(1) பக்கங்களின் எண்ணிக்கை 32

(2) புதுக்கித் திருப்பிய நாள் ஜூலை 1991

(3) ஆதாரங்குறிப்பவர் சுருக்கொப்பம்

தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

PWD துறை

25

அரசாணை எண்.
மு. கோப்புத் தாள் எண். 1700

அச்சகம்
பலவகை

நாள் : 4-6-1852 198

மடிக்கவோ கண்டபடி கையாளவோ கூடாது

16 Sheets

ஆவண, கா-1—18,000—15-6-87.

A.H

D. DONE

No. 88

EXECUTIVE ENGINEER'S OFFICE,
GODAVARI EASTERN DIVISION.
Dowlaishweram 3d May 1892
Despd 4th

3159

From C. Milford Smith Esquire, A.M.I.C.E.
The Executive Engineer,
Godavari Eastern Division.

To

The Superintending Engineer
First Circle,

120/1

Sir,

Enclosures. 10 as per separate list.

I have the honor to forward copies of correspondence which has taken place between myself and the Examiner P.W. Accounts on the subject of a claim put forward by my accountant V. Subbarayudu Pantulu to draw increments under para 507 & and 508 of P.W. Code during the time that he was holding the rank of temporary accountant 4th grade; he having held this appointment for 2 years & 5 months continuously up to November 1st/90 when he was confirmed vide Examiner's Office Nos 1737 of 5-12-90 & 7226 of 6-12-90. He was previously a permanent accountant 5th grade

2. The Examiner does not

reply

ply in detail to my last letter on the subject No 304 E of 12-3-92 but is contented with expressing himself as still of opinion that the rules are clear on the point at issue. As however I think that I have sufficiently shown in my several letters to him that so far from the rules being clear there is no rule in the code at all which covers the point at issue, I now take the course suggested by him in his No 961 E & d/13-4-92 viz that of referring the matter to you for reference to Government.

2. My Accountant's case is this:- He claims that the period (from June 1st/88 to October 31st/90), during which he while holding lien on his 5th grade permanent post — was Accountant 4th grade temporary, should count for service for increment. The Examiner refuses to allow this quoting Article 94 Civil Service Regulations, although as pointed out in my No 244 E / 18-1-92 the temporary post subsequently and without interruption became permanent vide Article 405 Civil Service Regulations and paras 507 A & 508 P.W. Code. The Examiner (vide his No 2676 E.E. / 4-2-92) then refers to the distinction between being on the temporary Establishment and being promoted temporarily to a higher grade and states that the paras quoted above refer only to the latter case. He also (vide his No 570 E.E. / 4-3-92) refuses to allow any analogy between cases of pension (Art. 405 C.S.R.) and cases for increment and gives as an instance of the absence of analogy the case of an accountant in his Office, which is clearly not a parallel case at all; since the accountant in his Office reverted before permanent promotion whereas my Accountant did not so revert. The whole of my Accountant's service as Accountant 4th grade temporary counts for pension in that grade vide art: 405 C.S.R. I therefore consider that in the absence of any rule to the contrary there is no reason why it should be held not to count for increment. My letter No 304 E d/12-3-92 puts I think the matter clearly, and as I have stated above has not been answered

1200

answered to my satisfaction by the Examiner.

I have the honor to be
Sir
Your most obedient servant
Executive Engineer
Godavari Eastern D.

FROM

THE EXECUTIVE ENGINEER

GODAVARI EASTERN DIVISION

TO

THE Superintending Engr.

1st Circle.

DATED 3rd
DESPATCHED 4th } May 1892
RECEIVED

No.

ENCLOSURES: 10 (Ten) with a list

SUBJECT.

V. Subbarayudu Acctt. 4th grade G.D. Eastern Dn —— Regarding title to increment of pay of —— for a certain period.

G.O. 11
P.W. 5703/5?

List of ~~Enclosures~~ Documents to accompany this office Letter No. d/ 92.

