

INDEXED.
Local & Munl. (1896) Department.

PRINTED.

G.O., No. 1802 M

DATED 24-10-96

[Despatch Abstract.]

Leave

Ordering that G.O. No 381 M
of 20-3-93 extending the application
of Chapter VIII of the Civil Service Regula-
tions to Mr Ellis, Engineer, Madras
Municipality, be restored, & that para 3
of G.O. No 1064 M of 23-6-96 be can-
celled.

BACK PAPERS.

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

FURTHER PAPERS.

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

Government { 1896 } of Madras. LOCAL AND MUNICIPAL.

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For approval.

Recd.

Regd.

1896.

Enclosures

Spare copies

G.O., No. 1802 M., 24th October 1896.

OCTOBER.

Leave.

Ordering that G.O., No. 381 M., dated 20th March 1893, extending the application of Chapter XIII of the Civil Service Regulations to Mr. Ellis, Engineer, Madras Municipality, be restored, and that paragraph 3 of G.O., No. 1064 M., dated 23rd June 1896, be cancelled.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

READ—again the following paper:—

G.O., No. 1064 M., dated 23rd June 1896.

ABSTRACT.—Answering certain questions raised by Mr. Ellis, Engineer of the Madras Municipality, regarding the rules regulating his pay, pension and leave, and requesting the Government of India to obtain the approval of the Secretary of State to the order of Government in G.O., No. 381 M., dated 20th March 1893, granting leave to Mr. Ellis under Chapter XII of the Civil Service Regulations.

READ—also the following paper:—

From H. J. S. COTTON, Esq., c.s.i., Officiating Secretary to the Government of India, Home Department (Municipalities), to the Chief Secretary to the Government of Madras, dated Simla, the 23rd September 1896, No. 134.

I am directed to acknowledge the receipt of your letter No. 1065 M., dated the 23rd June last, requesting that the sanction of the Secretary of State may be obtained to the application of Chapter XIII of the Civil Service Regulations to Mr. R. E. Ellis, Municipal Engineer, Madras Municipality.

2. In reply, I am to say that both the more favourable and the less favourable leave rules are "Leave regulations from time to time applicable to the Government service" within the meaning of section 45 of the City of Madras Municipal Act, 1884. I am accordingly to say that the Government of India see no reason why the Government of Madras should not, in giving leave to Mr. Ellis, decide which of the two sets of rules are applicable to his case.

3. I am to add that as Mr. Ellis is not in Government service, it does not seem necessary to make a reference to the Secretary of State in his case.

ORDER—No. 1802 M., dated 24th October 1896.

Paragraph 3 of G.O., No. 1064 M., dated 23rd June 1896, will now be cancelled, and G.O., No. 381 M., dated 20th March 1893, restored.

(True Extract.)

To the President, Municipal Commission, Madras.
" Accountant-General.

Exd. C. M. Thambuswamy.

Local & Munl. (1896) Department.

CURRENT No. 2671 M

Again for No. 1064 M. dated 23.6.96
+ one 2671 MNo. 1802 M. dated 24-10-96
H.M. reire.
P.S.

Order

Paragraph 3 of G.O. No. 1064 M., dated 23.6.96

dated 23rd June 1896 will now be cancelled

and G.O. No. 381 M., dated 20th

March 1893, restored.

From

The Secretary to the Government
of India,
Home Department.

No. 134

Dated 23-9-96

Received 1-10-96

Registered 1-10-96

Enclosures

Spare copies

SUBJECT.

Stating that as Mr. R. E. Ellis
is not in Government service it does
not seem necessary to make a reference
to the Secretary of State in his case.

To the President, M.C., Madras

Accountant-General

16/10/96

BACK PAPERS

G.O.	No.	Department.	Date.
50	166-65	h	23-6-96
10	2117	h	18-11-95
50	1817	h	12-11-95
10	381	h	20-3-93

FURTHER PAPERS.

G.O.	No.	Department.	Date.

No. 194

Local Municipal Dept.

From

H. J. S. Cotton, Esq., C.S.I.,

Offg. Secy. to the Govt. of India.

To

The Chief Secretary to the Government of Madras.

Home Department.

(Municipalities)



Simla, the 23rd September 1896.

Sir,

I am directed to acknowledge the receipt of your letter No. 1065 M, dated the 23rd June last, requesting that the sanction of the Secretary of State may be obtained to the application of Chapter XIII of the Civil Service Regulations to Mr. R.E.Ellis, Municipal Engineer, Madras Municipality.

2. In reply I am to say that both the more favourable and the less favourable leave rules are "Leave regulations from time to time applicable to the Government Service" within the meaning of Section 45 of the City of Madras Municipal Act, 1884. I am accordingly to say that the Government of India see no reason why the Government of Madras should not, in giving leave to Mr. Ellis, decide which of the two sets of rules are applicable to his case.

3. I am to add that as Mr. Ellis is not in Government service it does not seem necessary to make a reference to the Secretary of State in his case.

I have the honour to be,

Sir,

Your most obedient Servant,

M. M. M.

Offg. Secy. to the Govt. of India.

50
1 abstract
No. 1064 M., 23RD JUNE 1896.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

READ—again the following paper :—

G.O., Mis. No. 1875 M., dated 11th November 1895.

