

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No.	<i>554</i>	Press ~~Mis.~~
Dated	<i>29. 9.</i>	18 <i>59</i>

*B. 24-26**6/7*Not to be folded or roughly handled*24/10/59*

*Proceedings of the Madras Government, Financial Department,
from 24th September to 4th October 1859.*

No. 24. Read the following MINUTE by the Honorable WALTER ELLIOT, dated 6th September 1859.

Murugasem Mudaliyar, Acting 1st Assistant, Accountant General's Office, called on me with a copy of a Memorial he has just forwarded to Government, praying that the interval during which he was out of the service may not be considered as a bar to the grant of a retiring pension.

The length of time during which I have known Murugasem Mudaliyar, and the estimation in which I hold him, induce me to comply with his request to place my opinion of his Memorial on record, before leaving the Presidency for a short period of absence.

Murugasem resigned the service of Government from no caprice or unwillingness to remain, but urged solely by motives of prudence, foreseeing what was likely to happen from the influence of certain individuals introduced into the Office from Nellore, by the late Accountant General.

The result justified his anticipations. He has since returned to the Office in which he occupies a higher position than he did before. He is now old and much broken in health, and he is naturally solicitous that he should not forfeit the advantages of his past service.

I know no one in the Uncovenanted service of this Presidency who is more entitled to consideration, than this deserving Public Officer, whether on account of the zealous and efficient discharge of his duties, or on account of the high moral character he has always maintained.

The rule according to which past service as claim to pension becomes nullified by lapse of time, came into force if I mistake not after his resignation of office. But whether this be the case, or no, I beg to add my support to the favorable reception of the request contained in his Memorial, in consideration of his deserts both public and private, and of the peculiar circumstances of his case.

(Signed) W. ELLIOT.

No. 25. From J. L. LUSHINGTON, Esq., Civil Auditor; to the Chief Secretary to Government, Fort Saint George, dated 12th September 1859, No. 627.

With reference to the order of Government in the Financial Department, No. 490 of the 30th August last, forwarding for the Civil Auditor's remarks a memorial addressed to the Right Honorable Sir Charles Wood Bart, P. M., Secretary of State in Council of India, by N. C. Moorogasem Moodelliar, Principal Uncovenanted Assistant and Acting 1st Assistant to the Accountant General Madras, and enquiring whether anterior to the Order published in the Gazette of November 1855, there was any thing in the Pension Rules, which would have prevented the Memorialist from reckoning his previous service for pension, and whether any instances have occurred in which the indulgence now sought by Moorogasem Moodelliar has been accorded, and if so, what they were.

2. The Civil Auditor has the honor to observe in reference to the 1st point that previous to the Honorable Court's Dispatch, dated 3rd March 1852, No. 5, communicated in Extract Minutes Consultation dated 23rd April 1852, No. 159 Financial Department, it was thought that there was nothing in the Pension rules promulgated in January 1831; or subsequently to prevent the Memorialist from reckoning his previous service for Pension; and pensions were granted to Uncovenanted Servants without regard to the break in their service. But after the receipt of the said Dispatch in which it is distinctly stated, that the service must be continuous; because, Pensions are ordered to be calculated upon the average salary of the 5 years previous to retirement, the former practice was discontinued and no one has been admitted to pension, in whose period of service a break of more than one year has occurred. This Despatch apparently was not promulgated in the Official Gazette as were the Rules of January 1831, and November 1855, and therefore the Memorialist may not have been aware of the decision contained therein when he re-entered Government employ.

3. With regard to the second point the Civil Auditor can find no case since the receipt of the above Despatch of 1852, in which any individual has been permitted to reckon as service the time passed, prior and subsequent to a break in the service.

Proceedings of the Madras Government, Financial Department,
from 24th September to 4th October 1859.

No. 26.

ORDER THEREON, 29th September 1859, No. 554.

