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(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

DEPARTMENT.

G.O. No. 486	Press / Mis.
Dated 22-10-	1868.

46-47 10/4

Not to be folded or roughly handled

6.10.39

FINANCIAL DEPARTMENT.

No. 486.

FROM

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

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,
FINANCIAL DEPARTMENT.

SIR,

I am directed to transmit the annexed copy of the Proceedings of this Government in the Pension Department, dated the 7th instant, No. 335, relative to the grant of a pension of Rupees (7) seven per mensem to Mahomed Zynillabdeen Saib, late Goomastah in the Civil Court of Trichinopoly, and to request that the Governor General in Council will be pleased to confirm the same.

2. It will be observed from the Proceedings that, owing to a misconception of the Rules in force, a medical certificate was not obtained for Mahomed Zynillabdeen Sahib until 2½ months after his retirement, an irregularity which renders this application necessary.

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

FORT SAINT GEORGE,
22*nd October* 1868.

Chief Secretary.

Proceedings of Government, Pension Department.

Read the following letter from the Civil Judge of Trichinopoly, to the Accountant General, Madras ; dated Trichinopoly, 22nd April 1868, No. 124.

I have the honor to forward, for submission to Government, a register of an application for superannuation pension on behalf of Mahomed Zynillabdeen Saib, a Goomastah in this Court.

2. The applicant held various situations from 1st December 1832 to 13th May 1858, when he was dismissed by the late Sudder Court from the office of District Moonsiff of Arealore in this Zillah, which he was then holding ; but, under the orders of Government, dated 5th July 1860, No. 836, the applicant was re-employed in 1861—(vide enclosure 1).

3. The period of service of the applicant is 32 years, 8 months, and 6 days ; and, under the new Rules, he is entitled to a pension of one-half of his salary without a medical certificate. As for the break in his service from the date of his dismissal to that of re-employment, I beg to state that the Government have, at the request of the applicant, declared that they will consider the said question when he applies for pension—(vide enclosure 2).

4. I beg, therefore, to recommend that a pension of Rupees 9-4-3, being a moiety of the average salary drawn by the applicant during the last 5 years, may be granted to him. In calculating the average salary of 5 years, I have included the amount of pay drawn by the applicant as Acting Civil Record-keeper, because the said situation was then permanently vacant.

REGISTER of an application for Superannuation Pension under Pension Rules published under date 3rd May 1864, from the Establishment of the Civil and Session Court of Trichinopoly.

1	Full name of pensioner...	Mahomed Zynillabdeen Saib.
2	Sect or caste...	Mahomedan.
3	Residence...	Trichinopoly.
4	Present post...	3rd Goomastah.
5	Date of commencement of service...	1st December 1832.
6	Date of retirement from service...	1st July 1868.
7	Abstract of the grounds of application.	Inability to serve longer.
8	How long unemployed, and under what circumstances.	Dismissed for misconduct from 14th May 1858 to 11th April 1861... ... ... Yrs. 2 Ms. 10 Ds. 29
9	Total of service before 22 years of age...	3 0 0
10	Total of service not in pension grades	2 5 21
11	Total of leave other than privilege and preparatory leave...	0 0 0
	Grand Total...	8 4 20
12	Total period in pension grades counted as service.	27 2 15
13*	Age of the applicant at the time of this application...	54 0 0
		Feet. Inches.
14	Height	5 0
15	Descriptive marks...	...A mole on the forehead.
		Rs. A. P.
16	Average salary of past five years.....	18 8 6
17	Proposed amount of pension...	9 4 3
18	Date from which to commence.	1st July 1868.
19	Place of payment...	Trichinopoly.

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

(Signed) KRISTNIEN CHARRY,
Sheristadar,

Statement of total period of Service.

