M.R.O. I—77,006—8-6-37.

(1) Number of pages_____

(2) Date of repair_____

(3) Initials of the Referencer_____

MADRAS RECORD OFFICE.

Government of Madras.

Financial DEPARTMENT.

G.O. No.	1338	Press / Mis.
67-70		67-70
Dated	13-8-	1874.

26/27

Not to be folded or roughly handled

Read the following papers:—

No. 67. From E. B. POWELL, Esq., M.A., C.S.I., Director of Public Instruction, to the Hon. D. F. CARMICHAEL, Acting Chief Secretary to Government, Fort St. George, dated Madras, 2nd December 1873, No. 2400.

I have the honor to submit the accompanying gratuity application on behalf of M. Narsimloo, a Peon in the Bellary Provincial School.

2. It is impossible for me to verify the entries in the application, but I submit the Peon's Service Book signed by the late Acting Headmaster of the Provincial School.

No. 68. *Docket in the Pension Department.*

Referred to the Financial Department for decision of the question of the admissibility of the payment of a gratuity from the School Fee Fund as recommended by the Deputy Accountant-General.

2. From G.O., dated 1st June 1874, No. 197, Educational Department, it would appear that service paid from the School Fee Fund has not hitherto been treated as qualifying.

(Signed) C. G. MASTER,
Acting Secretary to Government.

25th June 1874.

No. 1264.

No. 69. MEMORANDUM.

The undersigned has the honor to return the accompanying papers, and to say that, in his opinion, there is no ground for considering the Fee Fund a Local Fund such as is referred to in Section 28 of the Civil Pension Code. It is the declared policy of Government that the number of Government Schools is to be reduced, and that ultimately there are to be no such institutions; the Fee Fund therefore has not the quality of permanency, so as to allow of pensions being paid from it.

(Signed) E. B. POWELL,
Director of Public Instruction.

MADRAS,
24th July 1874.

To the Accountant-General, Madras.

No. 220.

Copy forwarded* to the Acting Chief Secretary to Government, Fort St. George, with reference to Official Memorandum from the Acting Under Secretary, Pension Department, No. 214, dated 13th July 1874, Ootacamund.

* With enclosures.

(Signed) R. W. LODWICK,
Accountant-General.

FORT ST. GEORGE,
27th July 1874.

No. 70. ORDER THEREON, 13th August 1874, No. 1338.

As the School Fee Fund does not fulfil the condition prescribed in Section 28 of the Civil Pension Code, the Government are unable to treat the applicant's

service as qualifying for pension or gratuity; but, as the applicant appears to have been originally entertained on the regular permanent establishment and transferred to the School Fee Fund, the Government resolve to authorize the Director of Public Instruction to disburse to him as a special case, from the balance to the credit of the School Fee Fund, the sum of Rupees 35, being the amount which he would have received as a gratuity under the Pension Code if he had remained on the regular establishment.

(True Extract.)

Acting Chief Secretary.

To the Director of Public Instruction
,, Accountant-General.
,, Pension Department.

Exd. W. H. French.

Rec'd from Mr. C. 22-8-73

Govt. of {1874} Madras.

FINANCIAL.

To THE DIRECTOR OF PUBLIC INSTRUCTION, &c., &c., &c.

Dated August, 1873.

Read.

G. O., 19th August 1874, No. 1338.

AUGUST.
Nos. 67—70.

School Fee Fund.—The Director of Public Instruction authorized to disburse to M Narsimloo, a Peon in the Bellary Provincial School, as a special case, from the balance to the credit of the School Fee Fund, a sum of Rupees 35, which sum he would have received as a gratuity under the Pension Code if he had remained on the regular establishment.

☆

1 5

Office of the Director of Public Instruction,
MADRAS, 2nd December 1873

No. 2400.

From

THE DIRECTOR OF PUBLIC INSTRUCTION,
Madras.

To

THE CHIEF SECRETARY TO GOVERNMENT,
Fort Saint George.

SIR,

I have the honor to submit the accompanying Gratuity application on behalf of M. Narsimloo a peon in the Bellary Provincial school.

2. It is impossible for me to verify the entries in the application, but I submit the peon's Service Book signed by the late Acting Head master of the Provincial school.

