[L. & M. / 9,000-8-8-96.]

Local & Munl. (1899) Department.

MISCELLANEOUS.

G.O., No. 863 L.

DATED 24-4-99.

INDEXED.

[Despatch Abstract.]

Pension. Communicating, with Concurrence, to the President of the District Board, Anantapur the remarks of the accountant-general stating that the limitation of 10 years' pensionable service was prescribed by the Govt. of India to discourage transfers to foreign service of officers who have very little claim upon Govt. of India to pensionary privileges

4c.22/2/

BACK PAPERS.

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

FURTHER PAPERS.

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

[L. & M. / 25]

C. No. 417 L 842 L & 1042 L

SUBJECT.

Transfer of a clerk from the Government to the Local Fund Service.

This ORDER. No. 863 L Mis dy 24/4/99

The remarks of the Accountant General, in which the Government concurs, will be communicated to the President of the District Board, Anantapur. The Government is not prepared to apply for the sanction of the Government of India to the proposed transfer, especially in view of the recent resolution× of that Government No. 1282 P, Finance and Commerce Department, dated 20th March 1899.

2. With reference to the President's remarks in para. 2 of his second letter, it is observed that the transfer of Sudarsana Mudaliyar to Local Fund service sanctioned in G.O. No. 951, Financial

× This is under disposal in the Pension Dept.

4c. 22/2

10/2

ated 29th August 1887, communicated with G.O. No. 1741 L. dated 14 September 1887, was made prior to the promulgation of the resolution of the Government of India, on the subject of the transfer of Government servants to foreign service and that G.O. No. 2650 L dated 12th Novr. 1892 relates to the transfer of Government servants to Local Fund service rendered pensionable under Article 863 of the Civil Service Regulations, which is not foreign service as defined in Article 802.

V.R.
19/4/99

21st IV 99

The President District Board Anantapur
with a copy of the Resn. of the G. of I. No. 1282 P, Fin & Com Dept., d 20 March 1899
Accountant General.

P.o.f. 417, 842 & L.o.f. 1042 L.O.

Desp. 26/4/99

Local & Munl. (1899) Department.

CURRENT No. 417 L

ASSISTT SECY TO GOVT LOCAL MUNL EDL & LEG DEPT 7 FEB 1899

N/

~~Order~~ Ref. ce No. 282 / 9/3/99

The President is requested to state whether the conditions prescribed in Art: 806 of the Civil Service Regns are complied with in the present case as required in Art 819

4-3-99

7/3/99

President Dt. Bd. Anantapur. Desp. 9/3/99

Why is L.F. service to be treated as foreign?

7/3/99

Please see article 864 of the C.S.R.

7-3-99

From
The President
District Board
Anantapur.

No. 14

Dated 4th February 1899.
Received
Registered
Enclosures
Spare copies

SUBJECT.

Requesting to sanction the ~~appointment~~ transfer of E. S. Srinivasa Iyer B.A. a clerk of the Collector's office as head clerk of the District Board's office Anantapur

HC. 22/2/

BACK PAPERS.

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

2
1042/L/99

No. 12.

Anantapur District Board's office
Dated 4th February 1899.

LOCAL & MUNICIPAL DEPT.
CURRENT No. 417L

From

Bannatyne Macleod Esq. M.A. Bar-at-law
Collector and President
District Board, Anantapur.

To.

The Secretary to Govt.
Local and Municipal Dept., Madras.

Sir,

I have the honour to state that T. Srinivasa Iyer, head clerk of the District Board's office, Anantapur, has been transferred to act as Translator of the Collector's office, on account of the latter's deputation on plague duty as Supervisor. For the post of head clerk of the District Board's office, which has thus fallen vacant, I have appointed E. S. Srinivasa Iyer B.A., a clerk of the Collector's office. The post of head clerk of the District Board's office is, as the Government is aware, one of the most responsible appointments in the District and requires an efficient and trustworthy hand. The clerical work of this office at present has not been carried out to my entire satisfaction. I think that by the introduction of some men of higher attainments, it can be improved. It is with this view, I have recently appointed another graduate as 2nd clerk of this office. There is no one in the Local Fund Department at present competent for the post and I am therefore compelled to take one from the General Branch of the Collector's office.

2. I therefore request that the transfer of E. S. Srinivasa Iyer may be approved as a special case and the approval of Government may be communicated to me at an early date. A similar concession was granted to the Salem District. Please vide G. O. No. 2650 L. dated 12th November 1892, Local and Municipal.

Q

L F Service in Salem has been rendered pensionable from Provl Fds. whereas in Anantapur it is non pensionable & is treated as foreign service.