1700/3

Enc:

1. Copy of Examiner's office Order No 1430 d/1-6-88
2. —— Do —— Do —— " 1737 d/ 5-12-90
3. —— Do — letter from E.E. Godavari Eastern Dn to the Examiner P.W. Accts: Madras No 227 d/ 14-12-91.
4. ~~D~~ — Do — Reply to — Do — from the Examiner P.W. Accounts No 58 E.E. of 12-1-92.
5. — Do — letter from E.E. Godavari Eastern Dn to the Examiner P.W. accounts No 244 E d/ 18-1-92
6. — Do — Reply to — Do — from the Examiner P.W. accounts No 267 E.E. d/ 4-2-92.
7. — Do — letter from E.E. Godavari Eastern Dn to the Examiner P.W. accounts, No 274 E d/ 15-2-92
8. — Do — Reply to — Do — from the Examiner P.W. accounts No 570 E.E. d/ 4-3-92.
9. — Do — letter from the E.E. Godavari Eastern Dn to the Examiner P.W. accounts No 304 E d/ 12-3-92
10. — Do — Reply to — Do — from the Examiner P.W. accounts No 961 E.E. d/ 13-4-92.

No 667 S.E. Td

From
Major C. H. D. Christie R.E.
Examiner D.W. Accounts
Madras.

170/4

To
The Executive Engineer Godavari Eastern Dn.
Madras 5th June 1888.

The following is forwarded to the Executive Engineer Godavari Eastern Division for information & communication to Accountant V Subbarayudu Pantulu.

Signed C H D. Christie
Major R.E.
Exr D.W. Accounts
Madras

Office order No 1430 of 1-6-88.

To complete the establishment of Accountants the following promotions are ordered with effect from the 1st June 1888.

× × × × × ×

V Subbarayudu Pantulu, Accountant 5th grade, Godavari Eastern Division, to be Accountant 4th grade temporary. True Extract Signed
G. E. Patton
Supdt Correspondence Branch

True Copy

Executive Engineer G. E. Dn.

From

Major C. H. J. Christie R.E.

Examiner of P.W. Accounts Madras

To

The Executive Engineer Godavari Eastern Division

No 7226 (120/4) Madras 6th December 1890

The following is forwarded to the Executive Engineer Godavari Eastern Division for information & for communication to V Subbarayudu Pantulu Accountant 4th grade temporary

Signed C. H. J. Christie Major R.E.
Examiner, P.W. Accounts
Madras.

Office order No 1737 dated 5th December 1890

To complete the establishment of accountants sanctioned in letter from the Government of India No 2726 G dated 3rd Oct 1890 communicated with G.O. No 2772 W dated 20th Oct 1890 the following promotions etc are made with effect from the first November 1890

To Accountant 4th grade permanent.

× × × ×

V Subbiayudu Accountant 4th grade temporary

3/31541

True Extract

Signed A. Cameron

for Supdt Correspondence Branch

True Copy

Executive Engineer G. E. Dn

S.D.
P.W. 5703/52

From

The Executive Engineer G. Eastern Divn

To

The Examiner, P.W. Accounts Madras.

1700/6

Sir,

I have the honor to bring to your notice that V. Subbarayudu Accountant attached to this Division was promoted to temporary accountant 4th grade in your office order No 1430 of 1-6-88 communicated with your No 667 S.E./d of 5-6-88.

2 He held this appointment continuously for two years and 5 months ie up to the 1st November 1890 when he was confirmed as permanent accountant 4th grade vide your office order No 1737 of 5/12/90. communicated with your No 7226 of 6-12-90

3 It seems to me that his service as temporary accountant 4th grade can be held to qualify for increments under paras 507 & 508 of the P.W. Code as he was holding temporary rank continuously in a higher

ed with G.O. No 372 W of 10/2/91.

4/3/5/4

4 The temporary 4th grade was I believe originally sanctioned by the Local Government in which case they will doubtless not refuse to sanction the increment also, if you will kindly recommend it, altering the designation of the post if necessary from "Accountant 4th grade temporary" to "Accountant 4th grade temporary rank"

5. I should be obliged if you could see your way to granting him increments from 1st June 1889 in accordance with paras 507 & 508 of the P. W. Code

Signed C. Mitford Smith
Executive Engineer

5.7
Obs
5703/92

True Copy

C. Mitford Smith
Executive Engineer, G. E. Dn

Copy of letter from J. S. Sherlock Esqr. Examiner, P.W. accounts, Madras, to the Executive Engineer, Godavari Eastern Division, No. 58 E dt. 12th January 1892.