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

J B Powell
Director of Public Instruction

Memo

Forwarded to the Accountant Generals for transmission to Government.

S. B. Powell
Director of Public Instn

Office of the Director of Public Instruction
Madras 12th December 73

Accountant General's Office
Recd 4 DEC 1873
Ansd

13390

1

From Dept. 1873.
The Director of Public Instruction,
Madras.

To
The Chief Secretary to Government,
Fort Saint George.

Dated 2nd December 1873.
Received

No.
Enclosures.
No.

Subject

Forwarded

Recd 18 Dec 1873

Name of Officer.	Caste or Race.	Residence.	Father's Name.	Father's Residence.	Date of birth.	Age. Years	Age. Ms.	Age. Days.	Exact Height. Feet.	Exact Height. In.	Personal marks for identification.	Date of Entry.	Signature of Officer.	Signature and designation of the Head of the Office.
A. Narrimbeen	Padawar Golla	Bellary	A. Ollaveen	Dead	1823	50	"	4	5	4	A Scar on the lower side of left thigh. Two scars on the right side of the right eye. A Scar under the Elbow.	13th July 1873.	Mark of A. Narrimbeen. A. Ollaveen Clerk Provincial School Bellary.	Manjunada Rau Head Mast. &c. Prov. School Bellary.

THE ENTRIES IN THESE COLUMNS ARE TO BE REATTESTED EVERY FIVE YEARS; EACH ATTESTATION SHOULD BE CAREFULLY RULED OFF THE DATE MAY BE CLEARLY SHOWN.

1 Name of appointment.	2 Nature, *i.e.*, whether substantive or acting, permanent or temporary.	3 Substantive appointment, if the new appointment be acting only.	4 Pay.	5 Acting allowance.	6 Date of appointment.	7 Signature of Officer.	8 Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	9 Signature & designation of immediate head of the Office.	10 Date of termination of appointment.	11 Reason of termination *e. g., transfer, promotion, return of permanent incumbent.*	12 Signature and designation of immediate head of the Office.
Peon Govt. Prvt. School Bellary	Permanent and Substantive		※ 5 Rs increased by Rs eventually	—	1st January 1855	Henry Sullivan Asst. Collector Chief Revd. Officer Bellary	Honest and diligent in the discharge of his duties & punctual in attendance	Henry Sullivan Asst. Collector Chief Revd. Officer Bellary	10th Dec. 1873	Appointed to succeed Nullaya to Pillicera.	Henry Sullivan Asst. Collector Chief Revd. Officer Bellary
			※ From 29th January 1855 to the end of February 1862 Rs 5 From March 1862 to the end of February 1869 Rs 6 From March 1869 to the 10th of November 1873 Rs 7								

1 Name of appointment	2 Nature, *i.e.*, whether substantive or acting, permanent or temporary.	3 Substantive appointment, if the new appointment be acting only.	4 Pay.	5 Acting allowance.	6 Date of appointment.	7 Signature of Officer.

8 Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	9 Signature & designation of immediate head of the Office.	10 Date of termination of appointment.	11 Reason of termination *e.g., transfer, promotion, return of permanent incumbent.*	12 Signature and designation of immediate head of the Office.

1 Name of appointment.	2 Nature, *i.e.*, whether substantive or acting, permanent or temporary.	3 Substantive appointment, if the new appointment be acting only.	4 Pay.	5 Acting allowance.	6 Date of appointment.	7 Signature of Officer.	8 Character of Officer. *No entry need be made in this Column except when there is any thing either good or bad to be recorded. Suspensions should be noted here when the order of suspension is passed.*	9 Signature & designation of immediate head of the Office.	10 Date of termination of appointment.	11 Reason of termination *e.g., transfer, promotion, return of permanent incumbent.*	12 Signature and designation of immediate head of the Office.