3. The necessary pensionary contribution will be paid from the Local Funds under article 59 of the Local Fund Code. If the Government is not pleased to sanction the contribution from the Local Funds, it will be recovered from the pay of E. S. Srinivasa Iyer.

I have the honour to be
Sir
Your most obedient Servant
Shanmugasundaram
For President.

ES
5.2.99

the transfer of T. S. Srinivasa Iyer during the approval as a Specification and the approval of Government may be communicated to me at an early date. A similar concession was granted to the Salem District Board vide G.O. No. 1650 L. dated 14th November 1892, Local and Municipal.

3. The necessary pensionary contribution will be paid from the Local Funds under article 57 of the Local Fund Code. If the Government is not pleased to sanction the contribution from the Local Funds, it will be recovered from the pay of T. S. Srinivasa Iyer.

I have the honour to be
Sir
Your Most obedient Servant

1/1042/L/99

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Local & Munl. (1899) Department.

CURRENT No. 842 L

Asstt. Genl's Office
22 MAR 1899
23/3
1453

TO BE RETURNED WITH REPLY.

16 MAR 1899
LOCAL MUNL EDL & LEG DEPT

Cur Nos 417 L and 842 L

~~Order~~ No. 887 of 21-3-99

Referred to the Accountant General for very early remarks on para 1 of the President's second letter.

(By order)

A Edgington
Ag Assistant Secretary

21/3/99

From the President District Board Anantapur

No. 19

Dated 13th March 1899

Received 16th

Registered 17th

Enclosures nil

Spare copies —

SUBJECT.

Stating with reference to Govt memo 282 9-3-99 that only one of the conditions prescribed in article 806 of Civil Service Regulations which is peculiar to foreign service of the 1st kind has not been fulfilled in the case under reference and requests sanction for the nomination on other grounds.

21/3/99

BACK PAPERS.

G.O.	No.	Department.	Date.
		1	

FURTHER PAPERS.

G.O.	No.	Department.	Date.

4/1042/L/99

Urgent

District Board's ~~Collector's~~ Office,

No. 19

Dated 13th March 1899.

From

Bannatyne Macleod Esq., M.A. Bar-at-Law

~~Collector~~ and President of District Board, Anantapur

LOCAL & MUNICIPAL DEPT.
[illegible] 8422 L

To

The Secretary to the ~~Commissioner~~ Govt of

Madras.

Local and Municipal Department.

Sir,

With reference to your memo No. 282 dated 9th March 1899, I have the honour to reply that the candidate recommended by me has not completed 10 years' service, and that therefore only the condition prescribed in clause iii of article 806 of Civil Service Regulations is not complied with. Though it is laid down in article 819 of the Civil Service Regulations that the transfer should be regulated by article 806, you will

on C no 417 L

be pleased to observe, that the condition referred to was imposed by the Government of India specially to cases of transfer to foreign service of the first kind on the ground that it is sought by officers who have very little claim upon Government that they should retain any privileges when passing into a foreign employer's service. (vide para 3 of the Resolution of the Government of India communicated in G.O. No 611 L. dated 14th March 1889, Local and Municipal). As regards the condition referred to in clause 1 of article 806, I have already explained in my letter the circumstances under which a Government Servant should be appointed for the place. Thus all the conditions required in Article 806 of the Civil Service Regulations are complied with in the present case except the amount of qualifying service, which I beg to submit is only special to foreign

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Service of the first kind.

2. I beg respectfully to state that the conditions prescribed in article 806 of the Civil Service Regulations were not overlooked while submitting my proposals. I understood from the Proceedings of the Government issued from time to time that the transfers to Local Fund Service are not governed by the Civil Service Regulations. In 1887, Government in its order No 1741 L. (Mis) dated 14th September 1887, sanctioned the transfer of a Government Servant to Local Fund Service in this district, though he had not then completed 10 years' service. Again in 1889, Government, while declining the loan of the services of a Government Servant to the District Board of Tinnevelly, declared that it would not permit officers in its employ to take service under local bodies except under exceptional

Communicating G.O. no 951 Finl. 29-8-87
B

Note This was before the rules relating to the transfer of Govt Servants to foreign Service were promulgated.

circumstances as Government thought that, in a district like Tinnevelly, competent outsiders could be obtained for Local Fund Service (vide G.O. No. 2385 L. dated 14th October 1889, Local and Municipal). Finally, in its Proceedings No. 2650 L. dated 12th November 1892, Local and Municipal, Government expressly declared, "the prohibition of the transfer of Government Servants to Local Fund Employment has no connection with the Civil Service Regulations, but was enjoined on independent grounds (viz) the expediency of making Local Fund Service and establishment sufficient in themselves and of securing to Local Fund Servants due promotion in their own department." The Government order last quoted was issued when the conditions prescribed in Civil Service Regulations were in force and the candidate recommended by the Collector of Salem had not

C

D

Note
This G.O. relates to L F Service rendered pensionable from Provl Funds under article 863 of the C.S.R. than by the payment of a contribution from Local & Provl Funds.

put in 10 years' Service.

