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(3) Initials of the Referencer

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. ~~XX~~ 117 Press / Mis.

XXX-[9-10]

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Dated ~~18-2-~~ 1869.

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9-10

Not to be folded or roughly handled

No. 9

Proceedings of the Madras Government, Pension Department,

18th February 1869.

Read the following papers :—

From the Acting Judge of the Small Cause Court at Masulipatam, to the Accountant General, Fort Saint George ; dated Masulipatam, 22nd August 1868, No. 117.

I have the honor to submit, for the favorable consideration of his Excellency the Governor in Council, the accompanying application from Padi Ponnambalam Moodelliar, late Nazir on the establishment of this Court, for the grant to him of a superannuation pension of Rupees 22-8-0, being the moiety of the average of salary drawn by him for the past five years of his incumbency.

2. Ponnambalam Moodelliar's service under Government extends over a period of thirty-four years, eleven months, and fifteen days, but deducting therefrom his four years' service prior to his being twenty-two years of age, and leave (three months and twelve days) obtained by him, there is still left a service of thirty years, eight months, and three days in his favor.

3. The break in the applicant's service, from 1st May 1851 to 15th May 1857, was owing to certain criminal charges, thirteen in number, that were preferred against him before the Special Assistant Magistrate of Masulipatam, and tried by the late Session Court. He was acquitted in twelve cases, but recommended for punishment in the last case ; the late Foujdaree Adawlut approved of Ponnambalam Moodelliar's acquittal in the twelve cases, and differing from the Session Judge's views in the last case, directed, on the 18th December 1851, his unconditional release, (vide Document No. 22). It was after this that the applicant was out of employ for nearly six years when he was appointed Nazir in the late Civil Court in 1857.

4. A perusal of the Register, and the accompanying Takeeds* and certificates, will show that, prior to the applicant's appointment in the Northern Circars, he had filled offices of trust and responsibility under Government in the Madras and other Southern Districts for more than eighteen years, and with the exception of his trial for the criminal charges above referred to, there does not exist, on the records of the Court, any order of fine or reprimand against the applicant, while, during the short time he was under my control, I may state that he discharged his duties satisfactorily. The accompanying testimonials, moreover, speak well to his character and qualifications.

* Thirty-two in number..

5. The Zillah Surgeon having certified* that Ponnambalam Moodelliar is unfit for further service under Government from mental and bodily debility, the result of age and length of service, he was removed from the strength of the establishment on the 1st July 1868.

* Certificate enclosed.

6. The applicant is entitled, under the Pension Rules of the 3rd May 1864, to a gratuity equivalent to one year's salary of his last appointment, but I was inclined to take a favorable view of his case ; and in consideration of his lengthy service and good character, I intended recommending him for a pension equivalent to one-third of his salary, viz., 15 Rupees per mensem, but the applicant represents that the Government have very liberally considered cases of his description, and have granted pensions regulated according to the period of servitude, and he quotes the cases of Pamadaguntum Ramadass, late Tahsildar in the Nundegama Taluq of the Kistna District, and Sanaka Narasimulu Naidoo, late English Head Accountant of the Collector's Cutcherry of the said place. In the former case, the officer was under suspension for more than three years, and his actual service reckoned only twenty-two years and Government granted a pension equivalent to one-third salary of his last post—Vide Proceedings of Madras Government, dated 20th November 1866, No. 359. In the case of the other individual referred to, Ponnambalam Moodelliar is unable to quote any Order of Government.

7. As the cause which necessitated the removal of Ponnambalam Moodelliar from the establishment of the Court was beyond the power of his control, it being the result of old age and consequent infirmity ; and adverting to the cases quoted by him, I beg to submit his case also as one deserving of indulgent consideration.

8. Under these circumstances, I beg that you will be pleased to recommend the applicant to Government and obtain for him a pension equivalent to Rupees 22-8-0, a moiety of the average of salary drawn by him for the past five years of his service.

