M.R.O. 1—77,006—8-6-37.

(1) Number of pages 10

(2) Date of repair 25.8.39

(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No.	Press / Mis.
Dated	18 .

7-8 6/7

Not to be folded or roughly handled

FINANCIAL DEPARTMENT.

No. 447.

FROM

A. J. ARBUTHNOT, ESQ.,
Chief Secretary to the Government of Fort Saint George,

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
FINANCIAL DEPARTMENT.

SIR,

I am instructed by the Right Honorable the Governor in Council to submit, for the favorable consideration and orders of the Governor General in Council, the following case.

2. Abdulkhader, late Cutwal at Mallapuram, in the Malabar District, was thrown out of employment on the 14th July 1862, in consequence of reduction of establishment, after a service extending over 19 years, 10 months, and 14 days, a period which, under ordinary circumstances, would entitle him to a gratuity of Rupees 75, equal to 5 months salary, under the old Rules; but, by failing to apply for the gratuity to which he was entitled until June 1866, the applicant must, under a strict interpretation of the rules, be held to have forfeited his claim to gratuity.

3. Adverting, however, to the explanation tendered by the Collector, who reports that Abdulkhader having, after his discharge, obtained employment as a stamp vendor, was continually applying for re-employment, and deferred his application in the hopes of being re-entertained, and to the fact that the Pension and Gratuity Rules are only too often unknown and unexplained to applicants, the Governor in Council resolves to recommend that a gratuity of Rupees 75 be paid to Abdulkhader as a special case.

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

FORT SAINT GEORGE,
2nd October 1867.

Chief Secretary.

Exd. J. H. Burns.

Proceedings of the Madras Government, Pension Department, 4th September 1867.

Read the following:—

Register of an application for Gratuity under Pension Rules, published under date 3rd May 1864, from the Establishment of the Collector of Malabar.

1	Full name of the person by whom the gratuity is applied for.—Abdul Khadar.			
2	Was Kotwal at Malliapuram on the date of his retirement.			
3	Date of commencement of service.—13th April 1841.			
4	Date of retirement of service.—14th July 1862.			
5	Abstract of the grounds of application.	Reduction of Establishment.		
			Years.	Months.	Days.
6*	How long unemployed, and under what circumstances.	Resigned the service from 21st March to 6th May 1860...	0	1	17
7	Total of service before 22 years of age...		2	0	0
8	Total of service not in pension grades...		8	8	22
9	Total of leave other than privilege and preparatory leave. ...		0	2	17
	Grand total...		10	11	9
10†	Total period counted as service...		10	2	12
11‡	Age of the applicant at the time of this application...		44	0	0
			Rs.	A.	P.
12	Salary per mensem at the time of application...		15	0	0
13	Proposed amount of gratuity...		150	0	0

* It is hereby certified that no gratuity was drawn by the applicant on reduction of Establishment in the year 1862.

† It is hereby certified that the alleged period of the applicant's service is borne out by official records.

(Signed) G. A. BALLARD,
Collector.

‡ I do hereby certify that, to the best of my belief, the applicant's age, above stated, is correct.

(Signed) O. CANNAN,
Sheristadar.

Statement of total period of Service.

Establishment.	Post.	Pay. Rs.	A.	P.	Period. From	To	Yrs.	Ms.	Ds.	Examiner of Claims' Remarks.
Revenue.	Acting Peon, Huzur Sea Custom Office.	6	0	0	13th April 1841.	24th June 1841.	0	2	12	Need not be verified, as this service was of a temporary nature.
	Acting Peon, Huzur.	5	4	0	25th June 1841.	31st Octr. 1841.	0	4	6	
	Acting Deloyet, Huzur office.	7	0	0	1st Novr. 1841.	20th March 1842.	0	4	20	
	Acting Peon, Huzur office.	5	4	0	21st March 1842.	28th March 1842.	0	0	8	
	Acting Deloyet, Huzur office.	7	0	0	29th March 1842.	17th July 1842.	0	3	20	
	Peon, Huzur office.	5	4	0	18th July 1842.	22nd March 1843.	0	8	6	Verified from the records of this office and those of the Collector of Malabar.
	Peon, Huzur Sea Custom Office.	6	0	0	23rd March 1843.	27th Jany. 1845.	1	10	7	
	Deloyet, Huzur office.	7	0	0	28th Jany. 1845.	29th Decr. 1851.	6	11	3	
	Peishkar, Ernad Taluq.	15	0	0	30th Decr. 1851.	31st Decr. 1857.	6	0	2	
	Amin, Island* of Manakai.	35	0	0	1st Jany. 1858.	20th March 1860.	2	2	20	
	Peishkar, Ernad Taluq.	15	0	0	7th May 1860.	4th Feby. 1861.	0	8	29	
	Kotwal, Mallia-puram.	15	0	0	5th Feby. 1861.	14th July 1862.	1	5	8	
						Total..	21	1	21	
						Years.	Months.	Days.		
	Deduct service before 22 years of age...					2	0	0		
	Deduct service not in pension grades...					8	8	22		
	Deduct leave...					0	2	17		
							10	11	9	
						Net period of service...	10	2	12	

(Sd.) W. DONALD,
Examiner of Claims.

* The applicant's post was by mistake entered as Ernad Taluq Peishkar in the Statement D of the Establishment of the Collector of Malabar as it stood on the 30th April 1868. His name was not entered in the D Statement for 1859, as the post of Amin of the Manakai Island which he held at the time was merely a temporary one.

