

No. 1297⁵ W. d. 24th May 1894

INDEXED

24/5/94

10/5/94

W. CURRENT No. 3337

From,

The Supt. Engineer

4th Circle

Dated 2nd

At H.S. May 1894

No 187
W

Enc: -

Head Assistant Collectors
Residence, Kondapur—
Requests to obtain orders
of Govt for fixing the date
for the reduced rate of
rent for the —

228/53

PUBLIC WORKS DEPARTMENT.

No. 1297 W. d. 24th May 1894

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following

Endorsement in the Revenue Dept

on Board's Proceedings NO.

1796 Mis (L. Rev.) dated 3rd April '94

and 2003 Mis (L. Rev.) dated 14th April '94

H.S. Mis No. 1728 of 1st May 1894

From the Supt. Engineer IV Circle H.S. No. 187 W. dated 2nd May 1894

Recorded with reference

to G.O. No. 1224 W. dated 18th May

G.O. on Cew 3431-

1894.

sent to H. Co. 12/5/94

L 115

Cum
12.5.94

To the Supt. Engineer IV Circle.
" Revenue Department

Cu

its original construction, a large sum of money will become due to Mr. A. M. Slight, besides the Government being liable to refund the differences of rent due to the other occupants. A decision of the authority sanctioning this reduction of rent is, I think, very necessary as to the date from which it has to take effect, and it should be fixed from some latest date, i.e. the beginning of the current calendar or official year or from the date of the order so that no claim of long past transactions can be entertained.

3. I therefore request you will be good enough to reconsider your endorsement, and if necessary address the Government, with a view to a distinct decision on the point.

I have &c,
(Sd) W. V. Baker,
Offg. Executive Engineer.

No 187 dated 2nd May 1894.

Copy forwarded to the Chief Engineer, P.W. Department, with reference to G.O. No 903 W, dated 3rd April 1894 and with a request that he will be good enough to obtain the orders of Government as to from what date

date the reduced rate of rent viz: Rs 70 same -tioned by the Government of India is to take effect.

2. The undersigned has on a previous reference on the subject from the Executive Engineer informed him that the reduced rate of rent should be collected from the date of occupation.

Mannu

Supg. Engineer, 4 Circle

P. W. CURRENT No. 3433
 Revenue (1894.) Dept.
 Board of Revenue
 (Land Revenue),
 MADRAS.

A. P. 1796 d 3-4-94

Current Number 2884

To

Recd C. No. 2585 & 2884 of 1894

Endorsement No. 1728 d. 1st May 94

The Secretary to Govt
 A. S.

Transferred to the P. W. Dept.

As Secy. to Govt.

Cotacamund 2
 1st May 1894

Recd Vol. 4. 5-94
 Regd. 7. 5. 94
 Recd. 18th April
 Encl. 4.

Proceedings, dated 14-4-1894.
 No. 2003, Mis. Routine.

Subject.

Labung. to Govt. endorse-
 ment of the Collr. of South
 Canara on letter from the
 ag. Head Asst. Collr. request-
 ing orders on the question
 of house rent for his residence
 at Comdapur.

Ends
 27.4.94

Madras for
 papers
 27.4.94

Executive Engineer's office,
 West Coast Division,
 Camp, Cannanore, 26th April 1894.
 No. 219 Pz.
 From,
 W. V. Baker, Esq.,
 Offg Executive Engineer,
 West Coast Division,
 To,
 The Superintending Engineer,
 Fourth Circle.

Sir,
 In returning herewith your Endorsement
 No. 165, dated 17th April 1894, I have the honor
 to state that the occupant of the Head Assistant
 Collector's residence at Kundapur, Mr. A. M.
 Slight has been in occupation of the building
 from August 1890, and during the several
 occasions of his subsequent short absence
 from the place, several officers occupied
 the building and rent from all these occupants
 was recovered at the rates hitherto in force.
 2. If, in accordance with your instructions,
 the reduced rate of rent under Government
 of India No. 116 B, dated 17th March 1894, is to
 take effect from date of occupation of the
 building by the present occupant, to say
 nothing of former occupants from date of



Proceedings of the Board of Revenue

(Land Revenue),

Dated 14 April 1894.

No. 2003

Mis.
Routine.

READ

Endorsement of G. W. Sance Esq.,
Ag. Collector of S. Canara, dated 5
April 1894, No. 1326 on letter from A. M.
Slight, Esquire, Ag. Head Assistant
Collector, dated 12 March 94, No 182.

Resolution

Submitted to Government in
continuation of Board's Proceedings dated
3 April 1894, No. 1796 Mco.

(True Extract)

Amurgh
Secretary

To

The Secretary to Govt. A. S.
with letter in original to be returned.

