

(1) பக்கங்களின் எண்ணிக்கை

12

(2) புதுக்கித் திருப்பிய நாள்

12-11-1992

(3) ஆதாரக் குறிப்பவர் சுருக்கொய்யம்

சுருக்கொய்யம்

## தமிழ்நாடு ஆவணக் காப்பகம்.

தமிழ்நாடு அரசு

முதல் அமைச்சர்

அரசாணை எண்.  
மு. கோப்புத் தாள் எண்.

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அச்சகம்  
பலவகை

நாள் :

10-11-1992

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மடிக்கவோ தண்டியடி கையாளவோ கூடாது.

Copy of letter from the Commissioner of W. Madras,  
to the Accountant General, P. W. Department  
No 59-A dated 23<sup>rd</sup> July 1892.

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I have the honor to bring to your notice  
the effect of articles 808 and 835 (a) Civil Service  
Regulations in the two following cases:-

1. The absence allowances of Mr. J. G. Loughlin  
an Executive Engineer 2<sup>nd</sup> Grade permanent  
and 1<sup>st</sup> Grade Substantive P.W.D. based on  
the "assumed pay" was Rs. 421-15-0 whereas  
if it had been calculated on the salary of  
his grade in the P.W.D. it would have been  
Rs. 412-14-6.

2. The absence allowances of Colonel Bowen  
a Superintending Engineer 1<sup>st</sup> Class based  
in like manner upon "assumed pay" is  
Rs. 565-8-6 whereas if calculated on the pay  
and allowances he would have drawn sub-  
stantively, if he had remained in the P.W.D.  
would be Rs. 577-13-5.

Both these officers received the pay of the next  
higher grade from the Mysore Durbar. Mr. G.  
Loughlin received Rs. 1100 and Colonel Bowen  
Rs. 2045½ per mensem.

3. In applying the rule regarding assumed  
pay for the purpose of calculating the furlough

10th  
in view of these affairs, it will be seen that  
Mr Loughlin <sup>gains</sup> £9-0-0 a month  
whereas Colonel Bowen <sup>suffers</sup> a loss of  
14-9-11 a month.

Colonel Bowen contends that his "average  
salary" should be based on the salary he  
could have drawn had he remained in  
British Service, including the temporary  
tips he would have received during the  
interim period of the three years preceding the  
date of his relief. It is impossible to state  
whether this officer would have received a  
temporary promotion on the staff as list,  
but the fact is that he has not been pro-  
moted temporarily, and in the comparison  
made in para 1, II, I have therefore taken  
only his substantive pay and allowances  
into consideration.

4. It appears to me that articles 80 and 835(a)  
of the Civil Service Regulations admit of  
only one interpretation, and that the rules  
under which an officer's leave allowances and  
pension are regulated by the (assumed) salary  
on which contributions are recovered, is one  
equitable one, but under the circumstances  
explained in this letter, I submit the questions  
for your decision.

5. I take this opportunity to enquire further

whether in <sup>285</sup> with reference to Civil Service Regu-  
tions 830 (b) how the subsidiary leave allowance  
of these officers should be calculated. Both  
were entitled to privilege leave at the time of  
proceeding on furlough, and under Civil  
Service Regulations 353 and 330(a), they  
would be entitled to draw during subsi-  
diary leave, allowances as if they were on  
privilege leave. But the incidence of charge  
here comes into question. Both these officers  
having been more than 3 years in foreign  
employ, their allowances during privilege  
leave would have been borne by the  
foreign body, but as under Civil Service  
Regulations 330 (b) their connection with the  
body ceased on the date of their relief, the  
subsidiary leave allowances will fall upon  
the British Government.

True Copy

Responsible Secy of  
Ag. Supdt. Routine Branch.

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Copy of letter from the Accountant General  
P.W. Department to the Examiners of P.W. Accounts  
Madras No 1833 E dated 12<sup>th</sup> August 1892

I have the honour to acknowledge  
receipt of your letter No 59 A dated 23<sup>rd</sup> July  
last, and in reply to state that as both Mr  
MacLaughlin and Colonel Bowen AB were  
transferred to foreign service before the date  
1<sup>st</sup> January 1892, when the new rules for  
contributions came into force, they remained  
under the old rules for contributions until  
the 31<sup>st</sup> December 1891 after which date they  
were brought under the new rules under  
operation of Rule II of Public Works  
Department Resolution No 2852 of  
30<sup>th</sup> October 1891.

