

Revenue (1897) Department.

MISCELLANEOUS SERIES.

G.O., No. 1479

DATED 22nd April 99.

[Despatch Abstract.]

~~Considering that the A.C. Memo of the~~
~~case~~ Passing orders on Board's Pass.
regarding the allowances due to A.
Ankiah, and other clerks in the Bd's
office (Self Branch), during the period of
privilege leave granted to the former after
his ~~con~~ service under the Et. Guards.

BACK PAPERS.

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

FURTHER PAPERS.

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

Revenue (1899) Department.

CURRENT No. 1721

From The Board of Revenue,
Rev. Sett. L.R. & Agri.,
Madras.

Order R

Referred to the
Acct Genl. for remarks.

No. 1313 Mis.

Dated 8th March 1899.

Received } 10/3
Registered }

Enclosures —

Spare copies —



SUBJECT,

Submitting for the orders

of Government, papers regarding the
allowances due to clerks acting in
the arrangements made during the pe-
riod of privilege leave granted to
A. Alkiraju, clerk, in continuation
of his service under the Court of
Wards.

20.3.99

20.3.99

I regret I allowed this paper
to lie by me for 9 days, on account
of pressing work. May be excused.

20.3.99

Reg
11/3

BACK PAPERS.

G.O.	No.	Department.	Date.
50	3005	Rev	14-6-97
{ 10	4195	Rev	26-10-96
{ 10	2175	Rev	20-5-98

FURTHER PAPERS.

G.O.	No.	Department.	Date.

Sett. 13-2,000-25-4-98.)



Proceedings of the Board of Revenue (Revenue Settlement, Land Records and Agriculture),

Dated 8th March 1899. 189.

No. 1313 Mis.

Read again Board's Proceedings, No. 5174/26-8-98. *Rev*

Read again also Board's Proceedings No. 5323/5-9-98. *Rev*

-do-	-do-	5589/16-9-98. <i>Rev</i>
-do-	-do-	5962/6-10-98. <i>Rev</i>
-do-	-do-	6780/23-11-98. <i>Rev</i>
-do-	-do-	6946/1-12-98.
-do-	-do-	65/4-1-99.

Read also the following letter from T. Hesketh Biggs Esq., Accountant-General to the Government of Madras, No. I.A.B./27, dated 17th January 1899 :-

With reference to Board's Proceedings, No. 65 Mis., dated the 4th of January 1899, I have the honor to state that the privilege leave allowances of A. Akkiraju have been recovered from the foreign body but the fact that no extra expense is imposed on the State does not alter the case. Mr. A. Akkiraju having reverted to his substantive appointment and taken privilege leave subsequently, the officiating officers cannot be appointed to it substantively pro tempore.

Resolution.

The papers read above will be submitted for the orders of Government.

2. A.Akkiraju, an accountant in this office, was transferred to service under the Court of Wards, as Tanedar of Palivelu in the Pittapuram Estate, with effect from 24th March 1897, and after a service of 1 year, 4 months and 22 days, was relieved of his duties in the Estate, on the fore-noon of 15th August 1898. Before joining his appointment in the Board's Office, however, he proceeded on privilege leave, which had been granted to him for a period of one month and eleven days to be availed of from the date of his relief.

3. During the period of Akkiraju's privilege leave, the sub pro tem arrangements which had been made in the Board's Office in consequence of his deputation to foreign service, were allowed to continue, as the privilege leave was in his case, wholly earned by foreign service, and the leave allowance was debitable, wholly to the foreign body, the case being governed by the note to Art. 830 and Art. 836 of the Civil Service Regulations.

4. On Akkiraju's return to duty on the 1st October 1898, a bill for Rs. 54-3-1, being the amount due to him on account of leave allowance and pay for the joining time, was presented to the Accountant-General. To this bill the Accountant-General objected on the ground that, as Akkiraju was relieved of his duties in the foreign service on the fore-noon of the 15th August 98, he should be considered to have reverted to his permanent appointment under Government on that date, even though

he did not join his permanent appointment, and that the allowance to Akkiraju had been earned wholly in Government service, the full pay of his appointment would have been distributed between him and the individuals acting for him during his absence on leave, and there would have been no saving to Government. It is not clear whether it is intended that when the privilege leave is earned in foreign service a saving should be effected: under the Accountant-General's ruling in the present case, the amount recovered from the foreign body

90.3005
14-6-97
E. No. 8
the L.A.