SERVICE BOOK

OF

Name. Mc Ferguson

Caste or Race. Gentleman's Cook

Residence. Bellarey

FATHER'S. Name. Mc Allan

Residence. Dead

Date of birth. 1823

Rec'd 26 Feb 1874

17

I Surgeon Major E. S. Cleveland M.D. Off'g Garrison Surgeon at Bellarey do hereby certify that I have carefully examined Norman Mc Ferguson in the Government Provincial School at Bellarey, that his age by his own statement is 50 years, and by appearance about 60 years, and that I find him to be the subject of Organic disease of heart and unfit for further service. His state of health is not in my opinion attributable to intemperance or other irregular habits

Bellarey
10th November 1873

E. S. Cleveland M.D.
Surgeon Major
Off'g Garrison Surgeon

Thro' the Director of Public Instruction

To be returned with reply on reverse.

AUDIT DEPARTMENT.

No.

Fort Saint George,
Accountant General's Office,
15th December 1873.

FROM THE DEPUTY ACCOUNTANT GENERAL,
TO THE GOVERNMENT OF MADRAS,

To The H.M. Master Provincial School, Bellary.

VIDE your Office application for annuity gratuity on behalf of
M. Narasimulu

The undersigned has the honor to request explanation on the following points:—

1. Why was the applicants service not shown in detail on the 2nd side of the application (to be returned)? Please enter the same now.
2. Why neither his name nor the part of pension — traceable in the pay bills and Muster Registers on record in this office up to 1871/72?
3. From what source was he paid during the whole period of his service? Under what orders of Government was such service countable towards pension or gratuity on the superior scale.
4. If the applicants service cannot be verified from official records, why were affidavits & statements of Contemporary employés not obtained & furnished agreeably to rule 4 of section 7 of the Civil Pension Code? Please obtain & furnish the same now.

Donald
Dy Accountt Genl

Rec. Sa No 1584/73.

(1) It is now shown in detail. It will be observed that there is no break in the service.

(2) There ought to be some record of the applicants services in your office upto February 1859

3d From the Treasury from 29th January 1855 to February 1859.

From the School Fee from March 1859 to May 1871.

From the Treasury from June 1871 to 10th November 1873.

He is eligible for gratuity vide Civil Provincial Code Chapter XII Section 63.

4. Accountant General's Office
Recd 19 Feb 1 1874
Ansd

16 January 1874
Govt School
Bellary

P Ranganadum
Head Master

15455

21

APPLICATION FOR { PENSION / GRATUITY.

		Y.	M.	D.
1. Name of Applicant.	M. Narsimloo			
2. Father's name.	M. Chinnoo			
3. Sect or Caste.	Yadava or Golla			
4. Residence.	Bellary			
5. Present or last employment.	Ron Govt Provincial School Bellary.			
6. Date of beginning of service	29th January 1855			
7. Date of end of service	10th November 1873			
8. Length of service ~~including breaks~~		18	9	12
of which superior				
inferior		18	9	12
non-qualifying and breaks				

9. Class of { ~~pension~~ / gratuity } applied for, and cause of application.* Gratuity on account of service. The cause is inability & unfitness for further service.

10. [Average] emoluments or pay. 7 Rs. (Seven) per mensem

11. Proposed pension. —

12. Proposed gratuity. (35 Rs.) Thirty Five Rupees

13. Date from which to commence. —

14. Place of payment. Bellary

15. Age of applicant on this date. 50 or perhaps two or three years over 50.

16. Height. 5 feet 4 inches

17. Marks. { A scar on the lower side of the thigh. Two scars on the right side of the right eye A scar under the elbow.

18. Date. 18th November 1873

P Ranganadum
Head Master.

SIGNATURE OF THE HEAD OF OFFICE.

* If the application is for a compensation pension or gratuity, the nature of the change of establishment which has given rise to the claim should be fully stated.

