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MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. 303	Press / Mis.
28-29	
Dated 6-7-	18 67.

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28-29

Not to be folded or roughly handled

FINANCIAL DEPARTMENT.

No. 303.

FROM

R. S. ELLIS, ESQ., C. B,
Acting Chief Secretary to the Government of Fort Saint George,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
FINANCIAL DEPARTMENT.

SIR,

I am directed by the Right Honorable the Governor in Council to request that you will lay the following case before His Excellency the Governor General in Council for favorable consideration, and, if necessary, for transmission to the Secretary of State for India.

2. Kunga Panikar, late Goomastah in the Revenue Settlement Department, Malabar District, after having served 27 years in grades qualifying for pension, was thrown out of employment in consequence of the abolition of his office, on the 1st August 1861.

3. No application for pension on his behalf was submitted until the 6th October 1866, when the Collector applied for the grant of a pension to the applicant on the ground of old age and abolition of office, forwarding at the same time a Medical Certificate, dated 26th May 1866, declaring the applicant unfit for further service.

4. The Governor in Council is aware that according to a strict interpretation of the rules the applicant may be considered to have forfeited his claim, firstly, because according to the general principles laid down in the Financial Despatch of the late Honorable Court of Directors, No. 11, dated 14th August 1846, pensions are to be granted on, and not after the retirement of the applicant from the Public Service; and, secondly, because with reference to the instructions communicated to this Government in the Financial Despatch of the Government of India, dated 17th December 1861, No. 14819, no weight can be attached to a Medical Certificate to the effect that the applicant is, five years after his retirement, unfit for further service. But with regard to the first objection, I am to remark that the failure to submit an application on the retirement of the applicant was due to a misapprehension on the part of the Collector, who appears to have thought that the applicant's subsequent service as a Stamp Vendor would count towards pension; and with regard to the second, it is observed that under the rulings of the Government of India, Financial Department, 24th September 1862, persons of not more than 20 years' service, who may be thrown out of employment in consequence of abolition of office, are eligible for pension without the production of Medical Certificate, and that although this indulgence was not to take effect retrospectively, the Governor General in Council has intimated, as stated in Mr. Lushington's letter of the 26th May 1863, No. 2157, Financial Department, that he is prepared to consider specially any case involving more than usual hardship.

5. Under these circumstances, I am to request that a pension of Rupees 7 per mensem equal to one-third of his average salary, may be granted to Kunga Panikar under the old rules.

6. With regard to the date from which payment of this pension is to take effect, I am to state that, under the circumstances of this case, the Governor in Council is of opinion that payment should commence not earlier than the date of application, viz., 6th October 1866.

I have the honor to be,
Sir,
Your most obedient Servant,

FORT SAINT GEORGE,
6th July 1867.

Acting Chief Secretary.

From the Collector of Malabar, to the Examiner of Claims, Madras ; dated Calicut, 20th February 1867, No. 507.

I have the honor to re-submit the accompanying applications for pension on behalf of Raman Kandiyil Kunga Panikar, amended as directed in your Official Memorandum, dated 14th December 1866, No. 622. There is apparently some confusion in the 30th April lists as regards the name of this person. In some years his name is entered as Kanishan Kungan, and in some others again as Raman Kandiyil Kungan, while only in a comparatively few years his full name, Raman Kandiyil Kunga Panikar, is given. In the list for 1840, however, his name does not appear at all. But this must have been a mistake ; for in all the monthly Pay Abstracts Raman Kandiyil Kunga Panikar himself has signed, and there is no doubt that he was the Salt Goomastah at Tellicherry on the 30th of April of that year.

From the Acting Collector of Malabar, to the Examiner of Claims, Madras ; dated Calicut, 16th April 1867, No. 924.

Your Official Memorandum, dated 25th March 1867, Post Audit Department.

Query 14. After the applicant was thrown out of employment in the regular establishment on the 1st August 1861, he was employed as a Stamp Vendor on commission. Hence the delay in the submission of his application for pension.

Query 15. Met by the preceding explanation.