20/4

To be returned
to Revenue Board
with reply.

Government on the question is obtained, I beg
to urge that there may be no delay in obtaining
such an order both to stop the exaction in future
and to refund all that has been wrongly
levied already.

I have &c

(Signed) A. M. Slight

Ag. H^d Asst^t Collector

No 1326

True copy, submitted to the Board of Revenue
(Land Revenue) in continuation of this Office
Endorsement No 1107 dated the 15th March 1894,
with the request that early orders of Government
may be obtained on the subject, as desired
by the Acting Head Assistant Collector.

S. Canara Colln Office.
Mangalore, 5 April 1894

M. R. Coomaraswami.
Assistant Collector
for Acting Collector

11631
3433/94

Revenue 1894. Septth
Board of Revenue
(Land Revenue),
MADRAS.

Current Number 2685

To

The Secretary to Govern-
-ment, Rev. Septth.

Recd 5/4

Proceedings, dated 3rd March 1894.
No. 1796, Mis. Routine.

Subject.

Submitting for the orders of
Government letters from
Messrs Graham & Light-
received from the Collector
of South Canara regarding
house rent levied from them
on account of the Govern-
-ment bungalow at Coonda-
pur.

B.P. 1177 d 5-3-94
S.O. 1068 d 12-3-94
1468 d 736
10-4-94 20-2-94

No 182. Head Assistant Collector's Office,
South Canara.
Camp, Kap, 12th March 1894

From,

A. M. Slight, Esquire,
Ag. Head Assistant Collector,
South Canara.

To

The Collector of
South Canara.

Sir,

In continuation of my letter dated 14th
February No 121, explaining, with reference to a
remark of the Board of Revenue, why I had
been paying as house-rent to the Public Works Depart-
ment more than 10 per cent of my salary, I have
the honor to request your attention to the fact that
the excess of Rs 31½ per month is still being deducted
from my pay-bill by the Treasury Officer.

As explained in my letter quoted above, I
discovered only on my return from privilege leave in
January last that I had been paying the higher rate
of rent under a mistake. I therefore deducted, in my
pay-bills for January and February, house-rent at
the rate of Rs 76 only instead of Rs 107½ as formerly.
The pay-bill for January was passed by the Treasury
without objection, but from that of February the excess
for both January and February has been deducted,
although I have received no objection statement
from the Public Works Department.

If I must continue to be subjected to
this excessive charge until a definite order of

1894

REVENUE DEPARTMENT.

Enclosure No.

Current No. 2884



Proceedings of the Board of Revenue

(Land Revenue).

Dated 3rd *April* 1894.

No. 1796

Mis.
Routine

READ

Letters from A. Dr. Slight Esq. and R. A. Graham Esq., Jy: Head Assistant Collectors, South Canara, to G. Power Esq., Jy: Collector of South Canara, dated 14th February 1894, No. 121 and 5th December 1893, No. 1043, respectively. — also endorsement of G. H. F. Power Esq., Jy: Collector of South Canara, to the Secretary to the Commissioners of Land Revenue, Madras, dated 15th March 1894, No. 1107.

Resolution:— Submitted for the orders of Government in continuation of B. P. dated 5th March 1894, No. 1177.

2. The Board considers that only 10 per cent of salary should have been levied as rent from Messrs. Graham and Slight and that the excess collected over and above this amount should now be refunded. (True extract)

The Secretary to Government, Rev. Secy, with letter in original to be returned to Secretary.

4
To Current No 2585

To be returned
to Revenue Board
with reply.

No 1107

True copies submitted to the Board of Revenue with reference to its Proceedings dated 29th January 1894, No 413 M. Land Revenue.

The Public Works Department appears to have charged the rent (Rs 107-8-0) at 10 per cent on the salary (Rs 72-8-0 on Rs 760-35 = 725) plus Rs 35 the house rent allowance separately drawn by Assistant Collectors prior to 1881, but subsequently included in the salary. As the whole amount Rs 760 is now treated as salary for income tax purposes, &c. and as allowance is paid to Assistant Collectors in the shape of House-rent, the addition of Rs 35 to the rent payable by the Acting Head Assistant Collector seems to be an overcharge.

South Canara Collectors' Office,
Mangalore, 15th March 1894.
Deputy Collector
for Acting Collector

To
The Secretary to the Commissioners
of Land Revenue,
Madras.

Mangalore, who replied that my pay did include Rs 35 house allowance as stated. I accepted this statement, the amount was deducted from my next pay-bill, and from the time that I began to act again as Head Assistant, I have been paying house rent at Rs 107 1/2 instead of 76.