DCC

HISTORY OF THE SERVICE ~~(SHOWING BREAKS) OF~~ of M. Narasimoolo

Establishment.	Appointment.	Pay. Rs.	A.	P.	Acting allowance. Rs.	Date of beginning.	Date of end.	Period reckoned as service. Y.	M.	D.	Period not reckoned as service. Y.	M.	D.	Remarks.	How verified.	Remarks by Accountant-General.
Government Provincial School Bellary	Prov.	~~15~~ 25	"	"	"	29th January 1855	28th February 1859	4	1	0	"	"	"	No breaks.	Verified by the records of this office.	Service from 1st April 1872 verified from the records of this office and the entire period viz. from 29th January 55 to 10th November 1873 certified by the Head Master from the Local School records. The annual returns and records in this office from 1855 to 1864 (save 1861) show merely the appointments of years and pay without specification of names.
		6	"	"		from 1st March 59	28th February 64	5	"	"						
		7	"	"		1st March 64	10th November 73	9	8	10						
Total period of {~~superior~~ inferior} service...						.....		18	9	12				16 January 1874		

Compounder
Head Master

REMARKS BY HEAD OF OFFICE.

1. As to character and past conduct of Applicant. Honest & diligent in the discharge of his duties and Punctual in attendance

2. Explanation of any suspension or degradation. —

3. Regarding any gratuity or pension already received by Applicant. See Chapter XX. —

4. Explanation under Section 47, Rule 1, so far as the Head of the Office can give it. —

5. Any other remarks. —

P Ramanadam
Actg Head Master
Pro. School Bellary
SIGNATURE.

No 94

CERTIFICATE AND REPORT OF ACCOUNTANT-GENERAL.

CERTIFIED that (subject to the remarks below recorded) qualifying service in {inferior superior} grades has been duly proved for 18 years 9 months and 13 days; and that an invalid {pension gratuity} not exceeding Rs. 35 equal to 5 months pay is admissible under Section 63(a) of the Civil Pension Code. The calculations have been duly verified. The first portion of the applic ant's service extending from 29th January 1855 to 28th February 1859 viz. 4 years 1 month and 3 days has been paid for entirely from Imperial money the pension under reference from 1st March 1859 to 10th November 1873 from the School Fees Fund which was constituted in 1859/60. Since 1871 the Fund has been merged into Provincial Services but is to be separated retrospectively and the work is now in progress. The Service has throughout been in the same school and in the same capacity and would have carried an invalid grading had Imperial money continued to bear the charges. Although therefore the general rules for extending pensionary Thereafter to Local Funds in the case special Funds Establishments have not yet been settled, there is apparently no room for doubt that a gratuity is allowable here and under Section 29 clause 1 of the code it is payable wholly from the Fund.

P Code
Accountant-General.

Fort Saint George
Accountant General's Office
7th March 1874

To The Under Secretary to Government
Pension Department

No. 1264.

Memorandum

The undersigned has the honor to return the accompanying papers and to say that, in his opinion, there is no ground for considering the Fee Fund a Local Fund such as is referred to in Sec: 28 of the Civil Pension Code. It is the declared Policy of Government that the number of Government Schools is to be reduced and that ultimately there are to be no such institutions; the Fee Fund therefore has not the quality of permanency, so as to allow of pensions being paid from it..

Office of the Director of Public Instruction Madras 24th July 1874. } (Signed) E. B. Powell.
Director of Public Instruction.

To The Accountt. Genl.
Madras.

No. 220.

Copy forwarded to the Actg. Chief Secretary to Government, Ft. St. George, with reference to Offl. Memorandum from the Acting Under Secretary, Pension Departt., No. 214 dated 13th July /74. Ootacamund.

Ft. St. George
Acctt. Genls. Office
27th July 1874. }

[signature]
Accountt. Genl.

APPLICATION FOR {~~PENSION~~ OR GRATUITY—

Date of application.

Name of applicant.

Last appointment.

Class of {~~pension or~~ gratuity.

Amount of pension sanctioned.

Amount of gratuity sanctioned.

Date of commencement.

Date of sanction.

Pension Department

Memo for Orders.

1. M. Narcisse was appointed a pro in the Provincial School, Bellary in 1855, and he remained in that employment until invalided in March 1873.

Until 1859 his pay was debited to Imperial funds; but in that year & thence forward, he was paid from School Fees.

Under these circumstances is he eligible for pension?

2. In 1871 the school fee fund was merged in Provincial Service funds, but

but the Government refused to sanction the Establishment's paid from it being styled "Permanent," as it would entitle to pensions, & a large number of persons then not eligible.