3. In conclusion, I beg to submit that the Government will be pleas to take into consideration the pecul circumstances of this district and approve my recommendation. In a backward district like Anantapu qualified men are not easy to obtain even for appointments in Governmen Service. Of those who are in Local Fund Service, none is competent for the place. Even of those already in Government Service, the selection is limited. Being a backward district, those who have already completed 10 years' service, if at all intelligent or qualified, now hold appointments carrying a higher salary than the one under reference, and if they are graduates, they

are either Deputy Tahsildars or Tahsildars. At a time when the finances of the District Board are in a crippled state on account of the recent famine and the present plague expenditure and require careful supervision of the details, the qualifications required of the manager of an office are efficiency and integrity and not mere seniority or service. I regret I have to trouble Government in this matter, but I am forced to do so by sheer necessity. I therefore request that the Government will be pleased to approve my recommendation at its earliest convenience and communicate the order by wire.

I have the honour to be
Sir
Your most obedient Servant
Macleod
President

3
1042/L/99

33

Local & Munl. (189) Department.

CURRENT No. 10422

From The Accountant-General
Madras.

Order

No. 2AE/946.

Dated 29th March 1899
Received 6th April 99
Registered 7th April 99
Enclosures 4
Spare copies nil

SUBJECT.

Stating with reference to [illegible] Endorsement No: 337/21.3.99 that from para 3 of the Resolution of the Govt. of India No. 109 F. Finance: Dept 17th January 1889 it will be seen that the limitation of 10 years pensionable service was prescribed by the G. I. to discourage transfer to ~~Native States~~ foreign service of officers who have very little claim upon Govt. of India to pensionary privileges.

1874/99

BACK PAPERS

G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Pension Department.

FORT ST. GEORGE,
Accountant-General's Office,
29th March 1899.
Despd 5 april 99.

No. 9AE/94·C

LOCAL & MUNICIPAL DEPT.
CURRENT No. 10422

From

T. HESKETH BIGGS ESQ.,
ACCOUNTANT-GENERAL TO THE
GOVERNMENT OF MADRAS,

To

The Secretary to Government,
Local and Municipal Department.

SIR,

With reference to your endorsement No.337, dated the 21st of March 1899 referring to me for remarks letter No.19, dated the 13th Idem from the President District Board, Anantapur, in which he points out that the limitation of 10 years qualifying service prescribed in article 806 iii of the Civil Service Regulations applies only to transfers to Foreign Service of the 1st kind and requests Government to sanction the transfer of E.S.Srinivasa Iyer, a clerk in the Collector's Office, to the post of Head clerk in the District Board's Office, without applying the above restriction in his case, I have the honour to invite attention to para 3 of the Resolution of the Government of India No.109, Finance and Commerce Department dated 7th January 1889 embodied in G.O. No.611 L., Local and Municipal, dated 14th March 1889, from which it will be seen that the limitation of 10 years pensionable service was prescribed by the Government of India in order to discourage transfers to Native States of Officers who have very little claim upon the Government of

A

India to pensionary privileges. This limitation has been extended to Foreign Service of the 2nd kind, by article 819, which prescribes that transfer of Government Officers to that service should be regulated by article 806 of the Civil Service Regulations. It will thus be seen that no Officer of Government who has not completed 10 years qualifying service, can be transferred to service under a Local Fund Board. In the circumstances the recommendation of the President cannot be acceded to without the previous sanction of the Government of India.

2 The case is similar to that of N. Nagalingam Pillai submitted to Government with this Office report No. I.A.E./3190, dated the 16th March 1894, in which the Government in its order No. 250, dated 30th Idem, Financial, decided that the period of his temporary employment under Local Funds should be regarded as one falling under exception (e) to article 463 of the Civil Service Regulations.

G

The endorsement under reply and its enclosures are herewith returned.

I have the honour to be,
Sir,
Your most obedient servant.

Accountant General.

MD.

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189 .

AD AGAIN G.O., No. DATED
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RRENT No.

CLOSURES TO C. No.

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STATEMENT WITH DITTO.

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