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MADRAS RECORD OFFICE.

Government of Madras.

Financial **DEPARTMENT.**

Letter
G.O. No. 494 Press
Mis.

17.

Dated 5-11- 1867.

17- 4/5

Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department, 5th November 1867.

No. 17. To the Secretary to the Government of India, Financial Department, dated Fort Saint George, 5th November 1867, No. 494.

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 the favorable consideration and orders of the Government of India.

2. From a report received from the Examiner of Claims, M. Timmappaya, late District Moonsiff of Bekul, is shown to have completed 25 years' total service, and 10 years, 10 months and 26 days' qualifying service. He is, however, declared by the Medical Officer to be "in a good state of health, and so far as his physical or mental fitness is concerned, perfectly able to perform his duties as Moonsiff." He is, therefore, ineligible under the rules for pension or gratuity.

3. The circumstances under which the applicant was compelled to resign are unusual. The Civil Judge reported Timmappaya to be unfit for the effective performance of his duties; the High Court directed that application should be made for pension on his behalf, and the post was permanently filled up, before it was ascertained whether Timmappaya was eligible for pension or gratuity.

4. The late District Moonsiff appealed to Government in July last against the order of the High Court under which he had been directed to apply for pension; but after the decided expression on the part of the Civil Judge as to the Moonsiff's unfitness for the further effective performance of his duties, and the direct instructions from the High Court for his removal, the Government did not feel themselves justified in suggesting the reinstatement of the applicant; at that time, moreover, the Government were not in a position to know that Timmappaya was ineligible for pension or gratuity.

5. The Governor in Council is now averse to requiring the High Court to provide for the re-employment of a Judicial Officer who is declared by competent authority to be unfit for his work, but he is equally averse to deprive a Public Officer, who has served Government for many years, of all claim to gratuity, and would suggest that, as a special case, a gratuity of Rupees 2500 be granted to M. Timmappaya, to which sum he would have been entitled under the rules had he been declared by the Medical Certificate produced to be incapacitated by old age or infirmity.

(Signed) R. S. ELLIS,
Chief Secretary.

Exd. J. Tulloch.

health, and so far as his physical
or

disp 12/11

R/3

Financial Department.

No. 494.

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 the favorable consideration and order of the Government of India.

2. From a report received from the Examiner of Claims, Mr. Timmappaya, late District Inwesill of Belgaum it is shewn to have completed 25 years total service, and 10 years, 8 months and 26 days qualifying service. He is however declared by the Medical Officer to be "in a good state of health, and so far as his physical

or

or mental fitness is concerned, perfectly able to perform his duties as Moonsiff." He is therefore ineligible under the rules for pension or gratuity.

3. The circumstances under which the applicant was compelled to resign are unusual. The Civil Judge reported Timmappaya to be unfit for the effective performance of his duties; the High Court directed that application should be made for pension on his behalf, and the post was permanently filled up, before it was ascertained that Timmappaya was eligible for pension or gratuity.

4. The late District Moonsiff appealed to Government in July last against the order of the High Court under which he had been directed to apply for pension: but after the decided expression on the part of the Civil Judge as to the Moonsiff's unfitness for the further effective performance of his duties, and the direct instructions from the High Court for his removal, the Government were not disposed to suggest the reinstatement of the applicant; at that time, moreover, the Govt were not in a position to know that Timmappaya was ineligible for pension or gratuity.

5. The Governor in Council is averse to requiring the High Court to provide for the reemployment of a Judicial Officer who is declared by competent authority to be unfit for his work, but is equally averse to deprive a public officer who has served Govt for many years, of all claim to gratuity and would suggest that as a special case a gratuity of Rupees 2500 be granted to Mr. Timmappaya, to which sum he would have been entitled under the rules had he been declared

declared by the Medical Certificate produced to be incapacitated by old age or infirmity.

I have &c

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Fort St George
5 Nov. 1867

Lieut. Col. Smith
Asst. Adjt. Genl.
Head Qrs. Fort St George

Sir,

I have the honor to forward herewith the Medical Certificate of Pensioner [illegible] Pensioner [illegible] Corps, who has been declared by the Medical Board assembled for the purpose to be incapacitated by old age or infirmity.

I have &c

[illegible]
Capt. & Secy. Pension Committee

Dated Fort St George
4th Nov. 1867

C 31 Oct
Returned