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

READ—also the following paper :—

From the Officiating Accountant-General, dated 17th January 1896,
No. I.A.E.—7-C.

ABSTRACT.—Reporting on the three questions raised by Mr. Ellis regarding his pension.

ORDER—No. 1064 M., dated 23rd June 1896.

In his letter, No. 91, dated 18th May 1895, read in the Government Order referred to above, Mr. Ellis submits the following three points for the orders of Government :—

- (a) Whether the age of retiring and the amount of pension shall be determined in his case by the same rules as apply to Engineers in the Public Works Department trained at Cooper's Hill.
- (b) Whether his pension will be paid at the current rates of exchange, or on the same terms as apply to the Engineers mentioned in (a).
- (c) Whether he will be allowed to remit his pay when on leave on the same terms as apply to the Engineers above referred to.

2. With reference to (a), Mr. Ellis will be informed that his pension will be calculated according to the rules contained in Part IV of the Civil Service Regulations relating to ordinary pensions.

As regards (b), His Excellency the Governor in Council is pleased to declare, under section 48 of Act I of 1884 as amended by Act II of 1892, that Mr. Ellis' pension shall be payable in accordance with the provisions of Article 1015-A of the Civil Service Regulations, and accordingly his pension will be paid in rupees, which may be converted into sterling at the rate of exchange prescribed by that article.

With respect to (c), it is not quite clear what is meant by this question. If, as stated by the Accountant-General, Mr. Ellis intends to ask whether he is entitled to exchange compensation allowance, the answer will be in the negative. If, however, he wishes to enquire at what rate of exchange he will draw his furlough allowance, the reply will be that he will draw it at the current official rate of exchange subject to a minimum of 1s. 6d. to the rupee in accordance with Article 945, Civil Service Regulations.

3. In G.O., No. 381 M., dated 20th March 1893, Mr. Ellis was declared to be entitled to leave in accordance with the rules in Chapter XIII of the Civil Service Regulations. It appears, however, that this Government was not competent to sanction this concession, as the order was issued subsequent to the amendment of Act I of

No. 1064 M., 23RD JUNE 1896.

1884 by Act II of 1892. Section 45 of the original Act empowered the Governor in Council to grant Mr. Ellis such leave as he thought fit, but under the Act as amended Government has only power to grant him leave in accordance with the leave regulations from time to time applicable to the Government service, and therefore the provisions of Chapter XIII, Civil Service Regulations, could not be applied in this case. G.O., No. 381 M., dated 20th March 1893, was therefore *ultra vires* and must now be cancelled. The Secretary of State will, however, be addressed with a view to obtaining sanction to the concession which it improperly conferred.

[Here enter No. 1065 M., dated 23rd June 1896.]

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the President, Municipal Commission, Madras.
" Accountant-General.

Ed. A. Baill.

No. 1064 M., 23rd June 1896.

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[Here enter No. 1065 M., dated 23rd June 1896.]

(True Extract.)

J. F. PRICE,
Chief Secretary.

To the President, Municipal Commission, Madras.
" Accountant-General.

Gobt. of {1896} Madras.
LOCAL AND MUNICIPAL.

Issued

Recd.

Encl.

G.O., No. 1064 M., 23rd June 1896.

JUNE.

Pay, Pension and Leave.

Answering the questions raised by Mr. Ellis, Engineer of the Madras Municipality, regarding the rules regulating his —, and requesting the Government of India to obtain the approval of the Secretary of State to the order of Government in G.O., No. 381 M., dated 20th March 1893, granting leave to Mr. Ellis under Chapter XIII of the Civil Service Regulations.

Government {1896} of Madras.
LOCAL AND MUNICIPAL.

Recd.

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1896.

Enclosures

Spare copies

G.O., No. 1802 M., 24th October 1896.

OCTOBER.

Leave.

Ordering that G.O., No. 381 M., dated 20th March 1893, extending the application of Chapter XIII of the Civil Service Regulations to Mr. Ellis, Engineer, Madras Municipality, be restored, and that paragraph 3 of G.O., No. 1064 M., dated 23rd June 1896, be cancelled.

No. 1802 M., 24TH OCTOBER 1896.

GOVERNMENT OF MADRAS.

LOCAL AND MUNICIPAL DEPARTMENT.

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(True Extract.)

A. T. ARUNDEL,
Ag. Chief Secretary.

To the President, Municipal Commission, Madras.
" Accountant-General.

Exd. C. M. Thambuswamy

First copy sent to Press. 24-10-96

Returned for signature. 10-11-96

Despatched in print. 11-11-96

and again for 1064 M. dt. 23rd June 1896.
G.O. No. 1064 M. dated 23rd June 1896.
G.O. No. 381 M. dated 20th March 1893.

G.O. No. 2671 M. dt. 10/11/96

G.O. No. 2671 M. dt. 10/11/96

G.O. No. 2671 M. dt. 10/11/96

G.O. No. 2671 M. dt. 10/11/96

G.O. No. 2671 M. dt. 10/11/96

G.O. No. 2671 M. dt. 10/11/96
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A = Print in full.
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Q = Print sending only.

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