

Public (1897) Department.

ORDINARY MS.

G.O., No. 345

Dated 29-3-97

[Despatch Abstract.]

Considering of Mr. Surge S. Chandrasekhara Munglani to have acted as Supt. of the Dist. Jail, Mangalore, from the 13th April to the 8th May 1896, and stating that in future similar cases the S.G. should report immediately after the acting period has expired the name of the Mr. Surge who has been in charge of jail during the absence of the Dist. Supt. in view of the recognition of the period as qualifying for acting allowance.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.
C no 1427 of 1897							

Public (1897) Department.

CURRENT No. 73

Order

From
Surgeon-Major-General C. Sibthorpe,
F.R.C.P.I.
Surgeon-General with the
Government of Madras.
Minister of Madras
No. 73

Dated 19th February 1897.

Received 9-3-97

Registered 10-3-97

Enclosures

Spare copies

SUBJECT.

Requesting that the Accountant-Genl:
may be authorized to pass Jail allow-
ance to Asstt: Surgn: S. Chandrasakara
Mudliar from 13th April to 8th May
1896 both days inclusive.

complete file recd 16/5/97

BACK PAPERS.

G.O.	No.	Department.	Date.
g	R 899	Pub	24-8-96
	919	Pub	8-11-95 on
	756	"	9-9-95 h
	645	"	31-2-95
	487	"	15-6-95 h
	6612	"	6-12-95
	933	"	18-11-95
	1360	"	20-9-87

FURTHER PAPERS.

G.O.	No.	Department.	Date.

THROUGH the Accountant-General.

OFFICE OF SURGEON-GENERAL

WITH THE GOVERNMENT OF MADRAS,

Madras, 19th February 1896

From

SURGEON-MAJOR-GENERAL C. SIBTHORPE, F.R.C.P.I.,

SURGEON-GENERAL WITH THE

GOVERNMENT OF MADRAS,

To

THE HON'BLE THE CHIEF SECRETARY TO GOVERNMENT,

Public DEPARTMENT.

Sir,

With reference to the latter portion of G.O.No.1360 Public, dated the 20th September 1887, I have the honour to request that the Accountant-General may be authorized to pass Jail allowance to acting Assistant Surgeon S.Chandrasakara Mudliar from 13th April to 8th May 1896 both days inclusive - the period he was in charge of the District and Jail during the temporary absence of the District Medical and Sanitary Officer, South Canara.

2. The acting Assistant Surgeon was not formally gazetted to act as District Medical and Sanitary Officer, as the period was less than a month and it was believed that under the G.O. quoted above, no separate sanction was necessary for him to draw the allowance in respect of the Jail, but the Accountant-General takes a different view and declines to admit the charge without the special sanction of Government although the Inspector-General of Prisons agrees with me that there is no objection to the grant of the allowance.

3. I request that orders may be issued so as to avoid the necessity of Government being constantly addressed in such trivial cases.

I have the honour to be,

Sir,

Your most obedient Servant,

C. Sibthorpe

Surgeon-Major-General,
Surgeon-General with the
Government of Madras

784

For the
Accountant General
8th March/97

Forwarded.

N
M
L
It already pointed out in this office endorsement
No. 2531 dated 14 August 1896 recorded in Madras
Government Order No. 599 Public dated 21 August 96
on the case of Mr. Lychlander, the Government
Order No. 1360 Public dated 20 September 1897 sanctioning
the payment of the allowances attached to a post
to an officer who performs the duty only when he is
formally appointed to it by Government. The
appointment being a gazetted one it is necessary
that Government should notify the appointment
under paragraph 2 of the Government of India
Resolution recorded in Madras Government Order
No. 933 Public dated 18 November 1893. In the case
under reference Mr. R. S. Chandraiah was
was not gazetted to act as District Medical and
Sanitary Officer it is necessary that he should
be recognized as Acting Superintendent of District
Jail Mangalore to enable this office to authorize
the payment of the allowance attached to the
Jail.

K
If Government intend to delegate their power
to any officer the sanction of the Government of
India should be obtained. vide similar sanction
accorded to the Surgeon General with the Government
of Madras in the Government of India letter
communicated in Madras Government Order
No. 919 Public dated 8 November 95.

Whickell

for Offy. Accountant General

for the Chief Secretary to Government
Public Department

NR 8/3

O

[G.
25]

500-23-11-98.

NOTE FOR THE CHIEF SECRETARY.

Submitted that
this may go to H.C.
now - then one G.D.
will settle both
subjects. The G.D. in
Mr. Lychlander's
case was passed
by the C.S.

3.5.97
2/3/97
2/3/97
2/3/97

[G.]
[25]
500-25-11-98.

C. No. 943.

SUBJECT.

*fail allowance to
Asst Surgeon*

~~H. E. THE GOVERNOR.~~

THE HON'BLE MR. BLISS, C.I.E.

~~THE HON'BLE MR. GROSE, C.I.E.~~FOR ORDERS.

In 1887 the Surgeon-General claimed acting allowance for two Assistant Surgeons under § 57 (c) of the Pay and Acting allowance Code. In its order 60 Public, dated 20th September 1887, Govt. pointed out that under para. 4 of G.O. ^{Nº 391} 22nd February 1883 a permanent monthly allowance of Rs. 50 was granted to Assistant Surgeons in lieu of any acting allowances to which they might be entitled for temporary charge of the District station; and that they therefore could claim no acting allowance under § 57 unless they were formally appointed to act as District Surgeons.