Establishment.	Post.	Pay. Rs.	A.	P.	Period. From	To	Yrs.	Ms.	Ds.	Accountant General or Controller of Military Accounts' remarks.
Late Southern Provincial Court.	Persian Writer.	28	0	0	1st Dec. 1832.	19th Sep. 1839.	6	9	19	Verified from the records of this office, but cannot count for pension, as the applicant was dismissed the Service on the 14th May 1858, and thereby without employ for 2 years, 10 months, and 29 days (Signed) W. DONALD, *Examiner of Claims.*
Do.	Persian Moonshee.	56	0	0	20th Sep. 1839.	15th Sep. 1843.	3	11	27	
Late Principal Sudder Ameen's Court, Trichinopoly.	Goomastah.....	21	0	0	16th Sep. 1843.	7th June 1844.	0	8	23	
Do.	Javabneviss.....	24	8	0	8th June 1844.	31st Mar. 1846.	1	9	24	
Do.	Civil Record-keeper.	30	0	0	1st April 1846.	12th May 1852.	6	1	12	
Civil Court, Trichinopoly.	District Moonsiff of Arealore.	100	0	0	13th May 1852.	5th Feb. 1853.	0	8	24	
Do.	District Moonsiff of Toriore.	115	0	0	6th Feb. 1853.	23rd June 1853.	0	4	18	
Do.	District Moonsiff of Arealore.	100	0	0	24th June 1853.	13th May 1858.	4	10	20	
Do.	Goomastah.....	10	0	0	12th April 1861.	2nd Oct. 1863.	2	5	21	
Do.	Acting Civil Record-keeper.	35	0	0	3rd Oct. 1863.	13th Sep. 1864.	0	11	11	Pay verified. Pay drawn up to 30th June 1868 only.
Do.	Goomastah.....	15	0	0	14th Sep. 1864.	30th June 1868.	3	9	17	
						Total...	32	8	6	
	Deduct service before 22 years of age..... Yrs. 3 Ms. 0 Ds. 0									
	Deduct service not in pension grades..... 2 5 21									
	Deduct leave... ... ... 0 0 0						5	5	21	
						Net period of service...	27	2	15	

Explanation of Column 8, with quotations of orders of reinstatement.	*Explanation of any degradation.*
Vide enclosure No. I.	

Detail of leave on half-pay and full stoppage of pay.					*Remarks by the Head of the Office on past character and conduct of the applicant throughout the service.*
From	To	YS.	MS.	DS.	
Nil.	Nil.				Pretty good.
	Total of leave...				

TRICHINOPOLY, CIVIL AND SESSION COURT,
22*nd April* 1868.

(Signed) R. DAVIDSON,
Civil Judge.

No. 780.

REPORT OF THE EXAMINER OF CLAIMS.

Service qualifying for pension is proved for a total period of three years, nine months, and seventeen days.

Applicant is eligible to a gratuity of Rupees 45, equal to three months' salary, under the new Rules. The usual medical certificate was not called for, as the applicant has served for more than 30 years.

The applicant's service of 25 years, 5 months, and 17 days up to 13th May 1858 is vitiated by dismissal under the Order of Government, dated 12th July 1860, Judicial Department. Neither it, nor his service from 12th April 1861 to 13th September 1864, in grades ineligible to pension, was deducted by the Civil Judge at foot of the statement of service ; but the correct net period reckoning for pension is given in this report.

FORT SAINT GEORGE,
ACCOUNTANT GENERAL'S OFFICE,
23*rd July* 1868.

(Signed) W. DONALD,
Examiner of Claims.

To the Chief Secretary to Government, Civil Pension Department.

Order, 5th September 1868, *No.* 294.

The above is an application for pension on behalf of Mahomed Zynillabdeen Saib, late Goomastah in the Civil Court of Trichinopoly. This person entered the Government Service on the 1st December 1832, and retired on the 1st July 1868. But his service before he attained twenty two years was 3 years, and in grades not entitling to pension 2 years, 5 months, and 21 days ; and he was out of employ by dismissal from 14th May 1858 to 11th April 1861. Hence he can count but 27 years, 2 months, and 15 days towards pension. The Examiner of Claims reports the applicant ineligible for pension on the ground of his dismissal in 1858, and has called for no medical certificate. It appears, however, that in 1860 (July 5th, No. 836) the Government passed an order recognizing the propriety of petitioner's removal from the Bench as District Moonsiff, but directing his re-employment in a post similar to that held by him before he became a Moonsiff. By this reinstatement in the Service, though not in office, the applicant's previous service was again allowed to count for pension, and he is now eligible to a pension for his service of 27 years, 2 months, and 15 days, on production of a medical certificate. For this, the Civil Judge will send the applicant at once to the Civil Surgeon and report the result, forwarding the certificate, if one be granted, direct to the Government Office.