1200
2

With reference to your Endorsement No. 2278 dt 14th December 1891 on letter from V. Subbarayudu accountant 4th grade requesting that the period from 1st June 1888 to 31st October 1890 during which he was a temporary accountant may be allowed to count as service for annual increment of pay, I have the honor to refer you to Civil Service Regulations Art: 94 and to state that service in a temporary appointment carrying a definite rate of pay and sanctioned for a limited time does not count for increment.

(Sd) M. H. Gaynor.
for Examiner P.W. accounts.

(True copy)

C. Mitford Smith
Executive Engineer
G. Godavari Eastern Dn

was, however, subsequently san

No 244 E.

Exe: Engr's Office
Gody: Eastern Dn
Dowlaishweram
18 . 1 . 92.

From

C. Mitford Smith Esqr.
Exe: Engr: Gody: E. Dn
Dowlaishweram

To

The Examiner, P.W. Account
Madras.

12°/8

Sir,

With reference to your no. 58 E.E. of 12.1.92, I have the honor to state that article 94 of the Civil Service Regulations gives definition of the term "temporary appointment" but does not seem to be applicable to the increments of permanent accountants holding temporary promotions in higher grades for whom special provision is made in the P.W. Code paras, 507 A & 508

2. In your office order no. 1430 d/ 1.6.88, V. Subbarayyan permanent accountant 5th grade was promoted to temporary accountant 4th grade, without reference to any definite rate of pay or limit of time.

3. The temporary 4th grade held by him was, however, subsequently

permanent and he would therefore I think be entitled to the increments of the 4th grade from the date of his temporary promotion in accordance with article 405 of Civil Service Regulations, under which he could count his ~~pension~~ service in the temporary 4th grade for increment as although the appointment was at first created temporarily i.e., for a limit of time yet it became eventually permanent vide remark on page 50 Provincial Budget printed with G. O. No. 372W of 10.2.91.

6/31691
4

4. Under these circumstances, I have the honor to request that the question of increments of my accountant for the continuous service of Accountant 4th grade temporary be reconsidered and dealt with under article 405 C.S.R. and paras 507 A & 508 of P.W. code.

I have &c. &c.

E.5
P.W. 5703/92

Sd/ C. Mitford Smith.
Exe: Engr: G. E. Dn

True Copy

C Mitford Smith
Executive Engineer G. E. Dn

Copy of letter from I. S. Sherlock-Hubbard Esq Examiner P.W. accounts, Madras, to the Executive Engineer, Godavari Eastern Dn. No. 2678E d/ 4th February 1892.

1700/9

With reference to your letter No 244E of the 18th January 1892, I have the honor to state that during the period from 1st June 1888 to 31st October 1890, throughout which he held a lien on his substantive appointment as accountant 5th grade under the provisions of Civil Service Regulations article 410, V. Subbarayudu was borne on the temporary Establishment.

2. This is a totally different matter to his having been promoted temporarily to accountant 4th grade on the permanent Establishment and it is to cases of this kind that P.W. code paras 507A and 508 quoted by you refer.

3. Civil Service Regulations article 405 relates to service for pension being reckoned from date of appointment to an experimental or temporary office which eventually becomes permanent, but it has no bearing whatever on title to increments. The two things are distinct

4. There is no rule under which service in an appointment on a temporary Establishment can be allowed to count for increment; and under the circumstances the increment applied for by your accountant is inadmissible.

7/3159/E

(Sd) I.S. Sherlock-Hubbard

Examiner P.W. Accounts Madras

(True copy)

Mitford Smith

Executive Engineer

Godavari Eastern Dn

5.4
P.W. 5703/92

No 274 E.

Exe: Engr's Office
Dowlaishweram
15. 2. 1892

From

C. Mitford Smith Esquire
Exe: Engr: Gody: Eastern Dn.
Dowlaishweram

To

The Examiner, P.W. Accounts
Madras.

1700/10

Sir,

With reference to your no. 2678.E. of 4.2.92, stating that there is no rule under which the ~~continual~~ continuous service in the Appointment of Accountant 4th grade temporary (eventually made permanent) can be allowed to count for increment I have the honor to offer further explanation as follows:—

2. From the classified lists it would appear that a Substitute was employed as 5th grade Accountant temporary in place of V. Subbarayadu promoted to Accountant 4th grade temporary.

