L. & M.
3,000-8-8-96.

Local & Munl. (1896) Department.

MISCELLANEOUS.

G.O., No. 18 L

DATED 6th January 1896.

[Despatch Abstract.]

Establishment.

Condoning under Article 465-A of the Civil Service Regulations the interruption in the qualifying service of Venkateswara Aiyar second clerk District Board's office Malabar from 2nd April to 20" June 1895.

BACK PAPERS.

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

FURTHER PAPERS.

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

---

(189) Department.

Local & M[illegible] Dept.
CURRENT No. 3580 L

W.B.
From
The ACCOUNTANT-GENERAL,
Madras,

To
The Chief Secy to Govt
Local & Municipal Dept

No. 242/W.B.C.

Dated
Received 7 Decr 95

UNDER SECRETARY
7 DEC 95
No.
PUBLIC WKS DEPT

Dr. C.No. 3285 Local

Subject.

Offering remarks on the petition of Vencatesvarayr Ag 2d ~~Do~~ clerk District Boards' office Malabar praying that the period of his employment under the court of wards from 2d April to 20th June 95 may not be treated as an interruption of service

Cor.—4,000—18-5-95.

Curr No. 3285 & 3580 L

G.O. No. 18 Local dt 6-1-96

Dr. The [illegible] His Excellency the Governor in Council is pleased to condone, under Art. 465A C.S.R., the [illegible] in the [illegible] service of the [illegible] in question, from 2d April [illegible]

W.B.
20.XII.95

1/1/96.

To the President District Board [illegible] the Accountant-General

Despd 9/1/96

5426

Local & Municipal Dept.
CURRENT No. 3285 L

18 NOV 95
ACCOUNTANT GENERAL'S OFFICE MADRAS

From

The President
District Board
Malabar

To,

The Chief Secretary
to Fort Madras

No. 1650

Referred to the Accountant General for remarks.

(By order)

W W Phillips
Ag. Assistant Secretary.

~~V.R.~~
~~14/11/95~~
~~Fort Saint George,~~ }
16th Novr. 1895 }

D/ 4-11-95
Despd 5. 11. 95
Recd

7-NOV. 1895
CHIEF SECRETARY GOVERNMENT OF MADRAS

End. on Pet. No. 17427/95

Encl. 4. 5

Subject

Forwarding for favourable consideration petition of P. S. Venkateswara ~~Iyer~~ aiyar, clerk, District Board's Office Malabar, praying that the period of his employment as apptt. to the manager of the [illegible] para estate under the Court of Wards may not be treated as an interruption of his service.

To
The Accountant General
(in orig. [illegible])

(with endt.)

Ref on Cul. $\frac{4012}{P'95}$

5426

Malabar Collector's Office
Calicut 13th September 1895

To,

The Secretary to the Commissioners
of Land Revenue,
Madras

Sir,

The Talikettu Kallianam (marriage) ceremony of the two daughters of Parvathi Nethiyar of the Kavalapara Estate under the management of the Court of Wards was celebrated in June last. At the request of the Nethiyar and with the sanction of the Court conveyed in its Proceedings dated 27th March No. $\frac{582.\text{M}}{\text{Confl. No. 29}}$ I deputed P. S. Venkiteswara Iyer, a clerk in the District Board branch of my Office on Rs. 30 to Kavalapara as an Assistant to the manager for a period of 2½ months on a salary of Rs. 50 to be paid from the allotment sanctioned for the ceremony, to arrange for its due performance and to render necessary assistance to the Nethiyar during the occasion.

In

In the pandals in which food was cooked and in those in which Brahmins were fed his services were invaluable. Being a tenant of the Estate he was conversant with the peculiar customs and usages obtaining in the place. It was for these and other reasons that I selected him in preference to other Brahmin Clerks in the Office. Venkiteswara Iyer was on Estate duty from 3rd April to 16th June 1895.

2. As Venkiteswara Iyer's absence from the Local Fund Department causes an interruption in his service, I have the honor to request that the Board will be pleased to move Government to direct that his services for the above period were lent to the Kavalapara Estate. He paid the present pensionary contribution of Rs. 3 on his pay in the Local Fund Department.

I have etc
Sd/ H. Moberly
Ag Collector &
President District Board.

(True Copy)

5/32 85 8/95

B.H.

For President

Ref. in Gl. No. 1430 of 1895.

