time that as you were ~~working under the orders~~ a servant of the Commissioners your services could not of salary when on leave as I really do not exactly know what I am contributing to. I presume however that the rules applicable to Coopers Hill Engineers will apply to me, my position being analogous to theirs. My case however is not provided for. The power to make the rules apply to me appears to rest with the Governor in Council,

---

be availed of in the same way as those of ~~other~~ officers in the Public Works Department and that such a transfer without their sanction practically involved a forfeiture for the time being of your present appointment and a break in your pensionable service. The only way out of the difficulty was to secure the grant of leave to you with retrospective effect for the period for which you acted and this Government has arranged for with the Commissioners. But this unfortunately involves the payment by you to them of pensionary contribution for the time you were absent. I am therefore to ask if you will consent to pay this sum, which in the circumstances of the case Government be precluded from doing ~~cannot provide~~ for.

I am &c

17/5/95.

R. E. Ellis Esq

1st Des/pd

18/5

[G/9]
2,000—23-1-95.

Current No.

L & M Dept Department.

From

R. E. Ellis Esqre
Madras.

No.

Dated 20th May 1895
Received 22nd " "
Regd
Enclosures

SUBJECT.

[illegible]
Informing that he will refund to the Municipality the sum of Rs: 1920- being the amount of contribution towards his pension & leave.

Pension DEPARTMENT.

FORT ST. GEORGE,
Accountant-General's Office,
16th May 1895.

No. 9 A.E / 306

Local & Municipal Dept.
CURRENT No. 1702 M

From
F. C. Harrison Esquire,
Offg ACCOUNTANT-GENERAL TO THE
GOVERNMENT OF MADRAS,

To
THE President, Municipal Commission,
Madras.

SIR,

With reference to your letter No 95 dated the 2nd of May 1895, I have the honour to state that it appears from the Audit Register of my office that Mr. R. E. Ellis, Municipal Engineer acted as Sanitary Engineer to Government from 1st February 1894 to 31st January 1895 and drew pay plus acting allowance aggregating Rs 1000 a month. In paragraph 2 of Government Order No 520 dated 22nd March 1895, a copy of which was furnished by you, the Government desires the Municipality to accept from Mr Ellis the pensionary contribution payable for that period. As however the Government will not bear any proportionate share of leave allowance that may be due for that period, in the event of Mr Ellis taking Furlough, the Municipal Commission will, under the circumstances, probably desire to receive a contribution for leave allowance

Government servants, a contribution of one-fifth of his substantive pay viz R.800 might be required; on this basis the aggregate amount of contribution for the whole period of his employment as Sanitary Engineer will be R.1920. The payment may be required in instalments at the Municipality's option; the Government rule is that instalments should not be less than 1/3d of monthly emoluments.

I have &c
(Signed) F. C. Harrison
Offg: Accountant General.

True copy.

Chief Superintendent

Ch
21/5.

Recorded -

Pension DEPARTMENT.

FORT ST. GEORGE,
Accountant-General's Office,
21st May 1895.

No. 9AE / 308C

From
F. C. Harrison Esquire,
Offg ACCOUNTANT-GENERAL TO THE
GOVERNMENT OF MADRAS,

To
THE Chief Secretary to Government,
Local and Municipal Department.

SIR,

With reference to Government Order No 520, M. Miscellaneous, dated the 25d of March 1895, which was not communicated to my office, but a copy of which was furnished to me by the President of the Madras Municipal Commission, I have the honour to state that the President in his letter of the 2d instant, requested me to inform him of the amount of pensionary contribution which Mr. R. E. Ellis, Municipal Engineer, should pay to the Madras Municipality for the period he was employed as Acting Sanitary Engineer to Government a whether he could be permitted to pay the contribution by instalments. I enclose herein a copy of my reply to him No $\frac{2 A E}{303 C}$ dated the 16th instant, for the information of Government.