1. Akkiraju	Amount claimed being full pay for the period of leave	Amount allowed by the Acctt. Genl.
	Rs. 48-5-9.	Rs. 21-10-1
2. Acting men in the office	Amount drawn and disbursed under the impression that the full pay of the apptt. was available	Amount to which the allowances ^{was} ~~were~~ reduced
	Rs. 48 - 5 - 9.	Rs. 26 - 11 - 7.

5. At the same time, a further reference was made to the Accountant-General as to whether the privilege leave allowances passed by him to A.Akkiraju, would be debitted to Government, or to the foreign body under which he served, and, if the latter, whether that circumstance would not alter the case, as no extra expense would then be imposed on the State. To this, the Accountant-General has replied, in his communication last read above, that the full amount of the allowances of Akkiraju has been recovered from the Court of Wards, but that the fact that no extra expense is imposed on the State, does not alter the case.

6. As this appears to be a hard case, the Board begs leave to report it for the orders of Government. It will be observed, that notwithstanding the fact that the full amount of Akkiraju's pay for the period of his privilege leave, viz. Rs. 48 - 5 - 9, has been recovered from the foreign body, the amount allowed to him, is only Rs. 21 - 10 - 1 and that paid the acting men Rs. 26 - 11 - 7. If the privilege leave grant-

and acting allowances payable for the period of his privilege leave, should be regulated by Arts. 120 & 161(iii) of the Civil Service Regulations, as in the case of any other officer in Government service drawing less than Rs. 100/ per mensem, going on privilege leave for more than a month. Accepting this ruling, the leave allowance of Akkiraju and the acting allowances paid in this office were reduced as shown below :

appears to be a gain to Government.

(True Copy and Extract)

P. V. Srinivasan
Secretary.

To

The Secretary to Government, Revenue Department.

No. 8 in the list under
G.O. 3005-Mi. E.
14-6-97

Para 2 & 3 of the order

Revenue Department

Read B.P. No 1313 Mi. 21

8 March 97 (C. No 1721 of 97)

To the Under Secretary.

The services of A. A. K. Raju,
a clerk on Rs 35 in the Board's
Office (Self. Dept) were lent
to the Court of Wards for
employment as Taniadar
of Malivelu in the Pithapuram
Estate with effect from 24th
March 97, on a net salary
of Rs 41-2-3 per mensem. After
a service of 1 year 4 months
and 22 days, he was relieved
of his duties ^{in the Estate} on the fore-
noon of the 15th Aug 98.
Before joining his perma-
nent appointment in the
Bd's Office, he went on pri-
vilege leave for 1 month
and 11 days which he earned
wholly by his foreign service.
The privilege leave allowance
due to him during this
period were wholly
debtible to the Foreign body
in which he served,
under

under the Note to Art 830 and Art 836 of the C.S.R. and consequently, the subpro leu arrangements which were made in the Bd's Office on account of his deputation were allowed to continue. On his return to duty on the 1st Oct 98, a bill for Rs 54-3-1 being the amount due to him on account of leave allowances and pay for the joining time was presented to the AG. who objected to it on the ground that as AKKiaji was relieved of his duties on the forenoon of 15th Aug 98, he must be held to have reverted to his permanent appointment in the Bd's Office on that date, even though he did not join it, and that the leave and acting allowances payable for the period of his leave should be regulated by Arts 120 & 161 (iii) of the C.S.R. i.e. AG men in privilege leave vacancies were to get

allowances only after the first 30 days of the leave, and the man on privilege leave was to get only the difference between his pay and the allowances paid to the AG men on account of his leave. The leave allowance of AKKiaji and the AG allowances paid in the Office were accordingly reduced by the Acct Genl as shown in the margin:

In reply to a reference from the Bd of Rev as to whether the AKKiaji's privilege leave allowance would be debited to Govt or the Court of wards, the AG replied that the priv. leave allow. of AKKiaji were recovered from the Court of wards, and that the fact that no extra expense was imposed on the state did not alter the case. AKKiaji having reverted to his permanent appointment, and taken privilege leave

1. AKKiaji.	Amount claimed being full pay for the period of leave. Rs 48. 5. 9	Amnt. also by the AG. Rs 21-10-1
2. AG men in the office.	Amnt. drawn & disbursed under the impression that the full pay of the app't was available. Rs 48. 5. 9	Amnt. to which the allow. was reduced. Rs 26-11-7

note letter of paper of the Council

have subsequently, the Off.
officers could^{not} be appointed
sub pro tem.

The Board reports this
"hard case" for the orders of Govt.
It appears from the above,
that though the full amount
of Atkias's pay for the
period of his privilege leave
is Rs 48-5-9 was recovered
from the Court of Wards
he was paid only Rs 21-10-1,
the balance, Rs 26-11-7 being
paid to the Ag. men in the
Office. The Govt. had therefore
to spend nothing out of its
own Treasury. If the priv.
leave was earned in Govt.
service, the Govt. would have
distributed^{paid} as stated above, the
pay of the officer on leave
between the Ag. men. In
this case, therefore the Govt.
had a saving of Rs 48-5-9
which it would otherwise
have had to spend, because
the pr. leave was earned in
foreign service. The Board
doubts whether in such
a

under Art. 161 (iii) of C.B.R.

90.4195
26.10.96 J

90.2175
20.5.98 K

a case as this, a saving
should be effected to Govt.
~~provisionally~~

Under GO. 6437 dtd
29.9.96, and the 7th.

Note under GO 2175 His
(Rev.) dtd 20.5.98, this and
like questions are to be
dealt with finally in the
7th Dept. But this Dept.
may have to express an
opinion on the matter.

^{Under}
23.3.99 The view taken by the Secty.
General is correct. If the clerk
had availed himself of the leave
after joining his appointment in the
Board's Office he and the men acting for
him would be entitled to draw only
the allowances now passed by the Secty. General.
Submitted that the file may be sent
to the Financial Dept. for favour of remarks.

^{Under}
25/3/99.

Secy

I submit there seems no doubt
at all that the A.G.'s view is
correct, technically & also
on the merits; for the
Rs 2 leaves out of account
the amount paid by the
Estate to the man who took

the clerk's place when
he left the Court's service
The loss by the estate is
counterbalanced by a
gain to Govt but this
the fault of the authority
(the Bd?), who gave the
man priv leave after
he had left the Court's
service.

the
28/3/88

The A.C. is quite right
in my opinion. The
case is "hard" only
because the rules
were disregarded
in the first instance

28/3

In J.P. no. 106 of 29th Nov 1888



Finl Dept

For the C.S.

Submitted that the A.C. is
right. The case does not appear, moreover,
to be one for treatment under § 278A
of the C. A. Code

Please see draft below.

13/4/99

Leung
18/4/88

meff

18987, 4/8-4/99
D.W. 11. 11. 11. 11.

61410

Read Bds Pros No 1313 Mi
d/8 March 99 (C. no 1721)

Order Miss no. 1479 of 22nd April 99

The Govt considers
that the Acetoul's
view of the case is cor-
rect.

the
18/4/88

8/4/18/99

13/4/99

To the Board of Rev.
(R.S. &c.)
" Finl Dept.
" A.C.

28-4-99

13.4.99

When given for copying _____
 When copied _____
 When examined _____
 When signed _____

189

READ AGAIN G.O., No. _____
 189 _____

DATED

CURRENT NO.

ENCLOSURES TO G. No.

ORDER OF GOVERNMENT

A A A A A A A

LETTER OF GOVERNMENT.

STATEMENT WITH DITTO.

PAPERS NOT FILLED UP, BEING MEANT FOR DESPATCH
 IN ORIGINAL.

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