Query 16. In addition to his own pay as first Salt Goomastah at Calicut, namely Rupees 15, the applicant was paid Rupees 6 from the pay of the 2nd Goomastah. This arrangement appears to have been made in order to avoid a reduction in the pay of the applicant who was drawing Rupees 21 per mensem previous to his appointment as Salt Goomastah at Calicut. The additional salary of Rupees 6 that was paid him will only be found in the Pay Abstracts on the record of this office.

Query 17. In the Statement of total period of service applicant is shewn as Mondal Sea Custom Manager. This was a clerical error and has now been corrected.

Query 18. The periods of service on 10 Rupees per mensem, as well as that in the Stamp Department, are now deducted from the total period of service at the foot of the Statement. But I am of opinion that service in the Stamp Department must qualify for pension as applicant was drawing fixed salary. It was only on the 30th November 1861 that the Stamp establishment was abolished, from which date, up to 31st March 1865, he was a mere Vendor remunerated by commission.

STATEMENT of service of Raman Kandiyil Kunga Panikar, late Land Custom Manager Mondal, Zillah Malabar.

Post.	From	To	Period.	Pay.		Remarks.
			Y. M. D.	RS.	A. P.	
Salt Goomastah, Tellicherry.....	12th April 1831.	10th Feb. 1834.	2 9 29	10	0 0	Need not be verified, as this service cannot count for pension.
Do. Huzoor Office...	11th Feb. 1834.	6th June 1834.	0 3 24	10	0 0	
Huzoor Goomastah.	7th June 1834.	11th Jan. 1839.	4 7 5	10	8 0	The annual Returns from 1835 to 1842 on record in this office do not show the name of the applicant; but the Collector in his letter of the 20th Feb. 1867 states that the services of the applicant are borne out by the records of his office.
Salt Goomastah, Tellicherry.....	12th Jan. 1839.	30th June 1842.	3 5 20	21	0 0	
Sub-Manager at Cannanore Sea Customs...	1st July 1842.	31st Jan. 1845.	2 7 0	21	0 0	Verified from the records of this office.
Manager at Kovilkandi.....	1st Feb. 1845.	24th Sep. 1845.	0 7 24	21	0 0	
Sub-Manager at Cannanore Sea Customs...	25th Sep. 1845.	20th Nov. 1846.	1 1 26	21	0 0	
Manager at Kovilkandi...	21st Nov. 1846.	14th July 1848.	1 7 24	21	0 0	
Salt Goomastah, Tellicherry.... ...	15th July 1848.	5th July 1853.	4 11 22	21	0 0	
Salt Goomastah, Calicut.....	6th July 1853.	31st Jan. 1855	1 6 26	21	0 0	Book of establishment for 1854 shows him to have drawn Rupees 15, but the Collector states in his letter of the 16th April 1867, No. 924, that the additional salary of Rupees 6 paid to the applicant appears from the Pay Abstracts in the records of his office.
Land Custom Manager Mondal....	1st Feb. 1855.	31st July 1861.	6 6 0	21	0 0	Verified.
			30 3 20			
Deduct period of service which does not reckon for pension.....			3 1 23			
Service counting for pension...			27 1 27			

FORT SAINT GEORGE,
ACCOUNTANT GENERAL'S OFFICE,
May 1867.

(Signed) W. DONALD,
Examiner of Claims.

Certified that we have this day examined Raman Kandiyil Kunga Panikar, Goomastah in the Stamp Department, Civil Court, Tellicherry, and find him suffering from general debility. This we believe not to be attributable to any fault (as intemperance) on his own part, but to advancing years and long service. We consider him unfit for further public service.

CALICUT, 26*th May* 1866.

(Signed) R. PEARSE,
Civil Surgeon, Malabar.
(„) W. J. TYRRELL, Colonel,
102nd Regiment.

Exd. J. Tulloch.