From PADI PONNAMBALAM MOODELLIAR, late Nazir of the small Cause Court at Masulipatam, to the Acting Judge of the Small Cause Court at Masulipatam ; dated Masulipatam, 10th August 1868.

With due respect and submission I take the liberty of representing to your honor that I had been in Government service for no less than forty-three years (from 1st April 1825 to 30th June 1868) with a break for a period of six years, owing to the illegal charges that were maliciously brought against me during the Special Commissioner's investigations. My innocence was established and I was finally acquitted by the Foujdaree Adawlut Court.

After my acquittal had been declared by the highest tribunal of this Presidency, I was retaken into Government employ as Nazir of the Civil and Session Court of Masulipatam. As to the integrity of my character as a public servant in various capacities, the accompanying certificates will bear testimony. I have been removed from the strength of the establishment of the Small Cause Court on 1st July 1868, the Zillah Surgeon of this station having certified to my incapacity to serve Government any further from old age. As the length of my unblemished services under the Honorable East India Company and Her Gracious Majesty's Government for so many years, entitles me to a pension for a moiety of my salary, Rupees 45, which I had received in my last capacity as Nazir of the Court, I beg most respectfully that your honor will be so good as to recommend me for pension that I may not be driven to excessive poverty and indigence in my last days after having devoted the best and useful part of my life to the service of English Government.

I am confident of the bounty and liberality of Government in providing me with some means of livelihood during the last and difficult stage of my life. In conclusion, I throw myself upon your honor's protection and pray that your honor will consider all my circumstances in a liberal and wider view, and recommend me to the merciful consideration of Government and obtain me an annuity equal to the moiety of my pay.

Mr. Thornhill, late Collector of the Kistna District, recommended Pamidi Gantala Ramadasu Puntulu, on 21st March 1866, Tahsildar of Nundegama, for pension of one-third of his pay, viz., Rupees 41-8-9, who was, in a similar way, suspended from service for three years, seven months, and nineteen days, and re-instated in Government employ. His entire service was twenty-eight years, nine months, and five days ; of which capable of pension twenty-two years, seven months, and six days, and Government sanctioned it—Vide Government Proceedings, dated 20th November 1866, No. 359.

So also the case of Sanaka Narasimulu Naidoo, English Head Accountant of the Collector's Cutcherry of Kistna District, with four breakages.

REGISTER of an application for Superannuation Pension under Pension Rules published under date 3rd May 1864, from the Establishment of the Small Cause Court at Masulipatam.

1	Full name of Pensioner	Padi Ponnambalam Moodelliar.		
2	Sect or caste	Sudra.		
3	Residence	Masulipatam.		
4	Present post	Nazir.		
5	Date of commencement of service	1st April 1825.		
6	Date of retirement from service	1st July 1868.		
7	Abstract of the grounds of application	Good service. Inability to serve longer.		
8	How long unemployed, and under what circumtances.		YRS.	MS. DS.
		Resigned the service from 1st November 1843 to 15th November 1844, and 1st January 1848 to 15th March 1849	2	3 0
		Suspended from 1st May 1851 to 15th May 1857.	6	0 15
9	Total of service before 22 years of age		4	0 0
10	Total of service not in Pension grades		0	0 0
11	Total of leave other than privilege and preparatory leave		0	3 12
		Grand Total	12	6 27
12	Total period in Pension grades counted as service		30	8 3
13*	Age of the applicant at the time of this application		62	0 0
14	Height		Feet.	Inches.
15	Descriptive marks—A knife cut on the left hand, and a tumour on the left shoulder.		5	7¼
16	Average salary of past five years		RS.	A. P.
17	Proposed amount of pension		45	0 0
18	Date from which to commence	1st July 1868.	22	8 0
19	Place of payment	Kistna District Revenue Treasury, Masulipatam.		

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

(Signed) C. VENKOBAH.

Statement of Total Period of Service.