Under the rules which have been prescribed for the recovery of pensionary contribution from Officers of Government lent to Foreign bodies, contribution is not leviable whilst an Officer is on long leave. No rules exist for the converse case of local officers lent to Government, but the precedent should be followed, for I respectfully submit it is anamolous for the Municipality to grant Mr Ellis leave without pay, and during the period of such leave exact a contribution. The object of Government could have been served if Mr Ellis had been considered by the Municipality as, in fact, he was, lent to Government, the Municipality and Government having full power under Section 47 and 48 of the Municipal Act to impose upon Mr Ellis any contribution that they pleased. In the demi-official references which were made in the case, the Accountant General merely pointed out that Government could not contribute for the case was not covered by the rules which govern the cases of Government servants - viz the Civil Service Regulations.

This point is not perhaps of great importance I merely mention it as I was in any case under the necessity of addressing Government in the matter in consequence of the President's reference.

I have the honour to be,
Sir,
Your most obedt Servt,

H Harrison
Offg Accountant General

(189) DEPARTMENT.
Local & Municipal Dept.
CURRENT No. 1702 M

From

THE ACCOUNTANT-GENERAL,

MADRAS,

To

THE Chief Secy to Govt.
Local + Municipal Depart

No. Dae/3086

Dated 22 May 95
Received 23 MAY. 95

No.

Subject.

Forwarding with remarks copy of this office letter to the President Municipal Commission Madras regarding the recovery of pensionary Contribution from Mr R. E. Ellis Municipal Engineer for the pe[illegible] he acted ~~for the~~ as [illegible] Engineer to the Govt of Madras

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Genl. Dept. / 9

G. No. 136

MUNICIPALITY OF MADRAS,
General Department.
Madras, 30th May 1895

Local & Municipal Dept.
No. 1755 M

From

LIEUT.-COL. G. M. J. MOORE, C. I. E.,
President, Municipal Commission.

To

The Chief Secretary to Government,
Fort St George

SIR,

Enclosures 3.

I have the honor to forward the accompanying copies of correspondence for such orders as Government may deem fit.

I have the honor to be,
Sir,
Your most Obedt. servant,
G M J Moore Lt Col.
President, Munl Commn

Genl. Dept.
9

G. No. 95

MUNICIPALITY OF MADRAS,
General Department.
Madras, 2nd May 1895.

From

Lieut.-Col. G. M. J. MOORE, C. I. E.,

President, Municipal Commission.

To

The Accountant-General
to the Government of Madras.

Sir,

Enclosure. 1

In forwarding the enclosed Copy of G.O. No. 520 M. Mis. dated 22nd March 1895, I have the honor to request that you will be so good as to inform me the amount of pensionary contribution, Mr. R.E. Ellis, Municipal Engineer, will have to pay to this Municipality for the period he was employed as Acting Sanitary Engineer to Government, and whether he can be permitted to pay the contribution by instalments.

I have the honor to be,
Sir,
your most Obedt. Servant,
(Sd) G. M. J. Moore. Lt. Col.,
President, Munl. Commn.

(True Copy) G. M. J. Moore Lt. Col.,
President, Munl. Commn.

Pension Department

Fort St George.
Accountant-General's Office
16th May 1895.

No. I.A.E. / 303 C

From

F. C. Harrison, Esq.
Offg. Accountant-General to the
Government of Madras.

To

The President
Municipal Commission, Madras.

Sir,

With reference to your letter No. 95. dated the 2nd of May 95. I have the honor to state that it appears from the Audit Register of my Office that Mr. R.E. Ellis, Municipal Engineer acted as Sanitary Engineer to Govt. from 1st February 1894 to 31st January 95, and drew pay plus acting allowance aggregating Rs 1000 a month. In para 2 of Govt. Order No. 520 dated 22nd March 95, a copy of which was furnished by you, the Govt. desires the Municipality to accept from Mr. Ellis the pensionary contribution payable for that period. As however the Govt. will not bear any proportionate share of leave allowance that may be due for that period, in the event of Mr. Ellis taking Furlough the Municipal Commission will, under the circumstances probably desire to recover a contribution for leave allowance also. On the analogy of the rules applicable to Govt. servants, a contribution of one-fifth of his substantive pay viz. Rs 800 might be required; on this basis the aggregate amount of contribution for the whole period of his employment as Sanitary Engineer will be Rs 1920. The payment may be required in instalments at the Municipality's option; the Govt. rule is that instalments should not be less than 1/3rd of monthly emoluments.

I have the honour to be,
Sir,
Your most Obedt. servant
(Sd) F. C. Harrison
Offg. Accountant General.