It appears to me therefore that in reckoning  
their average salaries for three years for the  
purpose of determining their absence allow-  
ances the calculations should be -

- (1) For so much of the 3 years as preceeded  
the 1<sup>st</sup> January 1892, the net pay on which  
contributions were paid under the old rules  
vide Civil Service Regulations article 8106  
last clause.
  - (2) From the 1<sup>st</sup> January 1892 the "assumed"  
pay on which contributions are paid  
under the new rule.
2. The subsidiary leave allowances are  
payable by the British Government  
(True Copy)

Muhammad Jacob  
for Supt. - Ransme Branch

20/10/92  
20/10/92

C/o Messrs Windley & Co.  
55 Parliament St.  
London.

7<sup>th</sup> October 1892.

To The Examiner,  
P.W. Accounts.  $\frac{4}{3005}$   
Madras. —

Sir, I have the honour to acknowledge the receipt of your letter No 159 A of 5<sup>th</sup> September informing me that my furlough pay had been calculated in accordance with another order by the accountant General, P.W.A. The monthly rate of my furlough pay has, as I make it, been thereby reduced to less than half of the average monthly salary of my substantive appointment for the 3 years preceding my furlough, and I confess I do not understand how the exact amount of contributions paid by the Mysore State during that period, towards loan & pension of British Officers, can affect the question. I was always under the impression that an officer on furlough was fully entitled to half average (for 3 years) salary of his substantive post as abatement allowance, whatever the rate of contribution which I understood was fixed so as to entitle him such allowance. I regret I have not available the Civil Service Regulations to refer to, but I cannot imagine that they bear out the interpretation that the title to full abatement allowance under the furlough rules can be vitiated even to a small extent by the rates of contributions levied, rates in which the officer claiming the furlough & the native State concerned have no voice.

I may be wrong in this conclusion, but as I am now obtaining less furlough pay than I had always counted on & than the furlough rules warrant I shall be glad if you will be good enough to refer the question to the Government of Madras for orders.

I have the honour to be,

Sir,

Your obedient servant,

C. Bowden: Lt Col.

Capt. General, 1<sup>st</sup> Class, on furlough.

2. Colonel Bowen's pensionary and leave contribution was levied under the old rules up to 31st. December 1891. From 1st. January 1892, it was levied on "assumed pay" in accordance with Rule II of the Government of India P.W. Resolution No. 2832 G. dated 30th. October 1891 communicated with G. O. No. 3048 W. dated 14th. November 1891.

5. The "average salary" for the purpose of arriving at the furlough pay of Col. Bowen R.E. included only the rate of his "assumed pay" from 1st. January 1892 in accordance with Civil Service Regulations article 835 (a).

4. Copies of correspondence on the subject that has passed between this office and that of the Accountant General P.W.D. are enclosed for information.

Examiner's letter to the Account-  
ant General P.W.D.No.59 A.  
dated 23rd.July 1892.

Accountant General's reply No.  
1353 B. dated 12th. August,  
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(Enc: 2)

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PUBLIC WORKS DEPARTMENT  
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PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

Letter from Col. C. Bowen } H. S. No. - dated 7-October 1892  
R. S. Supt. Engineer  
From the Examiner P. W. }  
Accounts - - - - - } H. S. No. 284 A. d. 28-October/92

Colonel Bowen's  
rate of furlough pay  
has been calculated,  
apparently correctly, in  
accordance with the  
C. S. Regulations, by  
the account officers.  
of Govt. Colonel Bowen  
will be so informed.

OK  
S. H. S.

Col. C. Bowen R. S. Supt. Engineer  
Examiner P. W. Accounts

Old 29-11  
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M 5-11

P 3085 a/10<sup>th</sup> Apr 1911

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5/14/11