3. The temporary 4th grade of V. Subbarayadu did not cease (article 410 of Civil Service Regulations) but eventually became permanent.

4. The post of Accountant 5th grade temporary held by the Substitute under para 185 (6) of P.W. Code was also made permanent consequent on the confirmation of V. Subbarayan as permanent Accountant 4th grade the result being that the 5th grade Accountant would count his service from the date of his temporary appointment in the 5th grade article 406 C.S.R., and V. Subbarayan Accountant 4th grade would similarly count his per-service in the 4th grade. Thus the lien on the 5th grade permanent Accountant's post originally granted to V. Subbarayan under article 410 C.S.R. was not required to hold as his case ultimately came under article 405 Civil Service Regulations.

5. The question now, therefore, is whether, under the above circumstances, the graded temporary post of Accountant 4th grade eventually made permanent which qualifies for pension and which, in consequence, is equivalent to a post on the permanent Establishment can be brought within the scope of paras 507 A and 508 of P.W. Code.

6. As for the rules in Civil Service Regulations, I find from para 3 of your letter that article 405 relates only to service reckoning for pension from the date of the temporary appointment but as it is not improbable that the same principle will be recognised in respect of commencement of title to increments of graded temporary accountants posts eventually made permanent, I think it but fair that a reference be made to the Government of India, and the date from which the increments should accrue in similar cases of graded appointments be ascertained.

I have &c. &c.
Sd/ C. Mitford Smith
Exe: Engr: G. E. Dn

1700/11

True Copy

C Mitford Smith
Executive Engineer G. E. D.
ws

Copy of letter from I. S. Sherlock Hubbard Esq. Examiner P.W. accounts Madras to the Executive Eng: Godavari Eastern Dn. No 570 E. d/ 4th March 1892.

I have the honor to reply to your letter No 274 E dated 15th February 1892.

2. The rules that govern Service for (a) pension and (b) increment are so divorced from each other, and are so clearly laid down that however much I ~~may~~ might sympathise with your accountant, I do not feel justified in making a reference to the Govt: of India in reference to his claim to count the period of his temporary service from 1st June 1888 to 31st October 1890 as service toward increment.

1708/12

3. As an illustration of the absence of analogy between the two sets of rules, I would instance the following case. An accountant 4th grade is promoted to the 3d grade, temporary on 1st January 1887, and he draws his increments from year to year, until on 1st January 1892, his salary has risen to Rs 210. On the 2d January 1892 he is reverted to his substantive grade, for one day only, and on 3d January 1892 he is repromoted, permanently or temporarily

— it

it does not matter which —— to the 3rd grade. 9/3 1892

Now, the full period of his previous service in that grade, viz from 1st January 1887 to 12th January 1892, counts as service for pension, but not a single day of these five years counts as service for increment on his promotion. He would have to start afresh on Rs160 (vide P.W. code para 507 A).

4. Two of the senior accountants in my own office have just fallen under the operation of this rule and I am powerless to help them

(Sd) L.S. Sherlock-Hubbard
Examiner P.W. Accts: Madras.

(True copy)

Cuthbert Smith
Executive Engineer
Godavari Eastern Dn

P.W.E.2
5703/92

No 304 E of
12/3/92

From
The Executive Engineer Gy. Eastern Dn

To
The Examiner, P.W. Accounts
Madras

Sir,

With reference to your No 570 E.E. of 4/3/92, I have the honour to bring to your notice that the illustration given in para 3 of your letter does not appear to me to affect the question. The two cases are I think, entirely dissimilar.

1700/13

2 My Accountant was promoted to 4th grade temporary and eventually confirmed, that post having been made permanent. No reversion took place between the temporary and permanent appointments i.e. he held the same graded post without any interruption.

3 This being the case I fail to find any provision in the Code which can be

be held to prevent his drawing increments from the date of his appoint- 10/3148
4
-ment to the temporary 4th grade on the ground of his previous post being on the temporary establishment although it is not specifically stated that he can do so.

4 Had it been a question of pension, it is quite clear that the temporary service would count and since it would count for pension it seems reasonable to ask the favor of your considering why it should not do so for increment in the absence of a definite rule.

5. The rules as far as they go are clear enough certainly but you will I think concede that this is a case which is not provided for in the Code, and it is on that account that I am of opinion that there should be a definite ruling on the subject.