(True Extract).

(Signed) C G. WALKER,
Under Secy. to Govt.

From the Acting Civil Judge of Trichinopoly, to the Chief Secretary to Government, Fort Saint George ; dated Trichinopoly, 15th September 1868, No. 256.

I have the honor to forward the medical certificate called for by Government in their Proceedings dated 5th instant, No. 294, Pension Department.

I, Arthur Langford Trewman Cooke, Surgeon Major, Acting Garrison Surgeon of Trichinopoly, do hereby certify that I have carefully examined Mahomed Zynillabdeen Saib, late Goomastah in the Civil and Session Judge's Court, Trichinopoly ; that his age is, by his own statement 54, and by appearance about the same ; and that I find him to be unfit for further service from old age and infirmity, not in my opinion attributable to intemperance or other irregular habits.

TRICHINOPOLY,
14*th September* 1868.

(Signed) A. L. T. COOKE, Surgeon Major,
Acting Garrison Surgeon.

Order, 7th October 1868, *No.* 335.

The applicant in this case, Mahomed Zynillabdeen Saib, was lately Goomastah in the Civil Court of Trichinopoly. He entered the Service of Government on the 1st December 1832, and retired on the 30th June 1868. He served 3 years before he attained twenty-two years of age, and was employed in grades not qualifying for pension from 12th April 1861 to 13th September 1864, or 3 years, 5 months, and 2 days, while he was out of employ subsequently to his removal from the post of District Moonsiff from 14th May 1858 to 11th April 1861. His total service in pension grades is, therefore, 26 years, 3 months, and 4 days. The Examiner of Claims reports him ineligible to pension, as dismissed in 1858 ; but this view of the case is eroneous. The applicant was dismissed from his post of District Moonsiff in 1858, but when the matter came before Government they considered that the circumstances of the case, while showing the entire unfitness of the Moonsiff for the Judicial Bench, were not such as to call for his dismissal ; they, therefore, directed that, ashe had been removed from the Bench, he should be re-employed in a post of equivalent value to that held by him before his appointment to the Moonsiffship, thus converting the dismissal into removal to a post of minor responsibility.

2. The Civil Judge, under a misconception of the Pension Rules, sent the case up for pension without medical certificate, on the ground that the service was over 30 years, wholly overlooking the rule which converted 6 years, 5 months, and 2 days of the service, which was alleged as qualifying for pension without medical certificate, into service not qualifying for pension.

3. A certificate has now been obtained, but it is necessarily dated some time (2½ months) after retirement.

4. The average salary of the applicant's last 5 years of service in pension grades, owing to his re-employment in a post not qualifying for pension, has to be reckoned on 1 year, 2 months, and 13 days of his service as District Moonsiff, and amounts to Rupees 35-7-1, a salary which he has never drawn since 1858, but this cannot be taken as a standard ; and the average of his actual receipts has been only Rupees 18-8-6.

5. Having in view the antecedents of the applicant, the Government resolve to grant a pension of Rupees (7) seven per mensem, and to request the confirmation of the grant by the Government of India, to whom the late date of the certificate renders an application necessary.

(True Extract).

(Signed) C. G. WALKER,
Under Secy. to Govt.

Exd. J. Tulloch.

1868.

FINANCIAL DEPARTMENT.

From The Chief Secretary to Government, Fort Saint George.

To The Secretary to the Govt. of India, Financial Department.

Dated 22nd October 1868.
Recd.

No. 286.
Enclosure.

Requesting confirmation of the Government of India to the pension of Rupees 7 per month granted to Mahomed Zynillabdeen Saib, late Goomastah in the Civil Court of Trichinopoly.

Proceedings of the Madras Government, Pension Department, 7th October 1868.

Read the following letter from the Civil Judge of Trichinopoly, to the Accountant General, Madras ; dated Trichinopoly, 22nd April 1868, No. 124.