(True Copy)

Lt. Col.
President, Munl. Commn.

P.W. No. 91.
H.S.

Municipal Office
Madras 18 May 1895

From
R. E. Ellis Esq. A.M.I.C.E.
Municipal Engineer on Special Duty.

To
The President,
Municipal Commission.

Sir,

(1) With reference to letter No. I.A.C. 303 C dated 16 May 1895 from the Offg. Accountant-General herewith returned, I have the honor to request that Government may be addressed with a view to obtaining a ruling on the following points:

Enclosure 1.

(a) Whether the age of retiring and the amount of pension shall be determined in my case by the same rules as apply to Engineers in the Public Works Deptt trained at Coopers Hill.

(b) Whether the pension will be paid at the current rates of exchange or on the same terms as apply to the Engineers above referred to.

Art. Ch XXIX

Art 1015 A

(c) Whether I shall be allowed to remit my pay when on leave on the same terms as apply to the Engineers above referred to.

Art 945

2 I may mention that under G.O. No. 381 dated 20 March 1895 a similar question as to leave rules, has already been decided, and it would appear, that the am t of contribution towards leave

and pension for the 12 months that I acted as Sanitary Engineer, namely Rs 1920 has been calculated on rules that apply to Engineers in Government service.

I have the honor to be,

Sir,

Your most Obedt. Servant.

(Sd) R. E. Ellis.

Municipal Engineer

on Special Duty.

(True Copy)

W. W. Moore Lt. Col.

President, Munl Comn.

B. Est

3/55

pro pp5

Local & Municipal Depts

Genel. Daptt. 12

CURRENT No. 1755 M

1895.

Madras Municipality.

From

The President,

Municipal Commission,

MADRAS.

To

The Chief Secretary
to Government
Fort-St-George

G. No. 136

Dated 30th
Despd. 30th May 1895.
Recd. 31 MAY. 95

Enc. 3

SUBJECT.

Forwarding copies of Correspondence on the Question of Pensionary Contribution payable to the Municipality by Mr. R. E. Ellis.

C. Nos 1702 & 1755 M

Hyde

For orders.

[G. 25.]
600—7-5-95.

Land M DEPARTMENT.

C. Nos 1447, 1702 and 1755 M.

FOR ORDERS.

Mr. R. E. Ellis, Vice President of the Madras Municipal Commission, acted as Sanitary Engineer from 1.2.94 to 31.1.95. In making his appointment the fact that he was a servant of the Municipality and could not be transferred to Government service without the permission of the Commissioners was overlooked. The question of his contributions for leave and pension also escaped notice.

G.O. $\frac{520 M}{22.3.95}$

2. At the close of his acting appointment attention was called to these matters by the President and the Accountant-General, Mr. Rawlins, was consulted demi-officially as to what had better be done. He pointed out that if Mr. Ellis were granted leave with retrospective effect there would be no break in his service within the meaning of art. [illegible] C.S.R. [illegible]

d.o. of 2.2.95
in G.O. $\frac{520 M}{22.3.95}$

he would lose leave that had been previously earned. He pointed out moreover that if the municipality could be placed in the position of Government when it lends an officer on foreign service there would be no difficulties about the matter but that Government would have to pay his pensionary contribution. On a further reference he added* that Government had incurred no liability in respect of Mr Ellis's pension and that it could in no case make any payment towards it without the sanction of the Government of India but that there would be no objection to Mr Ellis's paying it himself.

d.o. of 16.3.95 in G.O. $\frac{520}{22.3.95}$

3. On this Mr Ellis was asked* if he was willing to pay the money and the Municipal Commissioners were ~~made~~ moved* to grant him leave without allowances with retrospective effect for the period of his absence and to accept the sum in question from him.

d.o. 17.5.95 in c no 1702.

G.O. $\frac{520}{22.3.95}$

4. Mr Ellis assented "as there seemed no other way out of the difficulty" and the Commissioners* accepted Government's proposal*. vide Mr Ellis's d.o. of 20.5.95 and c no. 02 m. The sum in question is Rs 1920.

d.o. 20.5.95 in c no 1702

FOR ORDERS.

[$\frac{G.}{25.}$]
600—7-5-95.