Recently Mr Powell has asked that all masters in the Education Department might be looked upon as "Servants with the usual privileges;" but the Government refused; so the Applicant is apparently not entitled to any allowance. Had his pay been debited through out to Imperial Revenues, he would now have been entitled to an invalid gratuity.

× Para 6. G. O. 20th Nov 1871 No 347.

Ø 1st June 74 No 197.

See Mr. Powell's D.O. papers.

of Rs 35. It may therefore be considered hard that he should suffer because the Educational Authorities, after he had served about 4 years, chose to pay him and all other Servants from school fees because the arrangement possessed the advantage of elasticity, and obviated the necessity of appealing to Government every time a petty increase of expenditure had to be incurred." On the other hand, it is to be noticed, that his supporters were able to raise his pay [illegible] in eighteen years service, and that this would probably not have been effected if his pay had

had been an Imperial charge.

3. The case will form a precedent, for, as Mr Powell writes, "the question about pensions and gratuities to men formerly paid from fees is still unsettled."

It seems that "at first all the charges in schools were, as a matter of necessity, met from Imperial Funds; but when school fees began to flow in it was thought advisable to throw the cost of servants and Contingencies upon them."

4. It is submitted that a line might be drawn between those men who formed a

Note

This was written by Mr. "P" prior to the Receipt of the G.O. of the 1st current. That however only settles the case of such who were never paid except from fees, so that the applicants case still remains to form a precedent for those who were once paid from Imperial Funds.

Jas

Jr. Powell's D.O.

31

a portion of the permanent Educational Establishment, as sanctioned in G.O. 24th December 1858, & 1607, and those extra servants subsequently appointed and paid by the Educational Department from fees. The applicant was of the former class, as he was one of the sanctioned proms of a Provincial School; and he has thus a claim which the other class cannot advance. The Account Department would allow him a gratuity, & under S. 29 Clause 1 of the Civil Pension Code, would charge it wholly to the school fee fund.

It

It is presumed that this may be done, care being taken to distinguish his case from that of the other class of servants referred to above.

L.d.

C.M.

Reno

In Varsinitz's application for pension

Hon the Secy

Under Secretary

for order

Oct 11 June 74

C 15th Reno/74 R. 18th

Office
4/16/174

Sir

I return Varsinitz's gratuity application which accompanied your note of yesterday, and I have the pleasure of forwarding for perusal my predecessor's letter to Lort No 874 of the 18th Oct. 1858, the Order in pursuance thereof No 1607 of the 24th Dec. of the same year, and my letter to Lort No 338 of the 3rd March last, which is still under consideration.

Bill more, and the salaries of additional teachers and additions to the salaries of teachers on the Accountant General's list were thrown upon them. At last the amount realised annually from fees approximated to a lakh (in 1872-73 it reached that sum), and in 1871 Govt. abolished the schools fee fund and ordered all fees to be carried to their credit; the present state of things is described in my letter of the 3rd March last.

The question about pensions and gratuities to men formerly

Financial Department.

Memorandum for Orders.

paid from fees is, you will observe, still unsettled; but I earnestly hope that all servants, Native subordinates included, will be given the benefit of the existing G. O. & rules.

I trust you will now be in a position to deal with Nowa-Semlaki's application; and I shall be obliged by your returning the accompanying papers when you have done with them.

Believe me
Yours &c. (complimentary close)
To: [illegible]

W B Poole

The "school-fee fund" is, I presume, merely the appropriate fees paid by scholars. It is separate from that is now at the Treasury but part of the Existing Balance to its credit, he says. I think. pay the Interest quarterly.

J. D-L.

Answer to Granted as a Special case Clerk

In G.O. dated 1st June 1874, No. 174, the Govt repeated the decision contained in G.O. dated 20th November 1871, No. 347, para 6, that, pending the settlement of the relations between Provincial and Imperial Services with regard to pensions, the Govt are not prepared to take any step involving the admission of claims to pension by servants paid from the School Fee Fund. It will be observed that throughout the whole of the correspondence connected with the above quoted Orders no question arises regarding the practicability of pensioning these

these men from the source from which they drew their pay – viz: the School Fee Fund – which has hitherto always been looked upon as a fund from which pensions could not be paid. Recently, however, in forwarding an application for pension submitted by a peon who had been paid during the greater part of his service from the School Fee Fund, the Deputy Accountant General recommended that it should be admitted, and remarked that although "the general rules for extending pensionary benefits to Local Funds (in this case a special fund) establishments have not yet been settled, there is apparently no room for doubt that a gratuity is allowable here."