The Honorable the Governor in Council resolves to forward to the Right Honorable the Secretary of State for India, the Memorial of N. C. Moorogasem Mudali and the letter from the late Accountant General, submitting it, together with the report of the Civil Auditor thereon, and the Minute recorded by the Honorable Mr. Walter Elliot; and to recommend for favorable consideration the prayer of the Memorialist on the grounds stated in his appeal. It will be pointed out to the Home Government that the order contained in paragraphs 7 and 8 of the Financial Despatch from the late Honorable Court of Directors, dated 3rd March No. 5 of 1852, was not notified in the Official Gazette of this Presidency, and that the Memorialist could hardly have been aware of it, or he would not have relinquished his higher paid situation in Messrs. Arbuthnot and Co.'s Office to re-enter the Public Service—and further that the subsequent Despatch to the Government of India, dated the 15th August No. 75 of 1855 paragraph 3, was published on the 27th November 1855, or more than one year after the Memorialist's re-entertainment.

(Signed) T. PYCROFT,
Chief Secretary.

Exd. W. J. Boyton.

Minute
Moorogasem Mudaliyar Atts 15 April 1859
at Galt's office called on me ~~and~~
with a copy of a Memo. & he has just
forwarded to Galt praying that the interval
during wh. he was out of the service may
be counted as a bar to the grant
of a retiring pension
The length of time during wh. I have
known Moorogasem Mudaliyar & the esti-
mation in wh. I hold him to induce me to
comply with his request to place my opinion
on record, before leaving the
service for a short period of absence.
Moorogasem resigned the service of
Galt from no caprice or unwillingness to
remain but solely from motives of prudence,
for seeing what was likely to happen
from

from the influence of certain individuals introduced
into the office of Nelson, by the late Act Genl

The result justified his anticipations. He
has since returned to the office in which he occu-
pies a higher position than he held before. He
is now old & much broken in health & he
is naturally solicitous that he should not forget the
advantages of his past service.

I know no one in the unenvied
service of this Presidency who is more entitled
to consideration than this deserving timber officer
whether on acct. of the jealousy & efficient discharge
of his duties or on account of the high moral
character he has always maintained.

The rule according to which past service as -
claim to pension becomes nullified by lapse of time
came into force, if I may take note after his resigna-
tion of office. But whether ~~or not~~ this be the case, or
no, I beg to add my support to the favorable reception of
the request contained in his memorial in consideration

desert to the public service
consideration of his high character & of the
services are in this case
Walter Elliot

6 Apr / 59

Apr 11
My dear General
Please put this
on record with Messrs
Messrs. Probation
Yours ever
W. E. Elliot

Financial Department

Proceedings of the Madras Govt

Read again letter from the Accountant General dated 24th August 1859. Recd. recorded in Proceedings of the 2nd September.

Read also the following papers:

Minute by the Honble Walter Elliot Esq^r

(Dated 6th September 1859)

From the Civil Auditor

(Dated 12th do — 1859)

Order thereon 29 September 1859 - No 554

The Honble the Governor in Council resolved to forward to the R. S. the Secretary of State for India the Memorial of S. C. Moosoozassan Mudali and the letter from the late Accountant General submitting it, together with the report of the Civil Auditor thereon and the Minute recorded by the Honble Mr Walter Elliot, and

Order of Govt of Madras
No. 21 of 1859
21/9/59

Min. of Govt of Madras
Financial Dep. 10/9/59

Minute by the Honble Walter Elliot Esq^r

10 No 554
21/9/59
Recd.

Remains of the memorial on the Memorial of S. C. Moosoozassan Mudali, viz. that the memorial is a copy of the original which he was sent of the service may not be considered as a bar to the grant of a setting of the same.

223/59

and to recommend for
favorable consideration
the prayer of the Memo-
rialist on the grounds
stated in his appeal.
It will be pointed out
to the Home Government
that the Order contained
in paragraph 8 of the Finan-
cial Despatch from the late
Honble Court of Directors
dated 3rd March 1852
was not notified in the
Official Gazette of this Pre-
sidency, and that the Me-
morialist could ^{hardly} have
been aware of it, or he
would not have relin-
quished his ^{higher post} situation in
Messrs. Arbuthnot & Co's
Office to re-enter the
Public Service, and fur-
ther that the subsequent
Despatch to the Govt of India
dated the 10th August 1855 of
1855-para 3. was published
on the 27th November 1855
or more than one year
after

after the Memorialist's
re-employment.

J.P.

To the Accountant General. Dated 1st

St. J. & Co. 14th Oct
No 21 of 1859
Replied to 8/8th 9th & 10th
13th 16 of 1859.

Pro: of Govt & Acct.
Financial Dept.

No 554

Pro: of Govt & Acct.

29th 10 of 1859.

240026