DEPARTMENT.

C. No.

FOR ORDERS.

5. Mr Ellis, however, to prevent any further mistakes asks in his d.o. and again in an official reference to the President which is enclosed in c no 1755 for clear rulings on certain points in connection with his leave and pension. These will shortly be dealt with. A more immediately important paper is c. no. 1702 m in which Mr Harrison, the officiating Accountant-General, points out, while forwarding copy of his letter to the President concerning the amount to be recovered from Mr Ellis ⓐ that there is really no reason to recover anything at all ⓑ that if anything is to be recovered Government and the Municipality may fix it at such sum as they please.

6. The grounds for these propositions are not clearly stated but briefly they appear to be these ⓐ the [illegible]

is being reserved on the ground that the loan of Mr. Ellis's services to the State was analogous to the case of Government officers deputed on foreign service. But in the case of a Government officer who undertakes foreign service while on long leave no contribution is required - art 812(b) C.S.R - *ergo* in Mr. Ellis's case no contribution need be required. The difficulty in the way of accepting this argument is that - art 812(b) - (if I am right in supposing Mr. Harrison to refer to it) refers to officers on furlough only, but as the analogy between Mr. Ellis's case and that of officers falling under Chap XXXVI is at all points weak, perhaps this may be overlooked. As regards ⓑ Mr. Harrison refers Government to secs 47 (I think this is a mistake for 46) and 48 of Act I of 1884 (as amended). These sections give Government the power to direct the payment to Municipal officers on leave of such salaries ~~as~~ as are admissible under the regulations applicable to Government service and to make such rules as it thinks fit regarding the payment of pension to Municipal officers. These sections

[illegible]

FOR ORDERS.

[G. / 25.]
600—7-5-95.

DEPARTMENT.

C. No.

FOR ORDERS.

would appear, as Mr. Harrison says, to give Government the power to regulate the amount of the contributions in question though it might need some slight stretching of them to do so.

7. Two minor points appear to deserve notice ⓒ that whereas the reference was made both to the Municipality and to Mr. Ellis only as regards pensionary contribution and his consent to pay seems to have been influenced by the false idea that his failure to do so would lose him all his pensionable service up to date, the sum of Rs.1920 includes both leave and pensionary contributions and moreover it would appear from Mr. Rawlins's first d.o. that leave is the only thing he would lose by failure to pay. These facts ought perhaps to be put before Govt [illegible] before any payment [illegible]

ⓓ if the analogy of Chapter XXXVI is to be applied to Mr Ellis's case the ~~section~~ article relating to exemptions from contribution might also apply. Under art 817(f) Government has exempted the Municipality from all payments on behalf of its Presidents. Why should not the Municipality exempt Mr Ellis (whose services have been lent to Government) for one year?

8. As regards this part of the case therefore the following alternatives appear to be open:–

(i) to let Mr Ellis pay the whole sum.

(ii) to declare him liable to pay such other sum as ~~it~~ Govt thinks fit.

(iii) to declare him liable to no payment + with reference to ⓐ or ⓓ above, or to frame a rule under sec 48 such as shall exempt him, e.g. that in consideration of the exemption of the Government officer, whose services are lent to the Municipality from payment of pensionary contribution to Government all Municipal servants whose services are lent to Government shall be exempted from similar contributions to the Municipality.

(iv) to give him the option of paying or forfeiting such leave as is due to him.

(v) To ask the G. of I. for sanction to payment by Govt.

FOR ORDERS.

G.
25.
600-7-5-95.

DEPARTMENT.

C. No.

FOR ORDERS.

9. The questions raised by Mr Ellis in his reference to the President are easily disposed of: They are as follows:

int no 1775

ⓐ Whether the age of retiring and amount of pension will be determined in his case by the same rules as apply to Engineers in the P. W. D. trained at Cooper's Hill.

Answer:– No. Art 503 C.S.R. determines the age of retiring and art 518 the amount of pension vide G.O. no $\frac{1197 m}{9.7.93}$

ⓑ Whether the pension will be paid at the current rates of exchange or on the same terms as apply to the Engineers above referred to

Answer:– It will be paid at the current rate or 1/9 whichever is greater under art 1015 A.