Revenue Board Office, Madras.

(Land Revenue)

Read letter from the Collector and President of the District Board, Malabar, Calicut, dated 14th September 1895 No. 4012.

Reference dated 21st September 1895

The Collector of Malabar is requested to report whether P. S. Venkiteswara Iyer has 10 years' service qualifying for pension — vide articles 806 and 819 of the Civil Service Regulations.

Sd/ Swami Kannu
For Secretary.

To, The Collector of Malabar

(True Copy)

B.A.

For Collector & Presid

In the pandals in which food was cooked and in those in which Brahmins were fed his services were invaluable. Being a tenant of the Estate he was conversant with the peculiar customs and usages obtaining in the place. It was for these and other reasons that I selected him in preference to other Brahmin clerks in the office. Venkiteswara Iyer was on Estate duty from 3rd April to 16th June 1895.

2. As Venkiteswara Iyer's absence from the Local Fund Department causes an interruption in his service, I have the honor to request that the Board will be pleased to move Government to direct that his services for the above period were lent to the Kavalapara Estate. He paid the present pensionary contribution of Rs 3 on his pay in the Local Fund Department.

I have etc
Sd/ H. Moberly
Ag Collector &
President District Board.

(True Copy)

5/3288/95

B.H.

For President

Ref. in Fl. No. 1430 of 1895.

Revenue Board Office, Madras.

(Land Revenue)

Read letter from the Collector and President to the District Board, Malabar, Calicut, dated 14th September 1895 No. 4012.

Reference dated 21st September 1895

The Collector of Malabar is requested to report whether P. S. Venkiteswara Iyer has 10 years' service qualifying for pension — vide articles 806 and 819 of the Civil Service Regulations.

Sd/ Swamikannu
For Secretary.

To, The Collector of Malabar

(True Copy)

B.A.

For Collector & Presid

In the Sandals in which food wa

4/3288/95

D. 4116/P'95

Malabar Collector's Office
Calicut 4th October 1895.

To,

The Secretary to the Commissioners,
of Land Revenue,
Madras

Sir,

In reply to Board's Reference on General No. 143 of 1895 dated 21st ultimo, I have the honor to report that though P. S. Venkiteswara Iyer has a total service of over 7 years, the period qualifying for pension is only 1 year, 7 months and 14 days. I beg however that the Board will be pleased to treat his case as an exceptional one and obtain the sanction of Government for his temporary transfer to the Estate Department.

I have etc.

Sd/- J. Hewetson.
Ag Collector.

(True Copy)

For Collector &
President

B.H.

E.S.

Malabar Collector's office

Proceedings of the Board of Revenue

(Land Revenue)

Dated 22nd October 1895

The Secretary to the Commissioner of Land Revenue

5323 mis

Madras

Read — letter from the Collector and President

District Board [illegible]

[illegible]

4116/P95

3/3285 of 95

4

Proceedings of the Board of Revenue
(Land Revenue)

Dated 22nd October 1895

No. 5323 mis.

Read — letter from the Collector and President, District Board, Malabar dated 14th September 1895 No. 4012, and reference thereon dated 21st September 1895.

Read also letter from the Collector of Malabar dated 4th October 1895 Ref. No. $\frac{4116}{P95}$, and the following Endorsement thereon by the Secretary to the Commissioner for Government Examinations Madras, No. $\frac{3305}{10.9.95}$.

Transferred to the Secretary to the Board of Revenue (Land Revenue).

Resolution — The Sanction of the Government of India will be necessary for the relaxation of the rule requiring 10 years qualifying service and the Board finds nothing in the circumstances of the

presents

present case to justify an application to that Government. The period during which I. S. Venkiteswara Iyer was employed on Estate duty should accordingly be treated as interruption of service falling under Clause (2) of article 463 of the Civil Service Regulations.

(True Extract)

Sd/ Swamikannu
For Secretary.

To,
The Collector of Malabar

(True Copy)

For Collector & President

S.H.

2
325 H/95

Pet No 174/29 95

To,

His Excellency the Governor-in-Council
Fort St George etc. etc. etc. etc.
Madras

(Thro' the President, District Board, Malabar)

The humble petition of I. S. Venkiteswara Iyer, acting 2nd Clerk of the District Board's Office, Malabar.

