M.R.O. 1—77,006—8-6-37.

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MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. Letter 206	Press / Mis.
67-68	
Dated 28-4-	18 69.

67-68 819

Not to be folded or roughly handled

Proceedings of the Madras Government, Financial Department, 28*th April* 1869.

Read again Proceedings of Government, Pension Department, dated 18th February 1869, No. 77.

No. 67. Read also the following letter from the Assistant Secretary to the Government of India, Einancial Department, to the Chief Secretary to Government, Fort Saint George; dated Fort William, 31st March 1869, No. 1848.

I am directed to acknowledge the receipt of your letter, No. 117, dated 4th March 1869, submitting, for confirmation by the Government of India, a copy of the Proceedings of the Government of Fort Saint George, sanctioning, as a special case, the grant of a superannuation pension equal to one-third of pay, or Rupees 15 a month, to Padi Ponnambalam Moodelliar, late Nazir in the Small Cause Court at Masulipatam.

2. It appears from the Resolution of the Government of Fort Saint George, No. 77, dated 18th February 1869, that under the impression that Padi Ponnambalam Moodelliar's title to pension was void by reason only of the break in his service from 1851 to 1856, which under the rules would not permit of the grant to him of the benefit of the prior period of his employment under Government, the local Government has, in consideration of certain special features of the case, overlooked the defect, and admitted him to the pension, which, in the opinion of that Government, would have been otherwise eligible to him.

3. I am, however, to remark that the break noticed above does not constitute the only defect in Padi Ponnambalam Moodelliar's title to pension. In 1848-49 there occurred another break in his service, which, as it was caused by resignation of office, and extended to a period exceeding twelve months, entails a forfeiture of service antecedent to it. So that the removal of the defect caused by the break, from 1851 to 1856, would not in any way improve Padi Ponnambalam Moodelliar's position in regard to the Pension Rules, for the service which in that case would be admissible to him would yet fall short of 15 years by more than two years, as shown in the margin, thereby entitling him not to a pension but to a gratuity of twelve months' pay.

	YRS.	M.	D.
From 16th March 1849 to 30th April 1851... ...	2	1	15
Do. 16th May 1857 to 30th June 1868	11	1	15
Deduct period of absence on leave.....	0	3	12
	10	10	3
	12	11	18

4. For the reasons stated above, the Governor General in Council requests that the Government of Fort Saint George will revise the grant made in favour of Padi Ponnambalam Moodelliar.

Ordered that a copy of the above letter be furnished to the Accountant General, Madras.

No. 68. ORDER THEREON, 28th April 1869, No. 206.

The Government of India having objected that the pension of 15 Rupees per mensem, granted to Padi Ponnambalam Moodelliar in G. O., 18th February 1869, No. 77, cannot be allowed under the rules, as the applicant's service prior to his resignation in 1848 cannot be counted towards pension, the Governor in Council directs that the G. O. abovementioned be considered as cancelled.

2. Under the revised Pension and Gratuity Rules, Padi Ponnambalam Moodelliar is entitled to a gratuity of 12 months' pay, or Rupees 540, which is hereby granted to him. The Accountant General will recover from the gratuity now sanctioned all sums paid under the authority of G. O., No. 77, dated 18th February 1869.

(True Extract).

Chief Secretary.

To the Judge of the Court of Small Causes, Masulipatam.
,, Collector of the Kistna District.
,, Examiner of Claims.
,, Accountant General.
,, Pension Department.

Exd. J. Wright.

Govt. of {1869} Madras.

FINANCIAL.

To

THE JUDGE OF THE COURT
OF SMALL CAUSES,
Masulipatam.
&c., &c., &c.

Dated April, 28th.
Recd.

G. O., 28th April 1869, No. 206.

APRIL.
Nos. 67-68.

Granting a gratuity of Rupees 540 to P. Ponnambalam Moodelliar, late Nazir in the Small Cause Court at Masulipatam, in lieu of the pension previously sanctioned.

No. 1848.

3 111

To

The Chief Secretary to the
Government of Fort St. George.

Financial Departt &c.

I am directed to acknowledge the receipt of your letter No. 117 dated 4th March 1869, submitting for confirmation by the Government of India, a copy of the Proceedings of the Government of Fort St. George sanctioning as a special case, the grant of a superannuation pension equal to one-third of pay, or Rs. 15 a month to Padi Ponnambalam Moodelliar late Nazir in the Small Cause Court at Masulipatam—

2. It appears from the Resolution of the Government of Fort St. George No 77 dated 18th February 1869, that under the impression that P. P. Moodelliar's title to pension was void by reason only of the break in his service from 1851 to 1856, which

under

under the rules would not permit of the grant to him of the benefit of the prior period of his employment under Government, the local Government has in consideration of certain special features of the case, overlooked the defect, and admitted him to the pension, which in the opinion of that Government, would have been otherwise eligible to him.—

3.— I am, however, to remark, that the break noticed above does not constitute the only defect in P. P. Moodelliar's title to pension. In 1848/49 there occurred another break in his service, which as it was caused by resignation of office, and extended to a period exceeding twelve months, entails a forfeiture of service antecedent to it.— So that the

the removal of the defect caused by the break from 1851 to 1856 would not in any way improve P. P. Moodelliar's position in regard to the Pension Rules, for the service which in that case would be admissible to him would yet fall short of 15 years by more than 2 years as shewn in the margin, thereby entitling him not to a pension but to a gratuity of twelve months' pay.—

	Yrs.	m.	d.
From 16 March 1849 to 30 April 1851	2	1	15
16 May 1856 to 30 June 1868	11	1	15
Deduct period of absence on leave	0	3	12
	10	10	3
	1	11	12

4.— For the reasons stated above, the Governor General in Council requests that the Government of Fort St. George will revise the grant made in favor of P. P. Moodelliar.—

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

Fort William,
the 31st March 1869.

