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MADRAS RECORD OFFICE.

Government of Madras.

DEPARTMENT.

G.O. No. 444 Press / Mis.

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Not to be folded or roughly handled

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No. 444.

FROM

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

TO

THE SECRETARY TO THE GOVERNMENT OF INDIA,
FINANCIAL DEPARTMENT.

SIR,

I am directed to forward, for transmission to the Secretary of State for India, a memorial addressed to His Grace by Mr. G. W. Ireland, in which he appeals against the decision of this Government and of the Government of India rejecting his claim to pension.

2. Copy of the orders of this Government in the case was sent to the Government of India with my letter, dated 23rd November 1870, No. 471, and the reply of the Supreme Government is dated 29th December 1870, No. 4027.

I have the honour to be,
Sir,
Your most obedient servant,

Captain, R. E.,
Under Secretary, P. W. D.,
for *Chief Secretary.*

OOTACAMUND,
11th September 1871.

From Mr. G. W. IRELAND, Madras, to the Under Secretary to Government, Fort St. George, dated Madras, 25th August 1871.

Herewith, as required by Rule IX., I beg most respectfully to transmit the memorial, with six enclosures (duly authenticated), to the address of the Right Honourable the Secretary of State for India, craving for the grant of pension for my long and faithful services under Government, and to request that you will be good enough to forward the same to its proper destination with the recommendation of this Government thereon.

TO THE MOST NOBLE HIS GRACE THE DUKE OF ARGYLL, K.T.,
HER MAJESTY'S SECRETAAY OF STATE FOR INDIA IN COUNCIL,
London.

The humble and respectful memorial of GEORGE WILLIAM IRELAND, late a Distraining Officer in the Quit Rent Department in the Madras Collectorate.

VERY RESPECFULLY SHOWETH,

That your memorialist, being aggrieved with the unjust and unfavourable decision passed by the Madras Government depriving him of the superannuation pension to which he is fairly entitled for his long and faithful services rendered in several responsible duties which devolved on him, simply owing to the ungrounded and unfavourable reports made by the late Deputy Collector of Madras, Rungasawmy Iyengar, your memorialist, who has none but your Grace from whose gracious hands he could look for justice, takes the liberty of laying before your Grace the full

particulars of his case that your Grace may, after patiently perusing them, be pleased to pass such proceedings as your Grace may deem just and benevolent.

2. That memorialist has been a Government servant unintermittedly for the past twenty-four years, and for the last seventeen years of which he has filled the office of Distraining Officer in the above-named Department; with what credit to himself, the enclosed copies of testimonials will show. That when the Income-tax came in force in January 1861, application was made by the Commissioners to the then Collector of Madras, to allow your memorialist to execute the Income-tax warrants, in addition to his ordinary duties, and the sanction of Government having been obtained for the disbursement of his salary in the latter office (Madras Government Proceedings, dated 15th May 1861, No. 1030), your memorialist continued to perform the double duties, and to give satisfaction to all his superiors, till the abolition of the Income-tax in 1865, and consequently his duties were thenceforth confined to those of the former office, which he continued to perform with assiduity up to March 1868.

Marked A.

3. That memorialist, on the 5th March 1868, had the misfortune to be arrested for debt and confined in the Debtors' Jail at Madras, and, presuming on his long and faithful service, he then applied to the Deputy Collector of Madras for leave on urgent private affairs for three months to enable him to arrange with his creditors. That, on the 16th of the same month, the Deputy Collector, in an official memorandum, declined to accede to your memorialist's request "in consequence of the then (present) pressing state of business in the office;" and intimated that memorialist was removed from his office; but would be permitted to send in his papers for pension. That after this removal, memorialist was constrained by hard circumstances, having a large family to support, to accept in a temporary department a post of Rupees 30; having in the meantime appealed to the Madras Government against the unjust proceedings of the Deputy Collector of Madras—whereupon the Honourable Government were pleased to obtain a report from the Collector through the Board of Revenue on the subject, and favoured your memorialist with an indefinite reply to the effect "that, as memorialist has been re-employed in the License-tax Department, Government do not consider that further interference is called for;" this reply left memorialist's case in the same stage as it was when he petitioned, as it expressed no decision upon the merits of his appeal.

Marked B.

Marked C.

Marked D.

4. That, besides your memorialist being disabled by age and sickness for further service as testified by a Medical Officer, and the amount of the salary which he was then in receipt of being almost equivalent to the amount of pension, viz., Rupees 27-7-6 to which he would be entitled, if the local Government had been pleased to sanction it as recommended by the Collector of Madras, your memorialist put in his papers for pension as directed.

Marked E.

5. That the Examiner of Claims, in reporting on memorialist's case, stated that he was not eligible to pension "as he was dismissed for misconduct in March 1868, and as he was subsequently employed in a temporary establishment." As regards the alleged "misconduct," your memorialist would humbly submit that in 1868, having been, as stated above, arrested for debt, applied for three months' leave, which was refused; and memorialist was summarily removed from his office in direct violation of paragraphs 7 and 8 of the Rules applying to the dismissal of Uncovenanted Servants, extracted from the Minutes of Consultation under date the 5th May 1854, No. 421, Public Department, which require that such removals should take place with the previons sanction of the Controlling Authorities, being in this case the Board of Revenue and Government.

Marked F.