In both the cases then in question the Assistant Surgeons were in charge of the head quarters station for less than a month, and the Govt. therefore saw no reason for considering them to have acted as District Surgeons

*copy put up**M'**H*

*C224379 C 10/3/87
R2257877 R 20/3/87*

"They will however", ran the latter part of the G.O., "be entitled to Jail allowance under section 41 exception (6) of the Pay and Acting allowance Code, for the periods during which they were in medical charge of the Jails".

In G. 943 the Surgeon-General asks that the Accountant-General may be authorized to pass the jail allowance to acting Assistant Surgeon S. Chandra-Sakara Mudaliar from 13th April to 8th May 1896, (both days inclusive), the period he was in charge of the District and Jail during the temporary absence of the District Medical and Sanitary Officer, South Canara.

Dr. Sibthorpe explains that the Ag. Assistant Surgeon was not formally gazetted to act as District Medical and Sanitary Officer as the period was less than a month and he believed that under G.O., 1360 of 1887, referred to above, no separate sanction was necessary for him to draw the Jail allowance.

To this view the Accountant-General objects and declines to admit the charge without the special sanction of Government although the Inspector-General of Prisons agrees with Dr. Sibthorpe that there is no objection.

The Surgeon-General asks that such orders may be ~~so~~ issued as ^{will} avoid the necessity of Govt. being repeatedly addressed in such trivial cases.

vide his entry on the back of the current

The Accountant-General states that G.O., No. 1360, Public, dated 20th September 1887, sanctioned the payment of the allowance attached to a Jail to an officer, only when he is formally appointed to it by Govt.; and refers to the similar case in G.O., No. 299, Public, dated 24th August 1896, ^{in which} on receipt of the Accountant-General's report, Govt. ^{with up to Rs. 190 C.R.} formally appointed Mr. Lychlander to the medical charge of the Central Jail at Rajahmundry to enable him to draw ~~his~~ allowance at the rate of Rs. 100 per mensem.

The Accountant-General adds that the appointment, ^{in the present case} being a gazetted one, Govt. should notify it under para. 2 of ^{India's} Resolution recorded in G.O., No. 933, Public, dated 18th November 1893; and that, as Assistant Surgeon Chandrasakara Mudaliar was not gazetted to act as District Medical and Sanitary Officer, it is necessary that he should be formally recognized as Ag. Supt. of the District Jail, Mangalore, to enable his office to authorize the payment of the Jail allowance.

With reference to the concluding part of the Surgeon-General's request the Accountant-General points out that if Govt. intends to delegate its powers to him, India's sanction will be necessary.

^{was} in the case of a similar concession accorded to the Surgeon-General in India's letter recorded in G.O., No.

** so Dr. Sibthorpe states*

K

The power to grant leave to Asst Surgeon has been invested in the Surgeon Genl in fo. 1330 Pubd 15th December 1896

Orders are solicited.

97 5813 Submitted that
17.3.97 An order, such as
that issued in Mr. Dyckland's
case may be made considering
S Chandrasekara mudaliar to
have been in charge of the
Mangalore Jail from 13th
April to 8th May 1896.

Submitted that it is
unnecessary to delegate the
powers of Govt in this respect
to the Surg: Genl. If in such
cases as the present the Surg:
Genl reports immediately after
his acting period is over that
an Assistant Surg: has been
in charge of a jail during the
absence of a District Surg:, an
order recognizing his period as
qualifying for acting allows a case,
as a matter of routine, be issued.
The trouble is caused when the
Surg: Genl waits till the Asst Genl
raises objections. 18/3/97
AK. 17-3-97

This is for H.E.

BS

19/3/97 A.H. 24.3.97

BS

19/3/97 A.H. 24.3.97

[G.
24.]

500-28-10-96.

Public

DEPARTMENT.

Papers to be read in proceedings:—

Again G.O., dated

189 No.

Again G.O., dated

189 No.

Current No. 943 of 1897, dated 19/2, from The Surgeon Genl.

" "

" 189 , " , "

" "

" 189 , " , "

C.S.

ORDER.

N. 345 of 29-3-97

Ag. Asst. Surgeon S. Chandra-
sakara mudaliar will be con-
sidered to have acted as Supdt
of the District Jail, Mangalore,
from the 13th April to the 8th
May 1896, both days in-
clusive, and he will for
this period be granted
an allowance at the rate
of Rs 100 per mensem.

* art 190 C.S.R.

(vide 450 on
C.S. 1627 of 97)

With reference to para
3 of his letter the Surgeon Genl
will be informed that of
future similar
in cases of the kind, he
reports immediately after the
acting period ^{has expired} that
the Asst. Surgeon has been in
charge of a jail during
the absence of the District
Surgeon. An order recognizing

that period as qualifying
for acting allowance ~~in~~
will, in the absence of any
~~objection, be~~
~~the same~~ issued. ~~It~~

foot ~~ing~~ no reason for
delegating the powers
to the ~~higher~~ but in this
manifest ~~AK~~

25/3/97 from Order/
12
27/3/97

CW
25/3/97

20B
25/3/97

Sign Genl } (91) dep 9
Act Genl } 2/4/97

It is only when allowances
are claimed before ~~any~~
the order of ~~Govt~~ has been
sought that inconvenience
arises.

When given for copying
When copied 3/3
When examined 2/1
When signed
189

READ AGAIN G.O., No.
189

CURRENT No.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

LETTER OF GOVERNMENT

STATEMENT WITH DITTO.

PAPERS NOT FILED UP, BEING MEANT FOR DESPATCH
IN ORIGINAL

N.B.—
A = Copy in full.
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A A A A A A A