Most respectfully Showeth:—

(1) That your Excellency's Petitioner is the permanent 2nd Accountant on Rs 25 and acting 2nd Clerk on Rs 30 in the Malabar District Board's office.

(2) That your Petitioner was appointed by the acting Collector of Malabar and Agent to the Court of Wards (H. Moberly Esq) as a temporary Assistant to the Manager of the Kavalapara Estate under the Court of Wards.

(3) That he performed the duties of his temporary appointment from 2nd April 1895 to 20th June 1895.

(4) That the temporary appointment of an Assistant to the Manager was made on the occasion

occasion of the Tali kettu ceremony (marriage) of the Kavalapara Vettiyar's daughters, with the previous approval of the Court of Wards and your Excellency's Petitioner was selected for the appointment by the Collector for the reason, that your Petitioner as a tenant of the Estate was conversant with the customs and manners of the people in that locality and that he, as a Brahmin, could have free access to the Pandals in which the Kallianam ceremony was celebrated and could look after the service of food to the Nambudiri and other Brahmin guests, the permanent Manager as a Nayar being unable to perform such duty personally.

(5) That your Excellency's Petitioner did not apply for the post but was selected by the Collector and was directed to proceed to Kavalapara for the performance of the special temporary duty, which, it will not be out of place to mention here, Petitioner discharged to the best of his ability and to the satisfaction of his local superior officers.

(6) That your Petitioner was allowed a salary of Rs. 50 per mensem for the 2 months and 19 days he was on special duty and to save his pensionary and other claims he paid the usual contribution of Rs. 2½ per mensem on his permanent pay during the period of his deputation.

(7) That after your Petitioner returned to duty and applied on account of his mother's death for 35 days' leave on private affairs to which he was entitled, the Treasury Deputy Collector raised the question as to whether your Petitioner had not disentitled himself to such leave by reason of his transfer to Estate service under the Court of Wards.

(8) That the Collector referred the matter to the Court of Wards and the Court has in its Proceedings dated 22nd October 1895 No. 5323 Mis. ruled that there was a break in your Petitioner's service during the time he was doing duty as Assistant Manager of the Estate.

(9) That your Petitioner begs to submit that the rule pointed out by the Board and in accordance with which it disposed of your Petitioner's case, does not strictly apply in-as-much as your Petitioner is already in a Branch of the service which is made pensionable by virtue of a special contribution

towards

towards his pension.

(10) That your Petitioner further begs to point out that, considering the circumstances under which his services had to be placed at the disposal of the Court of Wards without any request on his part, his case deserves to be considered as exceptional entitling him to all the benefits he would have derived if he had remained in the Local Fund Service without interruption.

(11) That Petitioner is one now employed in the pensionable service of the Local Fund Department and as service under Local Funds is treated as foreign service, there is nothing in the rules to prevent Petitioner's transfer from one foreign service to another, and in the present instance his services were temporarily transferred to Estate Service under the Court of Wards.

No - not the pensionable L. F. Service - vide para 2 of the AG's letter No. G.O. 2650½ / 12-11-95

(12) That should your Excellency deem the above transfer impracticable Petitioner respectfully begs to suggest that the salary drawn by him may now be ordered to be refunded to Estate funds and the Agent to the Court of Wards may be asked to pay the amount to Local Funds thence to be reimbursed to the Petitioner. This arrangement, Petitioner ventures to think, may save an interruption in the service of Petitioner.

For which Petitioner will
ever pray

Calicut
October 31, 1895

S. Venkataswara Iyer

1 / 3285½/95

End: on Pet: No. 174 / L.F. of 95

Local & Municipal Dept.
CURRENT No. 3285½

Submitted to Government for favorable consideration.

The facts of the case are as stated in the petition. The Thalikettu kalliánam (marriage) of the daughters of the Kavalapara Nethiyar under the Court of Wards was celebrated at a cost of Rs. 7000 and the appointment of a temporary Assistant to the Manager was found absolutely necessary for the efficient performance of the ceremony which required attention to innumerable details affecting the reception and entertainment of thousands of guests both invited and uninvited from all classes and conditions of people. The deputation of a Special Officer having been approved by the Court of Wards, his pay and allowance being met from the sanctioned

allotment

towards his pension.