Establishment.	Post.	Pay.	Period. From	To	Yrs.	Ms.	Ds.	Accountant General or Controller of Military Accounts' remarks.
		RS. A. P.						
Collector's Cutcherry at Coimbatore.	Deputy Magistrate's Goomastah.	8 12 0	1st Apl. 1825.	30th Apl. 1826.	1	1	0	These services cannot count for pension, as the applicant is stated to have been dismissed with retrospective effect from 28th April 1851.
Sub-Collector's do. at do.	Deputy Javabneviss.	14 0 0	1st May 1826.	31st Jan. 1829.	2	9	0	
Do. at Madura.	Do. do. ...	17 8 0	1st Feb. 1829.	24th Aug. 1829.	0	6	24	
Do. do...	Sherista Goomastah.	17 8 0	25th Aug 1829.	28th Feb. 1832.	2	6	7	
Collector's Cutcherry at Chingleput.	Post Office Writer at Poonamallee.	21 0 0	1st Mar. 1832.	31st Oct. 1835.	3	8	0	
Do. of Land Customs at Madras.	Deputy Registrar.	30 0 0	1st Nov. 1835.	28th Feb. 1836.	0	4	0	
Do. of Sea Customs at Madras.	Manager in the Shipping and Port Clearance Department.	50 0 0	1st Mar. 1836.	31st Oct. 1843.	7	8	0	
Collector's Cutcherry at Tanjore.	Manager of Sea Customs at Muthupetah.	28 0 0	16th Nov. 1844.	15th June 1845.	0	7	0	
Do. ...	Police Ameen at Negapatam.	40 0 0	16th June 1845.	29th Jan 1846.	0	7	14	
Do. ...	Tahsildar at Kevalore.	120 0 0	30th Jan. 1846.	30th June 1846.	0	5	0	
Do. ...	Tahsildar and Head of Police of Tanjore.	50 0 0	1st July 1846.	31st Dec. 1847.	1	6	0	
Do. at Masulipatam.	Superintendent of Sea Customs.	50 0 0	16th Mar. 1849.	30th Sep. 1849.	0	6	15	
Do. ...	Tahsildar and Head of Police of Masulipatam.	100 0 0	1st Oct. 1849.	30th Apl. 1851.	1	7	0	
Civil & Session Court of Masulipatam.	Nazir...	45 0 0	16th May 1857.	30th June 1863.	6	1	15	Verified.
Small Cause Court at Masulipatam.	Nazir	45 0 0	1st July 1863.	30th June 1868.	5	0	0	(Sd.) W. DONALD, *Exr. of Claims.*
				Total.....	34	11	15	
				YRS. MS. DS.				
			Deduct service before 22 years of age..	4 0 0				
			Deduct service not in Pension grades...	0 0 0				
			Deduct leave.....	0 3 12	4	3	12	
			Net period of service..		30	8	3	

Explanation of Column 8, with quotations of orders of re-instatement.	*Explanation of any degradation.*
The applicant seems to have twice resigned the Government service. He was suspended from his post of Head of Police of Bunder on the 1st May 1851, and was not restored to it. He was made Nazir of the late Civil and Session Court of Masulipatam on the 16th May 1857, and was in continuous service from that date to the 30th June 1868.	

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.*
11th Feb. 1865.	3rd Apl. 1865, on half pay.	0	1	21	Vide letter to Accountant General under date 22nd August 1868, No. 117.
13th Aug. 1866,	2nd Oct. 1866, on full pay.	0	1	21	
	Total...	0	3	12	

This information is correct, so far as the applicant's employment in this Court and the late Civil and Session Court is concerned, and there is no record before the Court, nor is the applicant able to give any information on the subject prior to his entertainment in the Judicial Department.

MASULIPATAM SMALL CAUSE COURT,
22nd August 1868.

(Signed) R. S. DAWES,
Acting Judge.

