

MADRAS RECORD OFFICE.

Government of Madras.

Pension DEPARTMENT.

G.O. No.	880	Press Mis.
Dated	2 - 10 -	18 83..

Not to be folded or roughly handled

2/5/36

GOVERNMENT OF MADRAS.

REVENUE DEPARTMENT.

READ—again G.O., 8th July 1882, No. 715, Revenue :—

ABSTRACT.—Passing remarks on Court of Ward's Proceedings regarding B. Strinivasa Murty Iyengar, Superintendent of Devastanams, Ramnad Estate, Madura, and requesting explanation as to the grounds on which they have come to the conclusion that he has no lien on his former post.

READ—also the following Proceedings of the Court of Wards, dated 28th July 1882, Mis. No. 5683 :—

Read—G.O., dated 8th July 1882, No. 715, R.D.

Resolution—dated 28th July 1882, Mis. No. 5683.

The paragraph referred to was based upon the entry against “Tahsildar of Dindigul” in the official list of Revenue Establishments of the name of one Mutusawmi Aiyer; no reference being made to Srinivasa Murti Iyengar.

2. It is observed that, by a rule * now in force, it must be arranged, when a transfer from qualifying to foreign service takes place, that the officer transferred does not forfeit a lien upon his substantive office under the British Government; but this requirement, though possibly implied, was not expressed in the rules at the time of Srinivasa Murti Iyengar's transfer (1873); it seems to have been first promulgated in the Third Edition of the Civil Pension Code, which was published only in December 1876.

3. The Court of Wards do not understand the force of the italics (*during leave*) at paragraph 2 of the Government Order. The Collector, in his letter quoted, was alluding to the amount of contribution which would be payable to Government on account of pension, such contribution being required, under the rule then in force, to be made at 20 or 12 per cent. of salary according as the officer concerned claimed or renounced his claim to allowances from Government during leave to be enjoyed in the course of his foreign service.

4. With regard to paragraph 1 of the Government Order, it is observed that the Court's Proceedings were sent to the Press on the 23rd May, and a reminder followed on the 29th idem. Proof was received on the 7th June, and was returned the same day. A copy for signature was received on the 13th; the spare copies came in on the 16th, and were despatched on the 17th June.

5. The Board do all in their power to check delays in the Press, a weekly return of work in hand being examined by their Secretary; but, in spite of every effort, it is no unusual occurrence that Proceedings of any length, whether of the Board or of Government, take from three to four weeks in getting through the Press.

(A true Copy and Extract.)

(Signed) E. GIBSON,
Acting Secretary.

To the Secretary to Government, Revenue
Department.
Copy to the Collector of Madura.

ORDER—dated 7th August 1882, No. 817, Revenue.

Miscellaneous.

* *Vide* G.O., 9th August 1880, No. 940.

The Government observe that the services of Srinivasa Murti Iyengar were lent to the Court of Wards as were those of T. Rajaram Rao, the present Manager * of the Ramnad Estate, whose name is retained in the Civil and Revenue Establishment Lists as Collector's Sarishtadar. Srinivasa Murti Iyengar should not be allowed to suffer on account of his name having been accidentally omitted from the lists. He does not thereby forfeit his lien on the substantive appointment he held when his services were lent. The Board are requested to provide for him a post of equal emoluments at an early date as possible. It is observed that he cannot have leave from Government unless he holds an appointment under them.

(True Extract.)

(Signed) E. F. WEBSTER,
Secretary to Government.

To the Board of Revenue.
„ Accountant-General.

Exd. F. R. Bantleman.

60 Copies.

Gobt. of {1882} Madras.
REVENUE.

Order, dated 7th August 1882, No. 817.

Srinivasa Murti Iyengar — Superintendent of Devasthanams, Ramnad, Madura. — Revenue Board requested to provide for — a post of equal emoluments to those of the appointment be held when his services were lent to the Estate.



Revenue Department.

PROCEEDINGS OF THE MADRAS GOVERNMENT.

Read the following papers:—

Proceedings of the Board of Revenue, dated 16th July 1883, Mis: N^o. 5997, on endorsement of the Acting Collector of Cuddapah, dated 13th June 1883, N^o. 304, on letter from B. Trinivasa Murti Aiyangar, Inam Deputy Collector, Cuddapah, dated 9th June 1883, N^o. 164.

In submitting copies of correspondence noted in the margin I beg you will be kindly pleased to bring the following

1 Letter from Inam Deputy Collector to the Coll^r of Madura to the favorable consideration and orders of the Board of Revenue and Court of Wards.

N^o. 124
14-4-83
2 Madura Coll^r reply thereon N^o. 1918
18-5-83

2. My case is briefly thus:—

3. On the date of receipt of the Court's Proceedings N^o. 1354 dated 22nd May 1882, I was on privilege leave which expired by the 16th August 1882. You may be aware that I forthwith requested the Board for a reconsideration of their orders in my case. The Board were kind enough to pass their

Proceedings Mis: N: 6476 dated 24th
August. Accordingly, I had to wait
till final orders were passed. By
a kind reference to the correspondence
that ensued between the Board
and Government on the subject,
you will be convinced that I had
no other alternative but to wait
for final orders. Such an order,
however, was communicated to
me on the 1st of September 1882.

