

(1) பக்கங்களின் எண்ணிக்கை _____

(2) புதுக்கித் திருப்பிய நாள் _____

(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம் _____

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

சென்னை துறை

அரசாணை எண். _____ 161(W) அச்சகம்
மூ. கோப்புத் தாள் எண். _____ பலவகை

நாள் : 20-1-1890 198.

சென்னை
மடிக்கவோ கண்டபடி கையாளவோ கூடாது

OFFICE OF THE SUPERINTENDING ENGINEER,
6TH CIRCLE.

Trichinopoly 7th January 1889.
S/S.

No. 935-10

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From Lieut Col A.C. Smith MR
The Superintending Engineer,
6th Circle.

To The Chief Engineer, D.W.
The Esq. D.W. a

Sir,

ENCLOSURES.

C. Mariappah mudaliar, the late
Head Clerk of this office, who was on
leave on private affairs, having died
on the forenoon of the 16th September 1889,
C. Calappah mudaliar who was acting
for the former, was confirmed in
the appointment from the above date.

Under para 465 of the D.W. Code,
leave allowance was claimed for
the 16th September for the deceased,
and full pay for his successor
for the above date, but the Esaminers
D.W. Accounts has, in the latter case,
passed only acting allowance, and
disallowed the balance (annas 10 and
pis 8) stating that there is no rule

under which the claim can be admitted, in addition to the leave allowance passed to the deceased C. Mariappah Mudaliar for the same day.

3. In para 465 of the Code, it is laid down that "Salary or pension can be drawn for the day of a man's death, the hour at which the death takes place has no effect on the claim." From this, and taking into consideration para 782, it would appear that salary for the day of a man's death is due borne by the State as an extra charge, inasmuch as it does not appear there is any rule to the effect that permanent appointments should be made or acting men should be confirmed from the date subsequent to that on which the post becomes vacant, or its permanent incumbent dies.

4. If Mariappah Mudaliar was not on leave, and died on the date in question, I think there should be no objection to his successor being appointed from the date of his death, and full pay being drawn by the latter from that date.

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Then, there appears no reason why an acting incumbent should not be confirmed and full pay of the post passed to him from the date of the death of the permanent incumbent or absentee on leave, charging to the State, as in the other case, the leave allowance due to the latter for the day of his death.

5. May the honor to submit for the decision of Government, whether my interpretation of the Code para 465 is correct, and whether acting incumbents cannot be confirmed from the date of the death of permanent incumbents, passing full pay from that date to the former. As it is not unlikely that similar question as the above will be raised, I submit that it should be decided once for all by Government.

May the honor be
Sir

Yours most obedient

A. S. with L. S. with L. S.

Supyngines & Circle

From

P. W. D. 6TH CIRCLE.

The Supdtg. Engineer
11 Circle

From

The Superintending Engineer,
6th Circle.

To

The Chief Engineer
11th

To

The _____

No 9357c

No.

Dated 7th

Despo. 8th } Jan 4/90.

Dated

Received

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Enclosure.

P.W. Code para 465.

Requests decision of Govt.
as regards interpretation
of - whether acting
circumstances may not
be confirmed on the same
day on which takes place
the death of the permanent
incumbent - whether pay
may be drawn by the
one for the other

As salary is admissible
to a Govt. servant for the
day of his death, his
appointment does not become
vacant until the succeed-
-ing day, from which latter
date only pay can be
passed to his successor

Note. This is a well
known rule of the
Service.

W.M.
Jan 1/90