

(1) Number of pages 14(2) Date of repair 29-10-39(3) Initials of the Referencer A

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No. <u>48</u>	Press Mis.
Dated <u>31-1-</u>	<u>1871</u> .

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Not to be folded or roughly handledRK
29-10-39

No. 48.

FROM

THE HON. 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 request that you will lay the following case before His Excellency the Governor-General of India in Council for his consideration and orders.

2. M. Narasimhalu Naidu, late District Moonsiff of Sivagunga, served in that capacity for two years, seven months, and twenty-six days, and previously, in qualifying grades, for twenty-one years, ten months, and two days, or in all, for pension, twenty-four years, six months, and twenty-eight days. On the 12th of August 1868, he was suspended by Mr. G. R. Sharpe, Civil Judge, and his dismissal recommended to the High Court. The Judges were of opinion that the errors brought home to him were such as to show his unfitness to be entrusted with judicial powers, but, in consideration of his long service, abstained from the extreme punishment of dismissal, and ordered him to retire on such pension as Government might think proper to allow him. Subsequently, the Moonsiff petitioned the High Court that he might be allowed to complete twenty-five years' service to entitle him to a pension of one-third of his pay for the last five years. The High Court, apparently under some misconception as to the pension rules, granted his request, and ordered that he should be considered to have held office from the date of his suspension till the date of the appointment of his successor, viz., 24th November 1868. He was allowed pay for the period in question; but, even with this addition, his total service in grades qualifying for pension only reached twenty-four years and seven months.

3. As, however, the revised Pension Rules admit of the grant of a pension equal to one-third of the average salary during the previous five years of an applicant whose service has amounted to *fifteen* years, M. Narasimhalu Naidu would be eligible for a pension of Rupees 51, or one-third of Rupees 153 per mensem, were it not for the following circumstance. No Medical Certificate (which is necessary as the applicant's service is less than thirty years) was furnished till called for by a Government Order issued on receipt of the application, in forwarding which considerable delay occurred. The certificate ultimately furnished is dated 12th November 1870, nearly two years after the applicant's retirement, which took place on 23rd November 1868.

4. Supposing that, in spite of this informality, M. Narasimhalu Naidu is *eligible* for a pension, his conduct as a public servant has not been such as to entitle him to the full pension of one-third of his average salary for the five years preceding his retirement. The action taken by the High Court, adverted to above, was induced by such grave defects in M. Narasimhalu Naidu's procedure that the Civil Judge was led to entertain doubts of his probity. He was also charged with disobedience to the repeated orders of his superior.

5. The High Court, however, having evidenced a desire that M. Narasimhalu Naidu should not be deprived of pension, I am directed to request that, in consideration of all the circumstances of the case, the Government of India will be pleased to sanction the grant of a reduced pension of Rupees 25 per mensem to the individual referred to. His full pension would have been, under the Rules, Rupees 51 per mensem.

I have the honour to be,

Sir,

Your most obedient servant,

FORT SAINT GEORGE,
31st January 1871.

Chief Secretary.

1871.

FINANCIAL DEPARTMENT.

From

The Chief Secretary to Government,
Fort Saint George,

To

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

Dated 31st Jan. 1871.

Recd.

No. 48.

Enclosure.

Soliciting sanction to the grant of a reduced pension of Rupees 25 per mensem to M. Narasimhalu Naidu, late District Moonsiff of Sivagunga, Madura District.

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Financial Department

No. 48.

To The Secretary to the Government of India

Financial Department

Sir

I am directed to request that you will lay the following case before His Excellency the Governor General of India in Council for his consideration & orders.

M. Narasimhalu Naidu, late District Moonsiff of Sivagunga, served in that capacity for 24. 7m. 26d. & previously, in qualifying grades, for years 21. 10m. 2d.; or in all, for pension, years 24. 6m. 28d. On the 12th of August 1868 he was superseded by

J. D. S.

by Mr. G. R. Sharpe,
Civil Judge, & his dismissal
recommended to the High
Court. The Judges were
of opinion that the errors
brought home to him,
were such as to show his
unfitness to be entrusted
with judicial powers; but
in consideration of his
long service, abstained from
the extreme punishment
of dismissal, & ordered him
to retire on such pension as
Government might think
proper to allow him.

Subsequently, the Munsif
petitioned the High Court
that he might be allowed
to complete 25 years service
to entitle him to a pension
of

of one third of his pay
for the last few years.

The High Court, apparently
under some misconception
as to the pension rules,
granted his request &
ordered that he should be
considered to have held
office from the date of his
suspension till the date of
the appointment of his
successor viz 24 November 1868.
He was allowed pay for
the period in question but
even with this addition his
total service, in grades qua-
lifying for pension, only
reached 26 years & 7 months.
3 As however the
Revised pension rules ad-
mit of the grant of a
pension,

equal to one-third of the average salary during the previous five years of an applicant whose service has amounted to fifteen years, M. Narasimulu Naidu would be eligible for a pension of Rs 51 or one-third of Rs 153 per mensem, were it not for the following circumstance. No medical certificate (which is necessary as the applicant's service is less than 30 years) was furnished till called for by a Government Order issued on receipt of the application, in forwarding which, considerable delay occurred. The certificate

ultimately furnished is dated 12 November 1870, nearly two years after the applicant's retirement, which took place on 23rd November 1868.

Supposing that, in spite of this informality, M. Narasimulu Naidu is eligible for a pension, his conduct as a public servant has not been such as to entitle him to the full pension of one-third of his average salary for the five years preceding his retirement. The action taken by the High Court adverted to above, was induced by such grave defects in M. Narasimulu Naidu's

Kaidu's procedure that
the Civil Judge wasted
to entertain doubts of his
probity. He was also
charged with disobedience
to the repeated orders of
his superior.

5 The High Court,
however, having evidenced
a desire that M. Narasim-
halu Kaidu should not
be deprived of pension,
I am directed to request
that in consideration of
all the circumstances
of the case, the Government
of India will be pleased
to sanction the grant of
a subsistence allowance of reduced pension of
Rs 25 per mensem to the
individual

individual referred to //

His full pension
would have been
under the Rules
Rs 51 per mensem.

For Lt Genl }
31 Jan'y /91 }

Ok.

ML

ref.

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1871.
Financial DEPARTMENT

From The Chief Secretary to Government,
Port Saint George.

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

Dated *Aug. 31.* 1871.

Recd.

No. *48.*

Enclosure.

Nos. *63.*

*Soliciting sanction to the
grant of a reduced pension
of Rs. 25 per mensem to
Mr. Karasimhala
Kaidor Cote District
Magistrate of Sivaganga
Madura Dist.*

11/23/71