True Copy

Signed C. Mutford Smith
Executive Engineer

C Mutford Smith
Executive Engineer

Copy of letter from the Examiner, P.W. Accounts to the Executive Engineer, Godavari Eastern Division No 961 E.E. of 13/4/92.

In reply to your letter No 304 E of 12/3/92, I have the honor to state that I am still of opinion that the rules are clear on the point at issue. I should, therefore, not be justified in referring to the Government of India for a "definite ruling" but it is open to you, if you have any doubt as to the propriety of my opinion, to refer the matter to Government for orders through the Superintending Engineer 120/4

Signed J. S. Sherlock-Hubbard
Ex P.W. Accounts,
Madras.

True Copy

C Mutford Smith
Executive Engineer G. E. Dn

No. 455 G.D.

FROM,
G. D. Wybrow Esq
SUPERINTENDING ENGINEER
FIRST CIRCLE.

TO,
THE CHIEF ENGINEER
PUBLIC WORKS DEPARTMENT.

DOWLAISHWERAM, 23rd May 1892.

Despd. 25th

1200/15

Enclosures
1 Ex. Officer's letter
No. 888 d/ 3/5/92
with 11 enclosures.

SIR,

I have the honor to submit the following correspondence between the Executive Engineer, Godavari Eastern Division, and the Examiner P. W. Accounts, for your perusal, and would respectfully beg to suggest that the point at issue may be settled by Govt.

2 The case is briefly as follows:- The Accountant, Godavari Eastern Dn, was appointed 4th Grade Accountant temporary from the 1st June 1888, to fill an existing vacancy in the Accounts Establishment - retaining a lien on his substantive appointment of Accountant 5th Grade. This temporary appointment of 4th Grade was subsequently made permanent, and the Accountant in question was confirmed on the 1st November 1890. The Accountant's service in the 4th Grade was uninterrupted from 1st November 1888 to 1st Novr 1890.

3. Under the above circumstances does

the service, so ren[illegible] by the Accountant on the temporary Establishment, which was eventually sanctioned as permanent, count for increment, under Civil Service Regulations article 405 & Code paras 507A and 508?

4. The Examiner appears to be of opinion that such service does not count, & states that C.S.R article 405 has no bearing on the case, as it applies only to cases of pensions. Code paras 507A, 508, he is of opinion, apply only to cases of Accountants holding temporary rank in a higher grade on the permanent Establishment, and adds that article 94 of the C.S.R. prohibits the grant of increment in such cases.

5. With reference to the Examiner's objections it appears to me that as the temporary service eventually made permanent, counts for pension from the date of the appointment, why should not the service so rendered also count for increment. Granting that the service rendered was on the permanent establishment, the Accountant practically held rank as 4th Grade Accountant temporary rank, & paras 507A & 508 of the P.W. Code are, applicable, & as there is no rule to the contrary, that I am aware of, either in the Civil Service Regulations or P.W. Code, the increment applied for by the Accountant appears to be admissible.

I have the honor to be,
Sir,
Your Most Obedient Servt.

Supt. Engineer 1st Circle

Sd. 24-5

1700/16

P. W. CURRENT No. 5703

FROM,

G. D. Wylrow Esquire

SUPERINTENDING ENGINEER

FIRST CIRCLE.

TO,

THE CHIEF ENGINEER

PUBLIC WORKS DEPARTMENT.

DATED 23rd
DESPATCHED 25th
RECEIVED 30th } May 1892.

NO. 455 G.D.

ENCLOSURES 11

SUBJECT.

V. Subbarayudu pantulu Accountant 4th Grade in the Godavari Eastern Division forwarding for settlement by Government certain correspondence regarding title to increment of pay for a certain period.

No 710-1W d/ 1-3-88
" 1085 W " 10-4-88
" 2261-2W " 21-8-90
" 2772 W " 20-10-90
" 372-3W " 10-2-91

No. 1700 W d/ 4 June 92

Am

Ms
3 June.

It is observed that the accountant did not receive temporary promotion on the permanent establishment, but was detached for duty on a temporary establishment. The Govt agrees with the Examiner that such temporary service does not qualify for increment.

1.6

16

S. E. I circle

Exr. P. W. Accts

8/6

9/6

Am 1/6 4/6