(10) That your Petitioner further begs to point out that, considering the circumstances under which his services had to be placed at the disposal of the Court of Wards without any request on his part, his case deserves to be considered as exceptional entitling him to all the benefits he would have derived if he had remained in the Local Fund Service without interruption.

(11) That Petitioner is one now employed in the pensionable service of the Local Fund Department, and as service under Local Funds is treated as foreign service, there is nothing in the rules to prevent Petitioner's transfer from one foreign service to another, and in the present instance his services were temporarily transferred to Estate Service under the Court of Wards.

No - not the pensionable L. F Service vide para 2 of the A.G's letter in G.O. 1650 L / 12-11-92

(12) That should your Excellency deem the above transfer impracticable Petitioner respectfully begs to suggest that the salary drawn by him may now be ordered to be refunded to Estate funds and the Agent to the Court of Wards may be asked to pay the amount to Local Funds thence to be reimbursed to the Petitioner. This arrangement, Petitioner ventures to think, may save an interruption in the service of Petitioner.

For which Petitioner will
ever pray

Calicut
October 31, 1895

S. Venkataswara Iyr

1 / 3285 L/95

End: on Pet. No. 174 / L.F of 95.

Local & Municipal Dept.
CURRENT No. 3285 L

Submitted to Government for favorable consideration.

The facts of the case are as stated in the petition. The Thalikettu Kallianam (marriage) of the daughters of the Kavalappara Nethiyar under the Court of Wards was celebrated at a cost of Rs. 7000 and the appointment of a temporary Assistant to the Manager was found absolutely necessary for the efficient performance of the ceremony which required attention to innumerable details affecting the reception and entertainment of thousands of guests both invited and uninvited from all classes and conditions of people. The deputation of a special officer having been approved by the Court of Wards, his pay and allowance being met from the sanctioned allotment

towards his pension.

(10) That your Petitioner further begs to point out that, considering the circumstances under which his services had to be placed at the disposal of the Court of Wards without any request on his part, his case deserves to be considered as exceptional entitling him to all the benefits he would have derived if he had remained in the Local Fund Service without interruption.

(11) That Petitioner is one now employed in the pensionable service of the Local Fund Department and as service under Local Funds is treated as foreign service, there is nothing in the rules to prevent Petitioner's transfer from one foreign service to another, and in the present instance his services were temporarily transferred to Estate Service under the Court of Wards.

No - not the pensionable L. F. Service - vide para 2 of the A.G's letter in G.O. 2650L / 12-11-92

(12) That should your Excellency deem the above transfer impracticable Petitioner respectfully begs to suggest that the salary drawn by him may now be ordered to be refunded to Estate funds and the Agent to the Court of Wards may be asked to pay the amount to Local Funds thence to be reimbursed to the Petitioner. This arrangement, Petitioner ventures to think, may save an interruption in the service of Petitioner.

For which Petitioner will
ever pray

Calicut
October 31, 1895

S. Venkataswara Iyer

1/3285M/95

End: on Pet: No. 174/L.F. of 95

Local & Municipal Dept.
CURRENT No. 3285M

Submitted to Government for favorable consideration.

The facts of the case are as stated in the petition. The 'Thalikettu Kallianam' (marriage) of the daughters of the Kavalapara Nethiyar under the Court of Wards was celebrated at a cost of Rs. 7000 and the appointment of a temporary Assistant to the Manager was found absolutely necessary for the efficient performance of the ceremony which required attention to innumerable details affecting the reception and entertainment of thousands of guests both invited and uninvited from all classes and conditions of people. The deputation of a Special officer having been approved by the Court of Wards, his pay and allowance being met from the sanctioned allotment

allotment for the Kallianam, Petitioner was selected by Mr. Moberly as he is a tenant of the Estate of some local influence acquainted with the peculiar customs and manners of the people he had to deal with. He discharged his work satisfactorily.

As the Board's orders directing that the period during which Petitioner was on Estate duty should be treated as an interruption of service is rather hard, I beg to recommend that in consideration of the above special circumstances of the case Government may be pleased to pass such orders as not to affect the service of the Petitioner for the period of his deputation.

Copies of the papers noted in the margin* are submitted.

* 1 Letter to the Court of Wards Rep on No. 4012.P/95 d/ 13.9.95
2 Courts Proceedings Rep on G. No. 1430 of 95 d/ 21.9.95
3 Letter to Court of Wards No. 4116/4.10.95.
4 Courts Proceedings No. 5323. Mis d/ 22.10.'95.