I have the honor to forward, for submission to Government, a register of an application for superannuation pension on behalf of Mahomed Zynillabdeen Saib, a Goomastah in this Court.

2. The applicant held various situations from 1st December 1832 to 13th May 1858, when he was dismissed by the late Sudder Court from the office of District Moonsiff of Arealore in this Zillah, which he was then holding ; but, under the orders of Government, dated 5th July 1860, No. 836, the applicant was re-employed in 1861—(vide enclosure 1).

3. The period of service of the applicant is 32 years, 8 months, and 6 days ; and, under the new Rules, he is entitled to a pension of one-half of his salary without a medical certificate. As for the break in his service from the date of his dismissal to that of re-employment, I beg to state that the Government have, at the request of the applicant, declared that they will consider the said question when he applies for pension—(vide enclosure 2).

4. I beg, therefore, to recommend that a pension of Rupees 9-4-3, being a moiety of the average salary drawn by the applicant during the last 5 years, may be granted to him. In calculating the average salary of 5 years, I have included the amount of pay drawn by the applicant as Acting Civil Record-keeper, because the said situation was then permanently vacant.

REGISTER of an application for Superannuation Pension under Pension Rules published under date 3rd May 1864, from the Establishment of the Civil and Session Court of Trichinopoly.

1	Full name of pensioner...				Mahomed Zynillabdeen Saib
2	Sect or caste...				Mahomedan.
3	Residence...				Trichinopoly.
4	Present post...				3rd Goomastah.
5	Date of commencement of service...				1st December 1832.
6	Date of retirement from service...				1st July 1868.
7	Abstract of the grounds of application.	Inability to serve longer.			
					YS. MS. DS.
8	How long unemployed, and under what circumstances.	Dismissed for misconduct from 14th May 1858 to 11th April 1861...			2 10 29
9	Total of service before 22 years of age...				3 0 0
10	Total of service not in pension grades				2 5 21
11	Total of leave other than privilege and preparatory leave...				0 0 0
				Grand Total...	8 4 20
12	Total period in pension grades counted as service.				27 2 15
13*	Age of the applicant at the time of this application...				54 0 0
					Feet. Inches.
14	Height ..				5 0
15	Descriptive marks...				...A mole on the forehead.
					RS. A. P.
16	Average salary of past five years.....				18 8 6
17	Proposed amount of pension...				9 4 3
18	Date from which to commence.				1st July 1868.
19	Place of payment...				Trichinopoly.

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

(Signed) KRISTNIEN CHARRY,
Sheristadar.

Statement of total period of Service.

Establishment.	Post.	Pay. Rs.	A.	P.	Period. From	To	Yrs.	Ms.	Ds.	Accountant General or Controller of Military Accounts' remarks.
Late Southern Provincial Court.	Persian Writer.	28	0	0	1st Dec. 1832.	19th Sep. 1839.	6	9	19	Verified from the records of this office, but cannot count for pension, as the applicant was dismissed the Service on the 14th May 1858, and thereby without employ for 2 years, 10 months, and 29 days
Do.	Persian Moonshee.	56	0	0	20th Sep. 1839.	15th Sep. 1843.	3	11	27	
Late Principal Sudder Ameen's Court, Trichinopoly.	Goomastah.....	21	0	0	16th Sep. 1843.	7th June 1844.	0	8	23	
Do.	Javabneviss.....	24	8	0	8th June 1844.	31st Mar. 1846.	1	9	24	
Do.	Civil Record-keeper.	30	0	0	1st April 1846.	12th May 1852.	6	1	12	
Civil Court, Trichinopoly.	District Moonsiff of Arealore.	100	0	0	13th May 1852.	5th Feb. 1853.	0	8	24	
Do.	District Moonsiff of Toriore.	115	0	0	6th Feb. 1853.	23rd June 1853.	0	4	18	
Do.	District Moonsiff of Arealore.	100	0	0	24th June 1853.	13th May 1858.	4	10	20	
Do.	Goomastah.....	10	0	0	12th April 1861.	2nd Oct. 1863.	2	5	21	Verified. Pay drawn up to 30th June 1868 only.
Do.	Acting Civil Record-keeper.	35	0	0	3rd Oct. 1863.	13th Sep. 1864.	0	11	11	
Do.	Goomastah.....	15	0	0	14th Sep. 1864.	30th June 1868.	3	9	17	
						Total...	32	8	6	
						Ys. Ms. Ds.				
	Deduct service before 22 years of age.....					3 0 0				
	Deduct service not in pension grades.....					2 5 21				
	Deduct leave...					0 0 0				
							5	5	21	
						Net period of service...	27	2	15	

(Signed) W. DONALD,
Examiner of Claims.