I then lost no time to report myself
to the Collector of Madura whose
orders I got on the 16th of Idem; and
I took nominal charge of the
Dindigul Taluk on the 18th and
availed myself of the Special
leave from the 19th of that month.

4. Now the Court of Wards
have, on the representation of the
Collector of Madura, ordered that
my pay from Ramnad Estate
should only be paid till the 8th
August 1882. I did not know
to what funds my pay should
then

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then be charged. In my humble
opinion, I thought that the one
month's notice given by the Court
of Wards, has been virtually
cancelled by the Board's order
Mis: N: 6476 dated 24th August
above referred to. And further,
if my views are correct, I should
submit that my case would fall
within the meaning of "Note 2 to
Section 100 of the Civil Pension
Code" as, at the time of the said
order, the proposal was that my
appointment should be abolished
or the pay reduced and the impression
was that I had no lien on any
Government appointment. The
reduction of pay was ultimately
effected. If the notice is now
declared to be for 3 months as
required by this rule, my case
would be amply met. If not,
the notice should be ordered to have
effect from the date of expiration
of

of the privilege leave, the two intervening days being treated as joining time. As the Board were not probably aware of the whole of these circumstances at the time of their passing their Proceedings No. 1004 dated 5th February 1883 and as they would certainly never have thought of depriving me of my hard earned privilege leave, I requested the Collector of Madura to get me the pay due for the period between 8th August to 19th September last. I made this request with the firm belief that he would go through the papers and move the Board for a reconsideration of their orders. But he has summarily disposed of the matter telling me that he had "no authority to recognize my claims"

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claims" or in other words leaving me to obtain him the said authority. In these circumstances I now appeal to the Board.
5. I therefore earnestly solicit that the Board will be kindly pleased to give this matter their favorable consideration and modify the Court's orders in such a way as to enable the Collector of Madura to pass my pay from the Ramnad Estate for the above period or to authorize the Accountant General to pass what is due for me from Provincial Funds or whatever Source it may be decided that I should get the pay from. If nothing is done the period will be a break in my long and hard-earned service under Government which it could never have been the intention of the Board or Government to cause.

Forwarded

forwarded to the Secretary
to the Revenue Board.

1. Submitted through the
Accountant General, for the
orders of Government.
2. With reference to the closing
sentence in G. O. dated 7th August
1882 No. 817 Revenue, the Board
would submit that, as Govern-
ment ruled that Srinivasa
Murthi Aiyangar had a lien
on his former appointment,
there is no objection to his being
granted special leave (which
under Section 60 of the Civil
Leave Code may be granted
"at any time") with retrospective
effect from August 8th, 1882, till
September 19th, 1882, the date
on which he took charge of the
Dindigul Salug.
3. If this is considered
inadmissible

inadmissible, the Board would
recommend that the interruption
in service from August 8th to
September 19th should be condoned
under Section 98(a) of the Civil
Pension Code. In that case,
Srinivasa Murthi Aiyangar, will
draw no pay for that period.

Letter from the Accountant
General, Madras, dated 13th August
1883, No. 2425.

With reference to your Endorse-
ment No. 3068 dated the 25th July
1883, forwarding Proceedings of the
Board of Revenue No. 5997 (Misc. dated
16th July 1883 (herewith returned), I
have the honor to state that the
Board's proposal to grant special
leave to B. Srinivasa Murthi
Aiyangar is opposed to the provi-
sions of Section 139, Civil Leave
Code, and cannot therefore be
sanctioned.

2. Government may, in the
circumstances of the case, grant
Srinivasa

Srinivasa joining time to the extent of 30 days from 10th August to 8th September 1882, both days inclusive, and condone the break from 9th to 19th September under Section 98 a Civil Pension Code.

3. Should Government, however, consider that the circumstances of the case are such as to warrant joining time being extended so as to cover the entire period from date of removal from service on the Ramnar Estate to 19th September 1882, the sanction of Government to that effect will have to be reported to the Government of India, as required in Note to Proviso, Section 154 Civil Leave Code.

Order thereon, 14th September 1883, No. 3449.

The Government are pleased to condone the break in B. Srinivasa
mur ti

Mur ti Aiyangar's service, so far as it is in excess of the joining time ordinarily admissible.

(True Extract)

W. Nicholas
As. Secretary to Govt.

To The Board of Revenue
with 4 Enclosures.
" Accountant General.
" Pension Department

Pension 1883 Department.
Govt. of (1883) Madras.

REVENUE.

To
The Pension Dept.

N^o 1105

Dated }
Recd. } Encl.

Mis. G.O., 14th Sept. 1883, No. 3779.

Recd. 24th 9-83

SUBJECT.

Passing orders on
B^d P^{rs}: submitting
papers relating to the
claim of B. Srinivasa
Murthi Aiyangar, Iwan
B^d P^{rs}, Juddapet, lately
employed as Supt^d of
Palace Revenue, this
day from 8th Augst to 19th
Sept^r/02. (dist)

With order 880
Jes P

Order received 2nd Oct/83 M^{rs}

Recorded

26/9/83

WM