ⓒ Whether he will be allowed to remit his pay when on leave on the same terms as apply to the above referred to.

Answer:- He can remit at the current rate or 1/6 whichever is most favourable under art 945. The case of several of the Cooper's Hill Engineers is peculiar.

10. This paper is marked 'urgent' in order that orders may be passed on the first of the points raised before Mr Ellis begins to make any payments, as these might lead to further confusion.

Cgt

12. VII.

E

Payment of pensionary contribution by Mr Ellis, for the ~~[illegible]~~ time he was in Government service.

FOR ORDERS.

H. M. and Circ

Note for the Chief Secretary

It will be seen from the Acct. Genl's telephone message in G.O. of 24. 1. 94, No. 76 M, that when Mr. Ellis was appointed to act as Sany. Engineer his salary was fixed under article 79 of the C. S. R. as that of an officer whose substantive appt. is in Foreign Service and who is transferred in the public interests to act in an appointment paid from the General Revenues. ~~[illegible]~~

There seems to be no object in Mr. Ellis paying the contribution and being granted leave without allowances. Periods spent on leave without allowances do not count ~~qualify~~ for pension and the Municipality will have incurred no pension liability for the year ~~he~~ Mr. E. acted as Sany. Engr. if he is granted leave without allowances. If Mr. E. is× content with having lost a years pension-service ~~the pension~~ as a set-off for the acting allowance of Rs 200. pr. mo. which he received, nothing further appears to be necessary. But if the year is to count for ~~service~~ pension the Municipality

× This is [illegible]

[illegible]

must not grant him leave without allowances but treat him as having been lent to Government In that case the question of contribution arises & ~~can~~ it can be met by one of three courses (1) Mr. Ellis paying the contribution, or (2) ~~the~~ Govt paying it, or (3) The Municipality foregoing it altogether. ~~Against~~ As regards course (1) it is to be remembered that Mr. Ellis drew Rs 200 p: m: in addition to his ~~pay~~ Municipal pay when acting as Sany. Engr.; if he refunds Rs 160 p: m: of this he will have received but Rs 40. p: m: as Ag allowance. Course (2) the A.G. says will require the sanction of the G. of I. – In favour of course (3) is the argument brought forward by the Govt. Secy. in para 7 of his note. viz that the Municipality is exempt from contribution on account of its President & that therefore it should lend officers to Govt free of contribution. In addition to this there is the saving which the Municipality will have made [illegible]

Mr. Loam to act for Mr. Ellis. It is thought that the Municipality might be sounded on this point.

Mr. Rawlins has pointed out that Mr. Ellis if a Govt servant could not have been transferred to Foreign Service as he had not 10 years qualifying service but it seems too late now to raise this point. The temporary transfer was made & Mr. Ellis was treated as an officer lent by the Municipal[illegible] If this was not so, why how could the contribution question arise? The Municipality has, it is understood, extended the rules in the C. S. R. to its employes and as the pension & leave rules are, under §§ 47 & 48 of Act I of 1884, in the hands of Govt + the Commissioners ~~[illegible] from the~~ ~~which has have the consent of both~~ ~~these authorities in regular~~ these two authorities ~~may~~ have the power, by mutual consent to make Excepti in particular cases.

Should the Municipali

declines to forego the contribution perhaps India's sanction might be obtained to Govt. paying it as Mr. Ellis will be otherwise be very little better off for his acting appt.

C.S.
19.7.95

It is very difficult to know what to do in this instance. Mr. Ellis will certainly and naturally enough not be content to forego a year's service for pension. Not only would he lose the service but it would interfere with his taking leave later on. It is not fair saying that the Mun. Council Commrs. will agree to consider him to have been lent to Govt. that Mr. E should have to pay pensionary contribution as this would mean that he would get only Rs. 40 a month for the work which he did – and well – as Sanitary Engineer. If Govt. pays the pensionary contribution India's previous sanction must be obtained. Might not the President be sounded d.o. as to whether the Commrs. will treat Mr. Ellis as having been lent to Govt. and forego pensionary contribution in consideration of the fact that Govt. takes none for the [illegible]

1447–1702 & 1755 by

Mr. Ellis

~~CS~~

E

H.E. the Gov.