I, Daniel Kearney, Zillah Surgeon, do hereby certify that P. Ponnambalam Moodelliar, Nazir in the Court of Small Causes establishment, Masulipatam, has been under my treatment for one month for softening of the brain, and that he is not likely to derive permanent benefit from further treatment, or from change of air. He is, in my opinion, unfit for further service ; and, to the best of my judgment, such disqualification is not the result of intemperance or other irregular habits.

MASULIPATAM,
1st July 1868.

(Signed) D. KEARNEY, Assistant Surgeon,
Civil Surgeon.

No. 90.

Pension Report Department.

MEMORANDUM.

1 Register of application for pension for P. Ponnambalam Moodelliar, dated 22nd August 1868.
1 Medical Certificate, dated 1st July 1868.

The undersigned has the honor to return the papers connected with the pension case noted in the margin, received with letter, dated 22nd August, No. 117, for want of Nos. 17, 23*c*, 26, and 29.

It is particularly requested that an early reply may be sent, and that this Memorandum be retransmitted.

FORT SAINT GEORGE,
8th October 1868.

(Signed) W. DONALD,
Examiner of Claims.

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17. For deletion of remarks at foot of the Register, if the applicant did not receive any gratuity.

23. Medical Certificate in prescribed form showing the applicant's inability to serve longer.

* Vide Inspector General's Circular, No. 1517, dated 25th April 1868, Indian Medical Department.

c.—Vide Government Notification, published at page 705, 1st Volume, and page 450, 2nd Volume of the Official Gazette for 1865 and 1866, respectively.*

26. Translation of the orders of the Collector under which the applicant was suspended in 1851, as the cause of such suspension should be shown in this office report to Government.

29. Explanation why the applicant is stated in the statement of service to have held the post of Tahsildar and Head of Police of Bunder Taluq up to 30th April 1851, when he appears from the Moyenzabitah on record in this office to have held that post up to 27th April 1851 only.

From the Acting Judge of the Small Cause Court at Masulipatam, to the Accountant General, Fort Saint George ; dated Masulipatam, 12th October 1868, No. 150.

With reference to the communication from the Examiner of Claims returning the Register of an application for pension of P. Ponnambalam Moodelliar and the medical certificate granted him by the Zillah Surgeon, I have the honor to state that Ponnambalam Moodelliar does not appear to have received any gratuity and that the non-deletion of marks at foot of the Register was an inadvertent omission.

2. Herewith I beg to forward the fresh medical certificate called for.

3. The original order of the Collector, under which Ponnambalam Moodelliar was suspended in 1851, has been sent to you among other papers with my letter, No. 117, 22nd August last. I, therefore, request that you will be good enough to forward to me the said order† to enable me to transmit the translation required.

† Dated 28th April 1851, marked XXI.

4. As to the difference in the statement of service and the Moyenzabitah on record in your office regarding the date till which Ponnambalam Moodelliar held the post of Tahsildar of Bunder, I have nothing beyond Ponnambalam Moodelliar's statement to support the information contained in the Statement of service. He declares that the order for his suspension was dated 28th April 1851, and issued from the Collector's Cutcherry on circuit ; that he received the same on the evening of the 30th idem, and delivered over charge of his office on the 1st May 1851.

MEMORANDUM.

Pension Report Department.

The undersigned has the honor to return the papers connected with the pension case noted in the margin, received with letter of the Acting Judge of the Small Cause Court, Masulipatam, dated 22nd August 1868, No. 117, for want of No. 29.

1 Register of application for pension for P. Ponnambalam Moodelliar, dated 22nd August 1868.
1 Letter from the Acting Judge of Small Cause Court, Masulipatam, dated 12th October 1868, No. 150.
1 Collector's Order for the suspension of the applicant from service, dated 28th April 1851, No. 21.

FORT SAINT GEORGE,
28th November 1868.

(Signed) W. DONALD,
Examiner of Claims.