Paragraph 7. "The rule should be made definite than it is in the Judicial Department as to what servants may be dismissed without the previous consent of the Controlling authority. In the Revenue Department, Tahsildars cannot be dismissed without previous sanction, and this rule ought to be extended to some other responsible situations, such as Taluq Sheristadar, Peishcar, Hoozoor Head Goomastah and the like. A similar rule should be applied to protect officers of the same grades in the Judicial Departments."

Paragraph 8. "The Governor in Council considers it but just and proper that greater protection should be given to *old* servants, and with this view he directs that the previous sanction of the Controlling authority should be indispensable to the dismissal of any servant of fifteen years' standing receiving a certain salary, say 25 Rupees a month; but the amount will be determined on the report of, or according to the opinion of the Court of Budder Adawlut and Board of Revenue, who will confer together and report on this point."

6. That, with this statement of the facts connected with memorialist's removal from office, he would leave to your Grace's impartial and merciful consideration whether memorialist's removal from office was owing to "misfortune" or "misconduct" on his part as alleged by the Examiner of Claims. That in proof that memorialist was treated with exceptional severity he would beg most respectfully to draw your Grace's attention to the cases of Government employés noted in the margin, who were although incarcerated for debt still retained their respective appointments, while it had been the hard lot of memorialist *alone* to be removed from his post; and he would here submit whether his claims to consideration are not at least equal to those of the individuals above adverted to who were in jail with memorialist at the time. There are no specific rules laid down by Government enjoining the forfeiture of appointments held by public servants in the event of their being arrested and put in jail for debt.

Names.	Offices.
J. G. Hewson.....	Accountant-General.
H. M. C. Kelly.....	Board of Revenue.
J. Marshall.....	Controller, Dept. Pub. Works.
F. Peters.....	Inspector-Genl. of Ordnance.
J. Shafton	Executive Engineer's, Pre.
J. Lavacah.....	Military Fund.

7. That your memorialist would further venture to submit that the Examiner of Claims is not competent to judge of memorialist's case, inasmuch as the Collectors who were his immediate employers were favourably disposed towards him, and accordingly recommended him for pension with *arrears* which they would not have done if memorialist had been really dismissed from service for "misconduct." On the other hand, memorialist is proud to have earned this sympathy from the Collectors, who were the highest as they were the best judges of memorialist's previous good conduct, qualification, and merits, solely by his assiduity, departmental honesty, and consistent character. This will be corroborated by a reference to the correspondence which passed between the Collector, the Board of Revenue, and the Madras Government, when Mr. Pelly's scheme for the revision of the Revenue Settlement was introduced in 1862. In that correspondence favourable mention is made of memorialist, and his salary specially augmented from Rupees 70 to 85 which, singularly, none of his predecessors ever enjoyed.

8. That your memorialist further begs to adduce a few instances, as per margin, where Government servants criminally punished, were treated with leniency and allowed pensions—the first, a Clerk in the Office of the Superintendent of Stamps, who was dismissed from the public service for having been an accomplice in a bribery case against the Manager, Mr. Clarke; the second a Tahsildar of the Authoor Taluq in the District of Salem, who was also removed from office upon clear conviction of bribery brought against him; and the third a Head Clerk in the Superintendent of Family Payments and Pension's Office at Madras, who had the audacity to purloin public records to afford private information to certain native petition writers; this individual was also removed from his office, but the whole three have subsequently obtained their allotted pensions, and memorialist begs to state that, if a minute search is made among the records of the Madras Government Office, many other cases more disgraceful than the above will unmistakeably be found.

1. Singaravaloo Moodelly.
2. Tesgaroya Pillay.
3. Mr. F. Pereira.

9. That your memorialist, under all the circumstances of his unfortunate case, most respectfully, but earnestly submits with these instances before your Grace that he had been most hardly dealt with in having been deprived of pension in his old age after a long and faithful service rendered to the State on a simple charge of "misconduct" as observed by the Examiner of Claims, be pleased to issue just and equitable orders conferring on your distressed memorialist the one-third pension of Rupees 27 and odd with arrears from the date of his application to which he has already been recommended by the Collector of Madras, whose application for pension was accompanied with a medical certificate declaring memorialist's inability to serve any longer. Being now out of employ for upwards of three years, coupled with old age and sickly state of health, burthened with a large family, solely dependent on your memorialist, undergoing the severe pangs of misery imaginable, anticipating a fervent but earnest hope of realizing that justice which your Grace is ready to render to those who are injured and are in need, and under such impression memorialist takes the liberty of intruding on your Grace's moments with his distressed and aggrieved case for your favourable consideration to relieve him and his large family from utter starvation; for which act of justice and Christian benvolence your distressed memorialist, as in duty bound, shall ever pray,

MADRAS,
27*th July* 1871.

(Signed) G. W. IRELAND.

Exd. J. Wright.

3A

1871.

FINANCIAL DEPARTMENT.

From

The Chief Secretary to Government.

Fort St. George,

To

The Secretary to the Govt. of India,

Financial Department.

Dated 13th *September* 1871.

Recd. No. 444.

Enclosure.

Forwarding a petition to Home Governmen
from Mr. G. W. Ireland, late Distraining Offic
in the Madras Collectorate, soliciting a pensio
for his past services.

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Reich 9/11 Sept

187 /
Financial DEPARTMENT.

From
The Chief Secretary to Government,
Fort Saint George,

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

Dated Sept 11. 187 /

Read

No 444
Enclosure.

Nos. 44-45.

Forwarding a Petition to Home Govt. from Mr. G. W. Leland, late distraining officer in the Madras Collectorate, Soliciting a pension for his past Services.