Dep. to do
keep papers together
2/8

This seems the best thing to do
24/7/95

Yes but if they refuse we must go to the S of S
J.S. 24/7

W
27 July

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arisen would be for the Commissioners to treat Ellis as having been lent to Govt. for the year during ~~in~~ which he acted as San. ~~Commr.~~ Engr. rather than for them to grant him leave without allowances, as they have already done in accordance with the request in G.O. 520 M / 32.2.95. For periods spent on leave without allowances do not count for pension, & if Ellis granted leave without allowances he ould lose a years pensionable service.

If he be granted a year's leave ut allowances the Commissioners will have incurred no liability for pension for the period, notwithstanding para. 2 of the G.O., & so will not require that he should pay pensionary contribution for it. On the other hand if he be treated as having been lent to Govt. it necessary either that Mr Ellis should pay pensionary contribution to the Commissioners or that the latter body should forego the payment of it. It seems hard upon Ellis that he should have to pay a ~~heavy~~ considerable sum for the period during which he acted as San. Engr., and

ask that you will easily ascertain & inform
ovt. whether the Commissioners ~~are~~
ld be prepared to forego payment of this
ontribution. I am to point out that
iven.
he Govt. has exempted the Commrs.
from all pensionary contribution on account
hole service of their Presidents, & to say
f ~~yourself~~
hat it appears to Govt. that in
consideration of this fact x the ~~request~~
suggestion now made that the Commrs.
should in return exempt Ellis from
payment on account of only
ne years service is the less open to
riticism. 29.7.95. (from orders).
31/7/95

x of the fact that the Municipality benefitted
pecuniarily by the substitution of ~~Johnson~~ Ellis for Soane as
Municipal Engineer for the year referred to

Desptd. 9/8/95

D. O.

CS

~~Fort St. George~~
OOTACAMUND,
9th ~~July~~ August 1895.

To Col. G. C. M. Moore
Pres. Mad. Munl. Commn.

My dear Moore

Govt. has had under consideration your ~~official~~ No. 136/30.5.95 forwarding copies of correspondence with the A. General on the subject of Ellis' pensionary contribution for the period during which he acted as Sanitary Engineer (1st Feb. '94 to 31st Jan. '95).

The present Acct. General now says, in a letter of which I enclose a copy, that the best way out of the difficulty that has

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Madras
the [illegible] August 1895

My dear Price

Your D.O. of 9th Inst.

I do not see how I can find out quickly from the Commrs. It would have to come before a General Meeting & could only be done on an application from Ellis.

I enclose a letter from him on the subject.

I will sound the Standing Committee – putting it that it is rather hard that Ellis should have to pay Rs 1929/-

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pensionary
contribution in consideration of the

out if they refuse we must
go to the G. of I.

besides losing a year's service, and in what they pay.

There is one point in your letter which I do not understand – that is about my pensionary contribution. Why should the Commissioners pay pensionary contribution for me.

Yrs sincerely

C. M. Moore

The Hon: Mr. J. F. Price C.S.I
&c &c

Madras
14 Aug 1845

My dear Col. Moore

With reference to our conversation in connection with my contribution, I do not think the Commissioners would object to lending my services to Government for the period I acted for Mr Jones, but if they forego the contribution, I fear it would place me under an obligation to them, moreover in the

---

les 'but if they refuse we must

Event of a P.W. Officer being appointed to act for me at any time, the Commissioners would naturally expect to be exempted from paying the Contribution to Government for his pension.

As there appears to be no provision by which Gov. can pay the amount I have no objection in paying it myself. What I want is, to be treated all through like a P.W. Officer as far as possible. It is only on this understanding that the Municipality can lend my services to Government vide Sec. 806 (iii) of the C.S. Regulations. I am, as far as the Commissioners are concerned in the superior Service of their P.W. Department.

Upon this understanding I have been granted the same leave rules as P.W. Officers and if Government are of opinion that my pension should be so treated. I trust that they will see their way to pass orders under sec 48 of the Municipal act.

I am anxious not to lose any service for leave and hope that this matter will be so far settled to enable me to obtain 6 weeks privilege leave already asked for from the 7th Sept

Yours sincerely
R. Ellis

Any [illegible] corr [illegible]
[illegible] forwarded [illegible] Board [illegible]
President [illegible]

sent to Govt. and urge summary | as but if they refuse we must

[U/9]
2,000—2-4-95.