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29. Information whether the applicant P. Ponnambalam Moodelly was suspended from 28th April or 1st May 1851, as the Moyenzabitah of 1850-51 on record in this office show him to have held the post of Head of Police up to 27th April 1851 only. Why he was suspended, as the cause of his suspension should be stated in this office report to Government. Whether he was under suspension by order of the Collector for a period of six years and fifteen days, as shown by the Judge of the Small Cause Court of Masulipatam in No. 3 of item 8 of the first side of the Register, or whether he was removed from his office, and thereby remained without employ for a period of six years and fifteen days ; if so, a copy of such order should be forwarded to this Department.

From the Acting Sub-Collector in charge of the Kistna District, to the Examiner of Claims, Madras ; dated Masulipatam, 4th December 1868, No. 52.

With reference to your letter, dated 28th November 1868, I have the honor to inform you that Padi Ponnambalam Moodelliar was suspended from 28th April 1851 on complaints of abuse of authority, as will be seen from the enclosed copy of a letter, No. 180, dated 26th April 1851, from the Commissioners for the Northern Circars. He was paid salary up to 27th April 1851.

2. The order of suspension was issued by the Collector from Vissannapet, a distance of seventy-two miles from Masulipatam. Ponnambalam Moodelliar received it on 30th April and on 1st May 1851 he made over charge to his successor.

3. I am informed that, in the year 1854, orders of dismissal from the date of suspension were issued by the Collector of the late Masulipatam District to all suspended officials ; as all the records were lost during the cyclone of November 1864, it is impossible to give the date of the order or to certify that such an order was issued to Ponnambalam Moodelliar.

From the Commissioner of the Northern Circars, to the Collector of Masulipatam ; dated Masulipatam, 26th April 1851, No. 180.

I have the honor to enclose a list of complaints of abuse of authority on the part of the Head of Police of Bunder, which have been made known to me since my arrival here.

2. All of these have been examined by me, and in the majority of them the evidence is such as to impress me with the belief that they are well founded. In addition to these several other parties, after making representations of a similar nature to me in person, have failed to appear again to follow them up, and when sent for have been reported as not to be forthcoming. My impression, therefore, is that these oppressive practices prevail to a considerable extent, but that the sufferers are prevented from making their grievances known.

3. A large number of persons have likewise stated that money has been extorted from them on pretence of subjecting them to the Moturfa tax, and also to procure an abatement of the sum at which they were first assessed. On this point, you will require a separate communication.

4. For these reasons, as well as others, which it is unnecessary to specify at present, it appears to me imperative that Ponnambalam Moodelliar, the Head of Police, should be suspended from his office and placed under surveillance. I have ascertained from inquiries instituted by myself that the orders formerly given by you for the safe custody of the other suspended officers are wholly neglected, and it is absolutely necessary that steps should be taken for giving effect to the precautionary measures formerly pointed out.

5. It is not without regret that I feel myself called upon to adopt this course with reference to an officer who appears to be in many respects an efficient and active public servant, and I have, in consequence, delayed the steps now directed to be taken longer than I otherwise should have done that I might assure myself of the sufficiency of the grounds on which it is founded.

(True Copy).

(Signed) W. WILSON,
Acting Sub-Collector in charge.

No. 2074.

Report of the Examiner of Claims.

	YRS.	MS.	DS.
Service qualifying for pension is proved for a total period of.....	10	10	3

	RS.	A.	P.
The pay of the applicant's permanent post was.....	45	0	0

Applicant is not eligible to pension, but to a gratuity of Rupees 450, equal to ten months' salary under Clause I. of Section 6 of the Revised Pension Rules for his service of ten years, ten months, and three days from 16th May 1857, as he appears, from the accompanying letter of the Acting Sub-Collector in charge of the Kistna District, dated 4th December 1868, No. 52, to have been dismissed in 1854, with retrospective effect from the date of his suspension on 28th April 1851.

FORT SAINT GEORGE,
19th December 1868.

(Signed) W. DONALD,
Examiner of Claims.

To the Chief Secretary to Government, Fort Saint George.