J Hewetson

Ag Collector &
President, District Board.

Calicut
4.11.95

Fort St. George,
Accountant-General's Office,
6th December 1895.

Pension Department.

Enclosures 7.

No. IAE/446C

Local & Municipal Dept
CURRENT No. ....

From
F. C. Harrison Esqre.,
Offg: Accountant-General to the
Government of Madras,

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

Sir,

With reference to your endorsement No: 1650, dated the 16th November 1895 referring to me for remarks a petition* from P.S. Venkatesvaraiy Acting 2d Clerk, District Board's Office, Malabar, praying that the period of his temporary employment under the Court of Wards as Assistant to the Manager of the Kavalapara Estate from 2d April to 20th June '95 may not be treated as an interruption of Service, I have the honour to make the following remarks:–

* Submitted with the endorsement of the President District Board Malabar No: 174 dated 4th November 1895.

The petitioner holds an appointment under the District Board, Malabar which has been included in the list of appointments declared to be pensionable under Article 863 of the Civil Service Regulations (Vide Government Order No: 1842 L, Local and Municipal dated allotment for the Kallianam, Petitioner was selected by Mr Moberly as he is a tenant of the Estate of some local influence acquainted with the peculiar customs and manners of the people he had to deal with. He discharged his work satisfactorily.

As the Board's orders directing that the period during which Petitioner was on Estate duty should be treated as an interruption of service is rather hard, I beg to recommend that in consideration of the above special circumstances of the case Government may be pleased to pass such orders as not to affect the service of the Petitioner for the period of his deputation.

Copies of the papers noted in the margin* are submitted.

* 1 Letter to the Court of Wards Reference No. 4012.?/95 d/ 13. 9. 95
2 Court's Proceedings Rep on G. No. 1430 of 95 d/ 21. 9. 95
3 Letter to Court of Wards No. 4116/4.10.95.
4 Court's Proceedings No. 5323. Mis d/ 22. 10. '95.

J Hewetson
Ag Collector &
President, District Board.

Calicut
4. 11. 95

Pension DEPARTMENT.

Enclosures 7.

FORT ST. GEORGE,
Accountant-General's Office,
6th December 1895.

No. $\frac{IAE}{446C}$

Local & Municipal Dept.
CURRENT No. ....

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

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

SIR,

With reference to your endorsement No: 1650, dated the 16th November 1895 referring to me for remarks a petition* from P. S. Venkateswaraiya, Acting 2d Clerk, District Board's Office, Malabar, praying that the period of his temporary employment under the Court of Wards as Assistant to the Manager of the Kavalapara Estate from 2d April to 20th June '95 may not be treated as an interruption of Service, I have the honour to make the following remarks:—

* Submitted with the endorsement of the President District Board Malabar No: 174 dated 4th November 1895.

The petitioner holds an appointment under the District Board, Malabar which has been included in the list of appointments declared to be pensionable under Article 863 of the Civil Service Regulations (Vide Government Order No: 1842 L, Local and Municipal dated

19 August 1893). Though he is thus an Officer of Local Funds, he can still be brought under the operation of the rules embodied in the Civil Service Regulations, as Government in exercise of its statutory powers under the Local Funds Act has decided that these rules should be applied to Local Fund servants by analogy (vide article 859 of the Civil Service Regulations). I would therefore treat the case as being similar to that of a transfer of a Government servant to Foreign service, mutatis mutandis. But the petitioner had not rendered 10 years' qualifying service so as to make himself eligible for the transfer; nor was he transferred by competent authority, which in this case is the Local Government. The former of the two irregularities cannot be condoned. He should therefore be regarded as having been transferred to non-qualifying service. As it is however hard that the petitioner should lose his service under the Estate service through an unsought-transfer, the Government can now or at the time of his retirement condone the deficiency in the whole of his qualifying service, if any, by the application by analogy of Article 465 A of the Civil Service Regulations.

I have the honour to be,
Sir,
Your Most Obedient Servant,

Offg: Accountant General

Ok 6/12

---

iven for copying ______
opied ______
amined ______
igned ______
} 189 .

AIN G.O., No. DATED
189 ,

NT No.

NCLOSURES TO C. No.

ORDERS OF GOVERNMENT .. .. .. A A A A A A A

LETTER 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.