Cahcut 16th April 1867

EXAMINER OF CLAIMS'S OFFICE 1867 AP 24 MADRAS

N°924 From

J C Stannyngton Ryde
Acting Collector
of Malabar

To

W. Donald Ryde
Examiner of Claims
Madras

Sir,

Your official Memo dated 25th March 1867 - Post-Audit Depart

Query — 14 - After the applicant was thrown out of employment in the regular establishment on the 1st August 1861, he was employed as a Stamp Vendor on Commission - Hence the delay in the submission of his application for pension -

— " — 15 - Met by the preceding explanation

Tyrrell 16 Pr

16 - In addition to his own pay as first class Gumashta at Cahcut, namely Rs 15, the applicant was paid Rupees 6 from the pay of the 2d Gumashta - This arrangement appears to have been made in order to avoid a reduction in the pay of the applicant who was drawing Rupees 21 per mensem previous to his appointment as

as Salt Gunnalla at Cahent. The additional salary of Rupees 6 that was paid him will only be found in the pay abstracts on the record of this office.

17— In the Statement of total period of service applicant is shewn as Mondol Sea Customs Manager — This was a clerical error & has now been corrected — — Query.

18— The periods of service on 10 Rupees per Mensem as well as that in the Stamp Department are now deducted from the total period of service at the foot of the Statement — But I am of opinion that service in the Stamp Department must qualify for pension as applicants was drawing fixed salary — It was only on the 30th November 1861 that the Stamp Establishment was abolished, from which date up to 31st March 1865, he was a mere vendor remunerated by Commission — —"

I have the honor to be
Sir
Your most obed Servant —

Acting Collector

2nd Instn

No 507.

Malabar Collector's office
Calicut 20th February 1867.

From,

G. A. Ballard Esqr.
Collector of Malabar

To,

The Examiner of Claims
Madras.

Sir,

I have the honor to resubmit the accompanying applications for pension on behalf of Raman Kandiyil Kunga Panikar, amended as directed in your official memo. dated 14th December 1866 No 122. There is apparently some confusion in the 30th April lists as regards the name of this person. In some years his name is entered as Kanishan Kungan, and in some others again as Raman Kandiyil Kungan, while only in a comparatively few years his full name "Raman Kandiyil Kunga Panikar" is given. In the list for 1840 however, his name does not appear at all. But this must have been a mistake; for in all the monthly pay abstracts Raman Kandiyil Kunga Panikar himself has signed, & there is no doubt that he was the Salt Goomastah at Tellicherry on the 30th of April of that year.

I have the honor to be
Sir,
your most obdt. servant
Collector

812

1867 Applicant
Forwarded to Collector of Malabar
by the Examiner of Claims,
Madras
Dated 16th March 1867
Rec'd —

Enclosure

Re-transmitting with explanation & Copy of Memo dated 25th March 1867 - Regarding the application for Pension from Raman Kandiyil Kunga Panikar

Rec'd 8th April
Ans. 8th April
No 224.

X 91

Certified that we have
this day examined Ramen Kandil Coongoo
Panikar Gumastah in the Stamp Dept.t
Civil Court Tellicherry and find him
suffering from general debility. These
we believe not to be attributable to any fault
(as intemperance) on his own part, but
to advancing years and long service
We Consider him unfit for further
Public Service

Cabinet
26th May 1866

Robt Tuckle
Civil Surgeon
Malabar

W Tyrell Capt
102 Regt

Records Office
No 1224.

Pens 1867 Dept
Ln No 223.

Statement of Service of Ramen Kandayil Kunga Panikker late Land Customs Manager Mondal Zillah Malabar.