Explanation of Column 6 with quotations of orders of reinstatement.	Explanation of any degradation.
The applicant resigned the post of Amin, Island of Manakai, and after a lapse of one month and seventeen days he was restored to his former post of Peishkar, Ernad Taluq.	He was restored to his former appointment as Peishkar on a salary of Rupees 15, he having voluntarily resigned the post of Amin of Manakai Island, to which he was promoted on a monthly pay of Rupees 35.

Detail of leave on half pay and full stoppage of pay. From	To	Yrs.	Ms.	Ds.	Remarks by the Head of the Office on past character and conduct of the applicant throughout the service.
18th November 1860.	4th February 1861.	0	2	17	Has discharged his duties well.
	Total...	0	2	17	

MALABAR COLLECTOR'S OFFICE,
6th February 1867.

(Signed) G. A. BALLARD,
Collector.

From the Collector of Malabar, to the Examiner of Claims, Madras; dated Calicut, 3rd August 1867, No. 1836.

Your Official Memorandum, dated 19th July 1867, in the Pension Department.

When the Island of Manakai was under attachment on account of arrears of revenue, an Amin was appointed on account of Government for the purpose, and his services in that capacity were considered to be in pension grade under the spirit of the Proceedings of the Madras Government, communicated to the Collector in Standing Circular of the Board of Revenue, dated 13th October 1862. The total service in pension grades was, therefore, shown to be years 10-2-13, inclusive of the period of years 2-2-20 during which applicant was Amin.

No. 14.

No. 6856.

The total period of service in grades ineligible for pension is years 10-8-22, and not years 10-8-21, as shown in the original register. The register has accordingly been corrected.

These alterations have not been made for reasons shown in No. 14.

No. 15.

Since the 14th July 1862, when the applicant was thrown out of employ, he was constantly applying for re-admission into the service. From August 1862 to August 1865 he was a Stamp Vendor, remunerated by a commission. At last, in June 1866, he applied for gratuity, finding that he was not able to re-enter the public service.

No. 16.

Proceedings of the Madras Government, Pension Department
4th September 1867.

No. 1711.
Report of the Examiner of Claims.

	Years.	Months.	Days.
Service qualifying for gratuity is proved for a total period of	19	10	14

Applicant will be eligible to a gratuity of Rupees 75, equal to five months' salary under the old Pension rules, for his total service of years 19-10-14, viz., years 9-5-13 in grades ineligible, and years 10-5-1 in grades eligible to pension, should Government be pleased to accept the explanation of the cause of delay in the submission of application up to 6th February 1867, as given by the Collector in his Memorandum, dated 3rd instant, No. 1836, herewith accompanying.

FORT SAINT GEORGE,
ACCOUNTANT GENERAL'S OFFICE,
20th August 1867.

(Signed) W. DONALD,
Examiner of Claims.

To the Chief Secretary to Government, Civil Pension Department.

ORDER THEREON, 4th September 1867, No. 265.

Abdul Khadar, late Kotwal at Malliapuram, in the Malabar District, was thrown out of employment on the 14th July 1862, in consequence of reduction of establishment; and is eligible, for his total service of 19 years, 10 months, and 14 days, to a gratuity of Rupees 75, equal to five months' salary under the old Rules.

2. The great delay which occurred in applying for gratuity arose, as is stated by the Collector, from the applicant having deferred to apply, in the hopes of being re-entertained in the public service: the Governor in Council cannot accept this as a sufficient excuse in ordinary cases, but adverting to the length of the applicant's service, and to the fact that the Pension and Gratuity Rules are only too often unknown, and unexplained to applicants, the Governor in Council resolves to recommend the present case to the favorable consideration of the Government of India.

(True Extract).

F. Brandt
Under Secretary.

To the Collector of Malabar.
,, Accountant General.
,, Financial Department.

Exd. J. Tulloch.

Fin. Dept. Nov. 2 Read
Fin. Dept. Reminder Dec. 2
Dec. 3 Read

Recommending
Govt's favorable
consideration
of the case
of Abdul Khadir late
Kotwal at Malliapuram
in the Malabar District

Fin. Department.

No. 447.

To

The Secretary to the Government
of India,
Finan.l Department.

Sir,

I am instructed by the Right Honorable the Governor in Council to submit for the favorable consideration and orders of the Governor General in Council the following case.

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This may as well be kept for a full Council. as with reference to the views of Govt. I am enjoined in a paper that the table of chief Secy. cases should not be noticed I cannot conscientiously depart from it —
Further should that there is no difficulty in publication or general knowledge of the pension & gratuity rules 18 Feby

circumstances would entitle him to a gratuity of Rupees 75; equal to 5 months salary, under the old Rules, but by failing to apply for the gratuity to which he was entitled, until June 1866, the applicant must under a strict interpretation of the rules be held to have forfeited his claim to gratuity.

3. Adverting however to the explanation tendered by the Collector who reports that Abdulkhader having after his discharge, obtained employment as a Stamp Vendor, was continually applying for re-employment, and deferred his application in the hopes of being re-entertained, and to the fact that the Pension and Gratuity Rules are only too often unknown and unexplained to applicants the Governor in Council resolves to recommend that a gratuity of Rupees 75 be paid to Abdulkhader, as a special case.

I have &c.

Fort St George
2nd October 1867

I cannot agree that this is the case. any how if to be corrected — as to fail, the Govt. should at once remove the abolition of remedial measures. WR

Financial 1867 Departt.

No 447.

To

The Secy. to the Govt.

of India

Fin 533

Dated 2 October 1867.

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Y. B.