W. W. Williams
Offg Secy. to the Govt. of India

Ordered

Fin.ce Department.

1≡

PROCEEDINGS of the MADRAS GOVERNMENT.

Read again Prov: of Govt Pension
Depart.t dated 18th Feby 1869 No. 77.

Read also the following letter from the
Assist.t Secretary to the Govt. of India

(Here enter 31st March 1869 No. 1848)

Order thereon 28th April 1869 No. 206.

The Government of India having objected that the pension of 15 Rs per mensem granted to Padi Ponnumbalum Mudaliar in G. O. 18th February 1869 No. 77 cannot be allowed under the rules, as the applicant's service prior to his resignation in 1848 cannot be counted towards pension, the Governor in Council directs that the G. O. above mentioned be considered as cancelled.

2 Under the revised pension and gratuity Rules Padi Ponnumbalum Mudaliar is entitled to a gratuity of 12 months pay or Rs 540, which is hereby granted to him. The Accountant General will recover from the gratuity now sanctioned all sums paid under the authority

Ordered that a copy of the above letter be furnished to the Accountant General Madras.

Rec.d 4th Printed by Apl 5-10
" 15th Feb.y
" 17th Mar.h

Financial P.W.D. Pen. 28th April 1869

From
H. Mann
Offg. Asst. Secy to Govt
Fin.ce Dept.

Dated 28th April 1869

To
The Accountant General
Fort St. George

Sir,

I am directed to forward for the information of the Accountant General a copy of the letter noted in the margin from the Asst. Secy to the Govt. of India, and to request that the Pension granted to Padi Ponnumbalum Mudaliar in G. O. 18th February 1869 No. 77 may be cancelled.

I have &c.

(Signed)
H. Mann
Offg. Asst. Secy

P.O. 206

Rs 16/4

authority of the G. O. No. 77
dated 18th February 1869.—

pll/44

Gratuity to P. Pommambalam
Mudaly, late Nazir
in the S. C. Court
Masulipatam

Financial Department

9/1

Memorandum

In G. O 18th February 1869
№77 a pension of Rs 15 per men=
=sem was granted, subject to the
confirmation of the Government
of India, to P. Pommbalam Mudaly
late Nazir in the Small Cause Court
of Masulipatam. There was a break
in his service from 31st May 1851
to 16th May 1857 in consequence of
his suspension and committal on
Certain Criminal charges, on which
he was acquitted. He was convicted
on the Revenue side of receiving a
bribe and dismissed; but having
regard to an informality in these
proceedings, and to applicant's good
conduct subsequent to his reappoint
=ment in 1857, Government, as a
special case, overlooked the break
and granted him a pension.

2 The Government of India
now object that as there was a
break in Ponambalam's service

prior

PROCEEDINGS OF GOVERNMENT.

No.

Dated 186 .

Financial Department

186 .

To the Judge of the Small Cause Court Masulipatam 3
—"— Collector of Kistna District 3
—"— Examiner of Claims 3
—"— Accountant General
—"— Pension Department
15 pl.

dup 7/5. 3

prior to 1851 (viz: from 15th Janry 1848 to 16th March 1849) caused by his resignation, and as the period during which he was out of employ was more than a year, he loses the benefit of his previous service, which cannot count towards pension; but that as the break consequent on his suspension and dismissal in 1851 has been overlooked, Ponnambalam is at most entitled to a gratuity of 12 months pay, the service to his credit being less than 15 years

3. The Examiner of Claims having reported that Ponnambalam was entitled, in virtue of the service subsequent to the break in 1851, to a gratuity of ten months pay, was not called on to notice the break in 1848-49.

4. It is observed that there was another break of more than a year, from 1st November 1843 to 16th November 1844, also caused by

C.O. 54.
n 28.

11 17

by resignation; and which would also prevent the applicants service prior to the former date being counted for pension.

5 These breaks appear to have been overlooked when the G.O. granting the pension was passed; and it is submitted that the grant of pension must be revised and a gratuity given instead of twelve months pay, as stated in the letter from the Under Secretary to the Government of India

1861

Any report I have not printed out in the memorandum on which the order of Govt. was passed.

W.R.

Irregular grant of the
Sion to P Pomeroy for
Mudsale, Calaveras, on
U. S. C Court Praxil patent

C 15 N.
R 28 E.

C 15 N.
R 28 E.

Govt. of 1869 Madras.

Financial

To

The Ag. Judge of the Court of
Small Causes.
Masulipatam

Dated April 28.

Recd.

Encl.

G. O. 28 April 1869, No. 206.

Nos. 67-68.

Granting a gratuity of Rs. 540 to P. Pomambalam Moodelliar late Nazir in the Small Cause Court at Masulipatam, in lieu of the pension previously sanctioned.