13

Pay	From	To	Period	Pay		Remarks
Salt Goomastah Tellichery	12th April/31	10th Feb.y/34	2-9-29	10	" "	Need not be verified as
Do Huzoor Office	11th Feb.y/34	6th June/34	" 3-24	10	" "	this service cannot count for Pension.
Huzoor Goomastah	7th June/34	11th Nov.r/39	4-7-5	10	8 "	The annual returns from 1835 to 1842 on record in this Office do not shew the name of the applicant - but the Collector in his letter of the 20th February/67 states that the services of the applicant are borne out by the records of his office
Salt Goomastah Tellichery	12th Jan.y/39	30th June/42	3-5-20	21	" "	
Sub Manager at Cannanore Sea Customs	1st July/42	31st Jan.y/45	2-7-"	21	" "	Verified from the Records of this Office.
Manager at Hosdrug	1st Feb.y/45	24th Sept.r/45	-7-24	21	" "	
Sub Manager Cannanore Sea Customs	25th Sept.r/45	20th Nov.r/46	1-1-26	21	" "	
Manager at Hosdrug	21st Nov.r/46	11th July/48	1-7-24	21	" "	
Salt Goomastah Tellichery	15th July/48	5th July/53	4-11-22	21	" "	
Salt Goomastah Calicut	6th July/53	31st Jan.y/55	1-6-26	21	" "	Book of Establishment for 1854 shews him to have drawn Rs 15 but the Collector states in his letter of the 18th April/67 No 924 that the additional salary of Rs 6 paid to the applicant appears from the Pay Abstracts in the records of this Office
Land Customs Manager Mondal	1st Feb.y/55	31st July/61	6-6-"	21	" "	Verified
			30-3-20			
Deduct period of Service which does not reckon for Pension			3-1-23			
Service counting for Pension			27-1-27			

Fort St George
Accountant Genls Office
May 1867

Examiner of Claims

Recd 28/12/61
With the Register

15

Financial Department.

No. 303.

To

The Secretary to the Government
of India,
Financial Department.

Sir,

I am directed by the Right Honorable the Governor in Council to request that you will lay the following case before His Excellency the Governor Genl. in Council, for favorable consideration, and if necessary, for transmission to the Secretary of State for India.

N.

2. Kunga Panikar, late Jemadar in the Revenue Settlement Dept. Malabar District, after having served 27 years in grades qualifying for Pension, was thrown out of employment in consequence of abolition of his Office, on the 1st August 1861.

W.D.L

3. No application for Pension on his

Rec'd 18/1 Dept.
Ln. No. 224.

his behalf was submitted until the 6th October 1866 when the Collector applied for the grant of a pension to the applicant on the ground of old age and abolition of office; forwarding at the same time a medical Certificate dated 26th May 1866 declaring the applicant unfit for further service.

4. The Governor in Council is aware that according to a strict interpretation of the rules the applicant may be considered to have forfeited his claim; firstly because according to the general principles laid down in the Financial Despatch of the late Hon. Court of Directors No. 11 dated 14th August 1846, pensions are to be granted on, and not after the retirement of the applicant from the Public Service, and secondly because with reference to the instructions communicated to this Government in the Financial Despatch of the Govt. of India dated

dated 17th December 1861 No. 1419, no weight, can be attached to a medical Certificate to the effect that the applicant is, 5 years after his retirement, unfit for further service; But with regard to the first objection, I am to remark that the failure to submit an application on the retirement of the applicant was due, ~~on the contrary~~, to a misapprehension on the part of the Collector who appears to have thought that the applicant's subsequent service as a Stamp Vendor would count towards pension; and with regard to the second, it is observed that under the rulings of the Government of India Financial Departt 24th September 1862, persons of not more than 20 years service who may be thrown out of employment in consequence of abolition

abolition of office are eligible for Pension without the production of Medical Certificate, and that although this indulgence was not to take effect retrospectively, the Governor General in Council has intimated, as stated in Mr. Loushington's letter of the 26th May 1863 [No. 215] Financial Dept. that he is prepared to consider specially any case involving more than usual hardship.

5. Under these circumstances I am to request that a pension of Rupees 7 per mensem equal to one third of his average salary may be granted to Ruvoga Panikar under the old rules.

5 With regard to the date from which payment of this Pension is to take effect, I am to state that under the circumstances of this case, the Governor in Council is of opinion that payment should

should commence not earlier than the date of application viz. 6th October 1866.

Fort St. George
6th July 1867

7=507 & 3 Encls to follow

Financial 1867 Dep.tt

No. 303

To

The Secy. to the Govt.

of India

F W 409

Dated 6 July 1867.

28.29.