Shall not be viewed as a precedent – pending further exam. of the matter
12/8

On a Memorandum submitted

submitted in the Pension Dept.t it was decided that the claim should be admitted on the ground that the applicant had originally been employed as a permanent servant on the regular establishement.

In the meantime, however, G.O. dated 1st June 1874, N.o 197, Educ.l Dept.t, was issued, and the case was accordingly transfered to the Financial Department, with the following endorsement:–

"Refered to the Fin.l Dept.t for decision of the question of the admissibility of the payment of a gratuity from the School Fee Fund as recommended by the Deputy Accountant General."

From G.O. dated 1st June

June 1874, No 197, it would appear that "service paid from the School Fee Fund has not hitherto been treated as qualifying."

The difficulty in treating the case as recommended by the Deputy Accountant General arises from the fact that if the gratuity is paid at all, it must be paid from the School Fee Fund under section 29, clause 1, and Govt are only competent to treat service under such a Fund as qualifying, in the event of the fund fulfilling the following conditions.

(1). That its income is derived from taxation or other permanent source and not from charitable donations or voluntary subscriptions.

(2) That the source of its income is under the control of government.

It must therefore now be decided whether the School Fee Fund does or does not fulfil these conditions.

On a Memorandum being sent to the Acct. General requesting, with reference to the Deputy Accountant General's recommendation, to know whether there were any special grounds for believing that the School Fee Fund fulfilled the conditions prescribed in Section 28 of the Pension Code, the Acct. General referred the question to the Director of Public Instruction who replied,

"It

"It is the declared policy of Govt that the number of Govt schools is to be reduced, and that ultimately there are to be no such institutions; the Fee Fund therefore has not the quality of permanency so as to allow of pensions being paid from it." The Accountant General forwards this opinion without remark so it is to be presumed that he acquiesces in it.

Under these circumstances it appears that if the present applicants service under the Fee Fund is to be treated as qualifying under the Pension Code, the sanction of the Govt of India must be obtained.

The objection, however,

of the restriction contained in Section 25 is obviously to prevent the Govt committing themselves to the admission of claims to pension from a fund which eventually may not be able to meet these claims. There is no such danger in the present case and as the Fund in question is entirely under this Govt, the following Order might perhaps be passed without infringing the Orders of the Govt of India.

1 Read letter from Dr A Smith — 2 Dec 1873
2 Docket of the Accot Genl — 27 July 1874
3 Docket of the Pension Dept — 28 June 74

Cost accounts 13 Aug/74 No 1338

"As the School Fee Fund does not fulfil the condition prescribed in Section 28 of the Civil Pension Code, the Govt are unable to treat the applicants

Services

service as qualifying
for pension or gratuity
as the applicant appears to have been
but ~~under the orders~~
originally entertained on the regular permanent
~~Establishment of the Colony~~ Etc
Establishments and transferred to the School Fee Fund ~~the~~
the Govt resolve to authorize
the Director of Public
Instruction to disburse
him as a special case
to ~~the applicant~~, from the balance to
credit of the
the School Fee Fund,
the sum of Rs 35, being
the amount which he
would have received as
a gratuity under the
Pension Code if he had
remained on the regular
establishment.

Letter to be sent to the Director Pub Instruction

The Director Pub Instruction
Acct General
Pensions Department

1338

Payment of a pension
from the Trent Ter
Fund.

Govt. of {1874} Madras.

Fin.

To,
The Director of
Public Instruction.
&c.

Old Sent book
1/8

G. O. 13 Augt., 1874, No. 1338.

Nos. 67-70.

School fee fund. The Director of Public Instruction authorized to disburse to M. Narasimlos, a Reader in the Bellary Provincial School, as a special case from the balance to the credit of the School Fee Fund, a sum of Rs. 38- which sum he would have received as a gratuity under the Pension Code if he had remained on the regular establishment.