3. The question of the correctness of the additional demand has been recently raised by Mr. Graham while acting as Head Assistant during my absence on privilege leave. My attention having been drawn to the matter on my return, it seems perfectly clear that I have been paying too much, as I do not receive any house allowance within the meaning of the rule under which the extra charge was made. For the whole of the Rs 760 which I draw is "salary", whereas it is distinctly laid down in the Civil Service Regulations that house allowance is not salary.

4. I have the honor to request that a definite order of Government on the subject may be obtained as early as possible to enable me to recover the amount which has been improperly levied from me.

I have, &c.,
(Signed) A. M. Slight,
Ag. District Collector.

True

it appears that the pay is Rupees 385 (pay of unpassed Assistant and the allowances consisted of acting allowance and fixed tentage. Nothing was said about house allowance.

7. The Civil Service Regulations clearly lay down (Section 47C) that "Salary" (which means the sum of pay and acting allowance) does not include "house allowance."

8. In the Civil Account Code (Section 33) it is laid down, that, for purposes of Income Tax, all consolidated pay is included as income, but that house allowance is not. — thus clearly indicating that, in consolidated pay, there is no such separate thing as house allowance.

9. Taking all these facts into consideration, I fail to see how I can be regarded as drawing house allowance; and why I should be called upon to pay, as rent, more than 10 per cent of my total pay and allowances.

I have, &c.,
(Signed) R. A. Graham,
Asst. Secy. & Collector.
No 121

No 121

South Canara Head Assistant Collector's
Office, Mangalore, 14th February, 1894.

From

A. M. Slight Esquire,
Acting Head Assistant Collector of
South Canara

To

The Collector of South Canara.

Sir,

I have the honor to return herewith Board Proceedings, dated 29th January 1894, No 413 received with your endorsement of 8th instant, No 499.

2. With reference to the remark in the Resolution, that the Board does not understand why the house rent should exceed 10% of my total pay, I beg to state that when I first came to act as Head Assistant during the absence of Mr. Cowie on privilege leave, in August 1890, I deducted from my salary bills only 10% for house-rent. About the end of December 1890, after I had ceased to so act, I received an objection statement from the Executive Engineer, West Coast Division, stating that as my pay included Rs 35 house allowance I should have paid Rs 31½ a month more than I had actually paid, and requesting me to deduct the balance from my next pay-bill. As I was not aware that I received any house allowance, I made a reference to the officer in charge of the Treasury, Mangalore.

house allowance. Subsequently, however, the whole was consolidated, and I believe, reduced somewhat in the process.

4. The amount has hitherto been deducted under Note 5 (Reference to Madras I. W. D. Code, Edition of 1886, paras 1041 and 1044 III). This runs:—

"If the occupant is in receipt of house allowance, he will be charged rent in the following manner. The amount of house allowance should be deducted from the normal rent and the remainder should then be compared with 10 per cent of his salary and allowances (excluding house allowance)" &c.

This clearly refers only to officers who draw a separate house allowance.

Note 4 says:— In the case of Government officials occupying public residences the rent will in all cases be subject to maximum limit of 10 per cent on the officer's salary and allowances and except as provided in Note 5, the normal rent

of the building will only be charged when it is less than 10 per cent of such salary and allowances. These two notes appear to me to be inconsistent.

5. I know nothing about any house allowance, except that I am now told, for the first time, that before the pay of the officer was consolidated, house allowance used to be drawn. I have seen no order in which the Head Assistant Collector of South Canara, or any other Assistant, is said to draw house allowance. In fact, I have no reason to believe that, in all other Districts, when an officer drawing consolidated pay, without a special house allowance, occupies a Government building, the maximum amount charged for rent is 10 per cent of his consolidated pay—no mention being made of house allowance.

6. In the slip I received from the Accountant-General, on taking over my present office, it was said that I was entitled to draw "pay and allowances" at such and such a rate. Further down, particulars were given, as to what is pay and what allowances. From these particulars

No 1043

South Canara Head Assistant Collector's
Office, Camp Sackubidri, 5th December 1893.

From

R. A. Graham, Esquire,
Acting Head Assistant Collector,
South Canara.

To

G. Power, Esquire,
Acting Collector of South Canara.

Sir,

I beg to bring to your notice the following facts, hoping that you will, at your earliest convenience, lay them before the proper authorities.

2. It has been the custom, for some years now, in calculating the rent to be paid by the Head Assistant Collector for the bungalow at Coondapoor, to represent him as drawing a house rent allowance of Rs 35. Thus the amount demanded, and hitherto deducted on the pay bill, has been first Rs 35, and then 10 per cent of the remainder of the officer's consolidated pay.

3. It appears that, many years ago, Assistants were paid, besides their salary, several other allowances, one of which was