Current No.

DEPARTMENT.

From

Lt. Col. G. M. J. Moore, C.I.E.
Madras.

No.

Dated 14th August 1895

Received 16th " "
Regd. 17th " "
Enclosures one

SUBJECT.

Forwarding a letter from Mr. Ellis re his pensionary contribution

For C.S.

Should this file be kept here please?

No. Sent to Madras please. All further correspondence [illegible] to the office there in first instance

19.8.95

C.S./

For orders.

It is submitted that further communications from Col. Moore may be awaited.

19.8.95

Let me see please my D.O. to Col.

21/8

Submitted

19.8.95

Seen 29.8.95

Genl. Dept.
13

G. No. 381

MUNICIPALITY OF MADRAS.
General Department.
Madras, 1st October 1895.

Local & Municipal Dept.
CURRENT No. 2998 M

From

LIEUT.-COL. G. M. J. MOORE, C. I. E.,
President, Municipal Commission.

To

The Chief Secretary to Government
Fort St. George.

Sir,

Enclosure.
1

With reference to G.O. dated 12th September 1895 No 1485 M.Mis, I have the honor to forward an Extract from the proceedings of a General Meeting of the Commissioners held on 30th September 1895.

I have the honor to be,
Sir,
Your most obedient servant,
G M J Moore Lt.-Col.
President, M.M.C.

Extract referred to.

The President moved the following resolution of which he had given notice:-

"That the G.O. No I485 M.Mis dated I2th September I895, be considered".

Mr N. Subrahmanyam seconded.

Carried.

Proposed by M.R.Ry V. Varadappa Nayudu Garu and seconded by Mr J.DeCaster:-

"That the Commissioners after reconsideration of the subject referred to in G.0 No I485 of I2th September I895, modify their previous proceedings granting Mr Ellis one year's leave without allowance and record that Mr Ellis's services be considered as having been lent to Government from Ist February I894 to 3Ist January I895 during which period he acted as Sanitary Engineer to the Government of Madras, and forego the pensionary contribution".

Carried.

Local & Municipal Dept.
Genl. Deptt.
12 CURRENT No. 2998 M
1895.

1485 hbl 2-9-95

Madras Municipality.

From

The President,

Municipal Commission,

MADRAS.

To

The Chief Secretary

to Government

Fort St. George

G. No. 381

Dated 1st October 1895
Despd. 1 " 1895.
Recd. 2 OCT. 95

Enc. 1.

SUBJECT.

Forwarding extract from the Proceedings of a General Meeting of the Commissioners held on 30th September 95 modifying their previous proceedings which granted Mr. Ellis Engineer. the one years leave without allowance receiving from him pensionary contribution, and recording that his services be considered as having been lent to Government from 1st Feby 94 to 3rd Jany 95 when he acted as Sany: Engineer to Govt: and by foregoing the payment of the pensionary Contribution

2/10 A14/10.

Papers to be read in Proceedings :—

Again G.O., dated 189 , No.
Current No. 1447 M. of 1895. dated 30th April 1895, from the President, Municipal Commission Madras.
— " — 1702 M — 21st May — Accountant-General.
Current No. 1755 M of 1895, dated 30th May from the President. M. C. Madras.
Current No. 2998 M of 1895, dated 1st October from the — Do. —

Order. No. 1875 Muni: 11—11—95

Recorded.

2. Mr. Ellis' letter, No. 91 of 18th May 1895, which forms an enclosure to the third of the papers read above will be referred to the Accountant-General for remarks.

V.R.
25/10/95

25.10.95

11/11/95

Note.

Submitted that it be safer this last letter go to A.G. first

25.10.95

To the President, M. C. Madras ✓
" Accountant-General (with copy of Mr. Ellis' letter ✓

[illegible] 18/11/95

Re – rules which should … retiring &c in the case of …

Cl
misc:

1875h

…en given for copying ______
…n copied ______
…n examined ______
…n signed ______ } 189 .

…D AGAIN G.O., No. DATED
189 ,

…URRENT No.

E LOSURES TO C. No.

ORDER OF GOVERNMENT .. .. .. A A A A A A A

LETT 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.