Explanation of Column 8, with quotations of orders of reinstatement.	*Explanation of any degradation.*
Vide enclosure No. I.	

Detail of leave on half-pay and full stoppage of pay.

From	To	Ys.	Ms.	Ds.
Nil.	Nil.			
	Total of leave...			

Remarks by the Head of the Office on past character and conduct of the applicant throughout the service.

Pretty good.

TRICHINOPOLY, CIVIL AND SESSION COURT,
22nd April 1868.

(Signed) R. DAVIDSON,
Civil Judge.

No. 780.

REPORT OF THE EXAMINER OF CLAIMS.

Service qualifying for pension is proved for a total period of three years, nine months, and seventeen days.

Applicant is eligible to a gratuity of Rupees 45, equal to three months' salary, under the new Rules. The usual medical certificate was not called for, as the applicant has served for more than 30 years.

The applicant's service of 25 years, 5 months, and 17 days up to 13th May 1858 is vitiated by dismissal under the Order of Government, dated 12th July 1860, Judicial Department. Neither it, nor his service from 12th April 1861 to 13th September 1864, in grades ineligible to pension, was deducted by the Civil Judge at foot of the statement of service; but the correct net period reckoning for pension is given in this report.

(Signed) W. DONALD,
Examiner of Claims.

FORT SAINT GEORGE,
ACCOUNTANT GENERAL'S OFFICE,
23rd July 1868.

To the Chief Secretary to Government, Civil Pension Department.

Order, 5th September 1868, *No.* 294.

The above is an application for pension on behalf of Mahomed Zynillabdeen Saib, late Goomastah in the Civil Court of Trichinopoly. This person entered the Government Service on the 1st December 1832, and retired on the 1st July 1868. But his service before he attained twenty two years was 3 years, and in grades not entitling to pension 2 years, 5 months, and 21 days; and he was out of employ by dismissal from 14th May 1858 to 11th April 1861. Hence he can count but 27 years, 2 months, and 15 days towards pension. The Examiner of Claims reports the applicant ineligible for pension on the ground of his dismissal in 1858, and has called for no medical certificate. It appears, however, that in 1860 (July 5th, No. 836) the Government passed an order recognizing the propriety of petitioner's removal from the Bench as District Moonsiff, but directing his reemployment in a post similar to that held by him before he became a Moonsiff. By this reinstatement in the Service, though not in office, the applicant's previous service was again allowed to count for pension, and he is now eligible to a pension for his service of 27 years, 2 months, and 15 days, on production of a medical certificate. For this, the Civil Judge will send the applicant at once to the Civil Surgeon and report the result, forwarding the certificate, if one be granted, direct to the Government Office.

(True Extract).

(Signed) C G. WALKER,
Under Secy. to Govt.

Proceedings of the Madras Government, Pension Department, 7th October 1868.

From the Acting Civil Judge of Trichinopoly, to the Chief Secretary to Government, Fort Saint George ; dated Trichinopoly, 15th September 1868, No. 256.

I have the honor to forward the medical certificate called for by Government in their Proceedings dated 5th instant, No. 294, Pension Department.

——

I, Arthur Langford Trewman Cooke, Surgeon Major, Acting Garrison Surgeon of Trichinopoly, do hereby certify that I have carefully examined Mahomed Zynillabdeen Saib, late Goomastah in the Civil and Session Judge's Court, Trichinopoly ; that his age is, by his own statement 54, and by appearance about the same ; and that I find him to be unfit for further service from old age and infirmity, not in my opinion attributable to intemperance or other irregular habits.

TRICHINOPOLY,
14*th September* 1868.

(Signed) A. L. T. COOKE, Surgeon Major,
Acting Garrison Surgeon.