ORDER THEREON, 18th February 1869, No. 77.

Padi Ponnambalam Moodelliar, late Nazir of the Small Cause Court at Masulipatam, resigned that office on the 1st of July 1868, on account of failing health, the Zillah Surgeon certifying to his incapacity for further service. He was originally entertained as Deputy Magistrate's Goomastah, and was successively advanced until, in July 1846, he became Head of Police in the Bunder Taluq of the Masulipatam District. In 1851 he was suspended, in common with many other officers of that Collectorate, and was committed for trial before the Session Court on thirteen charges; the Session Judge acquitted him on twelve and convicted him on the thirteenth, but the conviction was reversed by the Court of Foujdari Adawlut. In the Special Assistant Collector's Court, however, Ponnambalam was found guilty of receiving a bribe of Rupees 8-8-0 in respect of certain Moturpha collections, and was fined seventeen Rupees, and an appeal, which seems to have been somewhat irregularly disposed of, resulted in a confirmation of his sentence. Ponnambalam was then dismissed by the Collector. In 1857 he was re-entertained as "Nazir of the late Civil Court," from which time he served uninterruptedly and very much to the satisfaction of the Judges under whom he was employed, until the date of his resignation. Strictly speaking, all that Ponnambalam is entitled to is a gratuity, as under the rules the period of his service prior to his dismissal in 1854 does not count for pension. But the Government are of opinion that there are reasons why they may show exceptional lenity in his case. His numerous and high testimonials, the emphatic recommendation of the Small Cause Judge, and his acquittal on the thirteen charges which were regularly tried are all points in his favor. The informality of the proceedings which led to the applicant being fined and dismissed after he had run the gauntlet of these numerous trials, afforded it would seem a reason for his re-employment, and this dismissal should not, in the opinion of the Government, prevent the grant of pension to which the applicant is otherwise entitled.

2. His Excellency the Governor in Council resolves, therefore, to admit Ponnambalam Moodelliar to a pension of Rupees 15, or one-third of his average pay for the last five years, with effect from the 1st July 1868, subject to the confirmation of the Government of India.

(True Extract).

Under Secy. to Govt.

To the Acting Judge of the Small Cause Court, Masulipatam.
" Collector of the Kistna District.
" Accountant General.
" Financial Department.

Exd. J. Tulloch.

dept 5/3

Financial Department.

No. 117.

To

The Secretary to the Government
of India,
Financial Department

Sir,

In forwarding the accompanying Proceedings of the Madras Govt. in the Pension Depart. dated 18th Ultimo No. 77 granting a pension of Rs. 15 per mensem to Padi Ponnambalam Moodelliar late Nazir in the Small Cause Court at Masulipatam, I am directed to request that the Govt. of India will be pleased to accord their confirmation thereto, under the circumstances detailed in the Proceedings in question.

Fort St. George
4th March 1869

Rec'd March 15 1869 Govt. of India. Fin. Dept.

To

THE ACTG. JUDGE OF THE SMALL CAUSE COURT, Masulipatam.

&c., &c., &c.

Dated February, 18th.

Recd. March 2nd Encl.

G. O., 18th February 1869, No. 77.

Granting a pension of Rupees 15 to P. Ponnambalam Moodelly, late Nazir of the Small Cause Court of Masulipatam.

No. 117.

FEBRUARY.

No 111.

Pension to P. Ramasamy Pillai
Jundelly on the Establ of
the P.C. Court
Mass. Upatalam

186 . Department.

No.

To

The Secretary to the
Government of
Department.

Dated 186 .

9-10

1869.

Financial DEPARTMENT.

From

The Chief Secretary to Government,
Fort Saint George.

To

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

Dated March 4. 1869.
Recd.

No. 117.
Enclosure.

9. 10.

Transmitting, for confirmation, Proc. of this Govt. sanctioning the grant of a pension of Rs. 15 to P. Pommambalam Moodeliar, late Nazir of the Small Cause Court at Masulipatam.