——

ORDER THEREON, 7th October 1868, No. 335.

The applicant in this case, Mahomed Zynillabdeen Saib, was lately Goomastah in the Civil Court of Trichinopoly. He entered the Service of Government on the 1st December 1832, and retired on the 30th June 1868. He served 3 years before he attained twenty-two years of age, and was employed in grades not qualifying for pension from 12th April 1861 to 13th September 1864, or 3 years, 5 months, and 2 days, while he was out of employ subsequently to his removal from the post of District Moonsiff from 14th May 1858 to 11th April 1861. His total service in pension grades is, therefore, 26 years, 3 months, and 4 days. The Examiner of Claims reports him ineligible to pension, as dismissed in 1858 ; but this view of the case is eroneous. The applicant was dismissed from his post of District Moonsiff in 1858, but when the matter came before Government they considered that the circumstances of the case, while showing the entire unfitness of the Moonsiff for the Judicial Bench, were not such as to call for his dismissal ; they, therefore, directed that, ashe had been removed from the Bench, he should be re-employed in a post of equivalent value to that held by him before his appointment to the Moonsiffship, thus converting the dismissal into removal to a post of minor responsibility.

2. The Civil Judge, under a misconception of the Pension Rules, sent the case up for pension without medical certificate, on the ground that the service was over 30 years, wholly overlooking the rule which converted 6 years, 5 months, and 2 days of the service, which was alleged as qualifying for pension without medical certificate, into service not qualifying for pension.

3. A certificate has now been obtained, but it is necessarily dated some time ($2\frac{1}{2}$ months) after retirement.

4. The average salary of the applicant's last 5 years of service in pension grades, owing to his re-employment in a post not qualifying for pension, has to be reckoned on 1 year, 2 months, and 13 days of his service as District Moonsiff, and amounts to Rupees 35-7-1, a salary which he has never drawn since 1858, but this cannot be taken as a standard ; and the average of his actual receipts has been only Rupees 18-8-6.

5. Having in view the antecedents of the applicant, the Government resolve to grant a pension of Rupees (7) seven per mensem, and to request the confirmation of the grant by the Government of India, to whom the late date of the certificate renders an application necessary.

(True Extract).

C Walker

Under Secy. to Govt.

To the Civil Judge of Trichinopoly.
,, Accountant General.
,, Financial Department.

Ed. J. H. Burns.

Govt. of {1868} Madras.
Financial

Proceedings of Govt.
Pension Dept
Pros: 22nd October 1868

D. 7th Oct. No. 335.
R. 13 Encl.

O. I., 1868, No. 335.

Nos.
No 574

Sanctioning a pension of Rs 7 per month to Muhamed Zynullabdeen Saib, late Goomastah in the Civil Court of Trichinopoly

Pros: 26th Augt 68 No 389

S.O. 488.

C16 Oct 1868 46.

dest 28/10

Fin Department.

No. 486. 13

To

The Secretary to the Government of India.

Financial Department.

Calcutta

Sir,

I am directed to transmit the annexed copy of the Proceedings of this Govt in the Pension Department dated the 7th Instant No 335 relative to the grant of a pension of Rs 7/ seven per mensem to Muhamed Zynullabdeen Saib late Goomastah in the Civil Court of Trichinopoly, and to request that the Governor General in Council will be pleased to confirm the same.

2. It will be observed from the Proceedings that

that owing to a mis =
: conception of the Rules
in force, a Medical
Certificate was not
obtained for Mahomed
Zynullabdeen Sahib
until 2 1/2 Months after
his retirement, an
irregularity which renders
this application necessary.-

Fort St. George
22 Octr. 1868.

1868. Department

No.

To
The Secretary to the
Government of
Department.

Dated 186 .

1868.

Financial DEPARTMENT.

From

The Chief Secretary to Government,
Fort Saint George.

To

The Secretary to the Govt. of India,
Financial Department.

Dated 22 October 1868.
Recd.

No. 486.
Enclosure.

Requesting confirmation of the Govt. of India to the pension of Rs. 7 per month granted to Mahomed Zynillabdeen Saib, late Goomastah in the Civil Court of Trichinopoly.